

99120001107003, 99120001107003

Public procurement: Participate in a direct award or negotiated procedure

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/11056226/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99120001107003, 99120001107003
Leistungsbezeichnung I	Public procurement: Participate in a direct award or negotiated procedure
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Öffentliche Aufträge (120)
Verrichtungskennung	Vergabe (107)
SDG-Informationsbereich	

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Lagen Portalverbund	Informationen zur öffentlichen Vergabe (2080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.07.2012
Fachlich freigegeben durch	Hessian Ministry of Economics, Energy, Transport and Regional Development
Handlungsgrundlage	https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=31&numberofresults=80&fromdoctodoc=yes&doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&doc.part=X&doc.price=0.0#docid:146197,57,19990101 https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=31&numberofresults=80&fromdoctodoc=yes&doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&doc.part=X&doc.price=0.0#docid:5480865,38,20160104 https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG002502377 https://www.gesetze-im-internet.de/vgv_2016/ https://www.bmwi.de/DE/Service/gesetze,did=191324.html https://www.absthessen.de/recht-vob.html https://www.gesetze-im-internet.de/sektvo_2016/ https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html#docid:7255264,1,20150301 https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=31&numberofresults=80&fromdoctodoc=yes&doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&doc.part=X&doc.price=0.0#docid:146197,57,19990101 https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&showdoccase=1&js_peid=Trefferliste&documentnumber=31&numberofresults=80&fromdoctodoc=yes&doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&doc.part=X&doc.price=0.0#docid:5480865,38,20160104 https://www.gesetze-im-internet.de/gwb/BJNR252110998.html#BJNR252110998BJNG002502377

Modul

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https://www.gesetze-im-internet.de/vgv_2016/
<https://www.bmwi.de/DE/Service/gesetze,did=191324.html>
<https://www.absthessen.de/recht-vob.html>
https://www.gesetze-im-internet.de/sektvo_2016/
https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html#docid:7255264,1,20150301

Teaser

Volltext

In the case of direct award (national), the contracting authority (awarding body) invites selected companies to submit a tender. Both the service and the prices can then be negotiated. The same applies to the negotiated procedure (EU-wide). This must be carried out if the order volume reaches or exceeds the threshold value (for supplies and services over 200,000.00 euros, for construction services over 5,000,000.00 euros).

Notes: Competition is restricted. The awarding authority can carry out a public competition in advance. In the negotiated procedure (EU-wide), a call for competition is mandatory in certain cases. The public invitation to tender is published in the Hessian Tender Database (www.had.de). EU tenders must also be published in the EU Official Journal.

<https://www.had.de/home.html>
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Erforderliche Unterlagen

You can find out which documents, samples or specimens you need when submitting your tender from the awarding office.

Voraussetzungen

Direct award is only permitted in a few exceptional cases. The same applies to the EU-wide negotiated procedure. Admissibility exists, for example, if

- a certain value limit is not exceeded (currently EUR 100,000.00),
- only a specific contractor can provide the service due to special requirements (e.g. patent protection, special experience or equipment),
- the nature and scope of the service cannot be clearly and exhaustively defined before the contract is awarded,
- a service is particularly urgent,

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	• a service is subject to confidentiality regulations.
Kosten	None.
Verfahrensablauf	Direct award differs from public and restricted tendering (Europe-wide: open and restricted procedure). Price and service negotiations with the bidding company are permitted. There is no formal procedure. If there is no call for competition, the contracting authority invites you informally to submit a tender. The contracting authority may only invite companies that have the necessary • expertise, • capability and • reliability and reliability. It may demand proof of suitability. The companies submit an initial bid. The awarding authority examines the bids and awards the contract or negotiates until a bid is ready for award. In the case of public participation competitions, you can submit an application for participation in the competition to the awarding authority. If the awarding authority selects you, it will ask you to submit a bid. It will send you the relevant tender documents. If you return the documents electronically, you must provide them with a qualified electronic signature and transmit the data in encrypted form. Note: The awarding authority must allow sufficient time for tenders to be submitted. It usually awards the contract in writing. It is the conclusion of the contract. It then informs unsuccessful bidders.
Bearbeitungsdauer	
Frist	The direct award is free of formal requirements and deadlines. The procedure may extend over several rounds of negotiations.
weiterführende Informationen	
Hinweise	

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Rechtsbehelf	In the case of EU-wide negotiated procedures, bidders can submit an application to the public procurement chamber of the state of Hesse at the Darmstadt Regional Council. In the case of direct awards (below the threshold values), the VOB offices can be called in to review construction work. The address of the awarding chamber and the VOB office will be provided in the contract notice or with the tender documents.
Kurztext	
Ansprechpunkt	In Hesse, it is possible to obtain pre-qualification from the Contract Advisory Center (www.absthessen.de). The competitions are all published in the Hessian tender database (www.had.de). https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10867662 https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10867662
Zuständige Stelle	
Formulare	
Ursprungsportal	Public procurement: Participate in a direct award or negotiated procedure, Öffentliche Vergabe: An Freihändiger Vergabe oder Verhandlungsverfahren teilnehmen