

99070002041000

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/53678/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99070002041000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Procurement procedures for construction services; carrying out inspections
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	27.03.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Wohnen, Bau und Verkehr (Bavarian State Ministry of Housing, Building and Transport)
Handlungsgrundlage	https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG002404118 https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG002404118 https://www.gesetze-im-internet.de/vgv_2016/ https://www.gesetze-im-internet.de/vgv_2016/ https://www.gesetze-im-internet.de/sektvo_2016/index.html https://www.gesetze-im-internet.de/sektvo_2016/index.html https://www.gesetze-im-internet.de/konzvgv/index.htm https://www.gesetze-im-internet.de/konzvgv/index.htm https://www.gesetze-bayern.de/Content/Document/BayVV_731_B_10605 https://www.gesetze-bayern.de/Content/Document/BayVV_731_B_10605 https://www.bmwi.de/Redaktion/DE/Downloads/U/unterschwellegenvergabeordnung-uvgo.pdf?__blob=publicationFile&v=8 https://www.bmwi.de/Redaktion/DE/Downloads/U/unterschwellegenvergabeordnung-uvgo.pdf?__blob=publicationFile&v=8 http://www.gesetze-im-internet.de/hoai_2013/index.html http://www.gesetze-im-internet.de/hoai_2013/index.html
Teaser	The so-called VOB bodies act as review bodies for award procedures for construction services that are not subject to EU law in certain cases.
Volltext	The VOB offices (VOB = Vergabe- und Vertragsordnung für Bauleistungen) are located at the governments and are available to bidders and applicants as a review body for the tendering and awarding of construction services that must be awarded by public contracting authorities and private funding recipients in

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accordance with the Vergabe- und Vertragsordnung für Bauleistungen - Teil A (VOB/A) below the EU threshold.

Jurisdiction is not based on the registered office of the company lodging the complaint, but on the location of the construction project in the case of municipal measures and funding measures, and on the registered office of the awarding authority in the case of state measures.

Erforderliche Unterlagen

- all documents necessary for the assessment of a breach of contract

Voraussetzungen

The VOB offices of the governments act as review bodies for award procedures for construction services that are not subject to EU law in the following cases:

- As superior authorities, the governments are review bodies pursuant to Section 21 VOB/A with authority to issue instructions to the subordinate authorities, which in the area of state building administration are the state building authorities (state measures with measures of the palaces and lakes administration) and in the area of environmental administration are the water management authorities.
- On the basis of direct or indirect legal supervision, the governments are review bodies pursuant to Section 21 VOB/A for the municipal awarding authorities - with the exception of districts - insofar as these are bound by the procurement regulations or apply them voluntarily.
- The governments are review bodies in accordance with Section 21 VOB/A insofar as private recipients of grants or private recipients of statutory services are bound by the procurement regulations on the basis of the grant notices or legal provisions and the government has been assigned tasks by the department providing the grant or granting the service and the awarding authority has specified the government as a review body in accordance with Section 21 VOB/A in the notice. In the case of funding measures in which the federal government is involved as the funding body, the Bavarian State Building Directorate is the reviewing body in accordance with Section 21 VOB/A.

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	In all other cases, the respective supervisory authority is the review body in accordance with Section 21 VOB/A. These can make use of the technical support of the VOB office, but remain responsible for the final decision.
Kosten	
Verfahrensablauf	<p>If the above requirements are met, the application for review must be submitted to the VOB office. Review procedures can only be applied for by e-mail, fax or letter. The following information is required:</p> <ul style="list-style-type: none"> • Name of the award procedure and the construction measure • Name of the complainant (address, telephone, fax, e-mail) • Name of the client (address, telephone, fax, e-mail) • Designation of the planning office (address, telephone, fax, e-mail) • Description of the alleged infringement with a description of the facts • Naming of the grantor (if grants)
Bearbeitungsdauer	There is no statutory processing deadline; the processing time depends on the individual case and can vary greatly, with incoming applications being processed according to urgency.
Frist	<p>A review procedure is only possible until the conclusion of the award procedure, which takes place through the award of the contract or its annulment. The rescission of concluded contracts cannot be ordered in the sub-threshold area.</p>
weiterführende Informationen	
Hinweise	Applicants for review procedures can only be a company that has an interest in the public contract or concession and claims that its rights have been infringed due to non-compliance with the procurement regulations, or its respective association.
Rechtsbehelf	

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Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal