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# Public contract for the provision of information

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013314/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99120001013000
Leistungsbezeichnung I	Public contract for the provision of information
Leistungsbezeichnung II	Procurement procedures and procurement - obtain information on implementation
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">E-procurement, tax authority</div>, <div lang="en-x-mtfrom-de">Tenders</div>, <div lang="en-x-mtfrom-de">Procurement law</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

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SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	21.11.2024
Fachlich freigegeben durch	
Handlungsgrundlage	<p>§§ 97ff Act against Restraints of Competition (GWB)          &lt;<a href="https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG018200118">https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG018200118</a>&gt;</p> <p>Public Procurement Ordinance (VgV)          &lt;<a href="https://www.gesetze-im-internet.de/vgv_2016/index.html">https://www.gesetze-im-internet.de/vgv_2016/index.html</a>&gt;</p> <p>Sub-threshold Public Procurement Ordinance (UVgO)          [<a href="https://www.verwaltungsgesetze-im-internet.de/bsvwbund_02022017_IB6261902.htm">https://www.verwaltungsgesetze-im-internet.de/bsvwbund_02022017_IB6261902.htm</a>](<a href="https://www.verwaltungsvorschriften-im-internet.de/bsvwbund_02022017_IB6261902.htm">https://www.verwaltungsvorschriften-im-internet.de/bsvwbund_02022017_IB6261902.htm</a>)</p> <p>German Construction Contract Procedures (VOB/A)          [<a href="https://www.verwaltungsgesetze-im-internet.de/bsvwbund_31012019_BWI781063060120180001604634.htm">https://www.verwaltungsgesetze-im-internet.de/bsvwbund_31012019_BWI781063060120180001604634.htm</a>](<a href="https://www.verwaltungsvorschriften-im-internet.de/bsvwbund_31012019_BWI781063060120180001604634.htm">https://www.verwaltungsvorschriften-im-internet.de/bsvwbund_31012019_BWI781063060120180001604634.htm</a>)</p> <p>Hamburg Public Procurement Act (HmbVgG)          [<a href="https://www.landesrecht-hamburg.de/bsha/document/jlr-VergabeGHA2006frame">https://www.landesrecht-hamburg.de/bsha/document/jlr-VergabeGHA2006frame</a>](<a href="https://www.landesrecht-hamburg.de/bsha/document/jlr-VergabeGHA2006rahmen">https://www.landesrecht-hamburg.de/bsha/document/jlr-VergabeGHA2006rahmen</a>)</p> <p>Hamburg Public Procurement Directive (HmbVgRL)          &lt;<a href="https://www.hamburg.de/resource/blob/930976/7d54fc02b9094c746e67939f331c9efa/hmbvgrl-stand-07-2024-lesefassung-inkl-aller-anlagen-data.pdf">https://www.hamburg.de/resource/blob/930976/7d54fc02b9094c746e67939f331c9efa/hmbvgrl-stand-07-2024-lesefassung-inkl-aller-anlagen-data.pdf</a>&gt;</p>
Teaser	The Free and Hanseatic City of Hamburg requires various goods and services to carry out its public tasks. These are generally awarded through fair competition

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	and transparent procedures.
Volltext	Public contracts are contracts for remuneration between public clients and companies. These contracts concern the purchase of goods, the construction of buildings or the provision of services. Public clients such as the Free and Hanseatic City of Hamburg are generally legally obliged to conclude their contracts by conducting a tendering procedure.
Erforderliche Unterlagen	You will find out which documents you need during the respective tendering process.
Voraussetzungen	<ul style="list-style-type: none"> <li>• Economic efficiency and proportionality are taken into account when awarding the contract.</li> <li>• All participants in a procurement procedure are treated equally, unless legal requirements permit or require unequal treatment.</li> <li>• Aspects of quality and innovation are taken into account when awarding contracts.</li> <li>• Social and environmental aspects are taken into account in accordance with the requirements of the law.</li> <li>• The interests of small and medium-sized businesses are given priority.</li> <li>• Services are awarded divided according to quantity (partial lots) and according to type or field of expertise (specialist lots), unless economic or technical reasons speak against it.</li> <li>• Contracting authorities and companies generally use electronic means for the procurement procedure.</li> <li>• Companies have the right to ensure that the rules of the procurement procedure are complied with.</li> </ul>
Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	<p>Public procurement procedures consist of several steps:</p> <p>1\ Needs analysis and planning:</p> <ul style="list-style-type: none"> <li>• The public authority determines the need for goods, services or works and plans the procurement procedure.</li> <li>• A decision is made as to which type of procurement procedure (e.g. open, restricted, negotiated) will be used.</li> </ul>

## Modul

## Sachverhalt

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### 2\ Public tender:

- The public authority draws up the procurement documents containing the requirements, specifications and conditions for the award of the contract.
- The tender documents are published to inform potential bidders. This usually happens via official platforms or procurement portals.

### 3rd offer phase:

- Questions from bidders are clarified in this phase; there is often a deadline for submitting follow-up queries.
- Companies submit their offers on time, taking into account the requirements of the tender.

### 4\ Review of offers:

- The offers received are checked for formal correctness, for example whether all required documents are present.
- This is followed by a content review in which criteria such as price, quality, degree of innovation, social and environmental aspects are evaluated.

### 5\ Award of contract:

- The most economical tender or the tender that best meets the specified criteria will be awarded the contract.
- All bidders will be informed of the decision, and unsuccessful bidders will usually also receive a reason for their decision.

### 6\ Conclusion of contract:

- A contract will be concluded with the successful bidder on the basis of the tender documents and the submitted offer.

### 7\ Order execution and control:

- The order will be carried out in accordance with the contractual agreements.
- The beneficiary monitors the implementation to ensure that the services are provided properly.

### 8\ Conclusion and settlement:

- It is checked whether all contractual obligations have

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been fulfilled and payment is initiated.

In some cases, review procedures may also arise if a bidder files a request for review in EU-wide procedures.

**Bearbeitungsdauer**

The duration of a tendering procedure from publication to award can vary depending on the type and scope of the procedure and the applicable legal requirements. The duration of the individual steps in EU-wide procurement procedures is typically as follows: Offer period: 15 to 35 days Review of offers: 1 to 4 weeks Award period: 2 to 4 weeks Award of contract and conclusion of contract: a few days to a few weeks

**Frist**

The tendering period is the period within which you can submit your tender. For EU-wide calls for tenders, the minimum period is usually 35 days from the publication of the contract notice. This period can be shortened under certain conditions, for example to 15 days if a prior information notice has been published or in urgent cases. The award period is the period within which the public authority must select the best tender and award the contract. The length of this period may vary and is specified in the tender documents. During this period, tenderers are bound by their tenders. During the binding period, you are bound to your offer and the public body must decide within this period whether to accept the offer. The binding period is specified in the tender documents and is usually several weeks. In certain cases, such as when tender documents are amended or complex tenders are required, the deadlines may be extended. Compliance with these deadlines is intended to ensure that tendering procedures are efficient, transparent and fair. The following applies to all deadlines described: You will find out the specific deadlines in the respective tender. Procurement tribunals must process applications for review promptly. Although there is no set deadline, the decision should normally be made within five weeks in order not to unnecessarily delay the procedure

**weiterführende**

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**Informationen**
**Hinweise**

Purchasing in Hamburg is divided into a strategic unit in the tax authority and into 5 procurement and procurement centers (BVC) based on product group responsibilities. The distribution of product groups across the BVC can be found on the Internet at [hamburg.de](http://hamburg.de).

**Rechtsbehelf**

If a public contracting authority does not carry out an EU-wide procurement procedure for a contract although this is required by law, or otherwise violates procurement law, the companies concerned can submit an application for review to the competent procurement board.  
 Here is an overview of the process and legal remedies:

**\*\*Obligation to give notice:\*\***

- First, as the company concerned, you must immediately notify the public authority of the alleged violation of law. This means that you must inform the public authority of the violation of the obligation to advertise and demand that the allegedly unlawful behavior be corrected.

**\*\*Request for review:\*\***

- If the complaint is not taken into account by the contracting authority or is not dealt with sufficiently, you can submit an application for review to the competent public procurement board.
- The procurement tribunal examines whether the procurement procedure was carried out lawfully and can issue orders to counteract any conduct found to be unlawful.

**\*\*Legal remedies against decisions of the Public Procurement Chamber:\*\***

Both you and the public authority can appeal against the decision of the procurement board to the competent higher regional court.

**\*\*Interim legal protection:\*\***

- During the review procedure, you can apply for

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	<p>interim legal protection to prevent the contract from being awarded before the legality has been clarified.</p> <p>The application for review is the central legal remedy to ensure that procurement procedures are carried out properly and in accordance with legal requirements.</p>
Kurztext	<ul style="list-style-type: none"> <li>• Public contracts: contracts for consideration between public contracting authorities and companies</li> <li>• Fair award of contracts by public contracting authorities for the purchase of goods, construction of buildings, provision of services</li> <li>• Public contracting authorities: e.g. Free and Hanseatic City of Hamburg</li> <li>• Legal obligation to award contracts, usually by conducting a tendering procedure</li> </ul>
Ansprechpunkt	
Zuständige Stelle	Financial authority - procurement and strategic purchasing - fundamental procurement law issues, advice and information management
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)