

**Supplement to the Official Journal of the European Union**Info and online forms: <http://simap.ted.europa.eu>**CONTRACT AWARD NOTICE**Results of the procurement procedure
Directive 2014/24/EU**SECTION I: CONTRACTING AUTHORITY****I.1) Name and addresses**

(please identify all contracting authorities responsible for the procedure)

Official name: Stadt Waidhofen an der Ybbs			National registration number:
Postal address: Oberer Stadtplatz 28			
Town: Waidhofen an der Ybbs	NUTS code: AT121	Postal code: 3340	Country: Austria
Contact person: RA Mag. Manfred Essletzbichler			Telephone: +43 151510-2350
E-mail: manfred.essletzbichler@wolftheiss.com			Fax: +43 151510-25
Internet address(es) Main address: (URL) https://waidhofen.at/ Address of the buyer profile: (URL)			

I.2) Joint procurement☐ The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law:

☐ The contract is awarded by a central purchasing body**I.4) TYPE OF THE CONTRACTING AUTHORITY**☐ Ministry or any other national or federal authority, including their regional or local subdivisions☐ National or federal agency/office☒ Regional or local authority☐ Regional or local agency/office☐ Body governed by public law☐ European institution/agency or international organisation☐ Other:**I.5) MAIN ACTIVITY**☒ General public services☐ Defence☐ Public order and safety☐ Environment☐ Economic and financial affairs☐ Health☐ Housing and community amenities☐ Social protection☐ Recreation, culture and religion☐ Education☐ Other activity:

II.1) Scope of the procurement

II.2) Description

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<input type="radio"/> Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below (please complete Annex D1)
IV.1.3) Information about a framework agreement or a dynamic purchasing system <input type="checkbox"/> The procurement involves the establishment of a framework agreement <input type="checkbox"/> A dynamic purchasing system was set up
IV.1.6) Information about electronic auction <input type="checkbox"/> An electronic auction has been used
IV.1.8) Information about the Government Procurement Agreement (GPA) The procurement is covered by the Government Procurement Agreement <input type="radio"/> yes <input checked="" type="radio"/> no

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure Notice number in the OJ S: 2019/S 154–380174 (One of the following: Prior information notice used as a call for competition; Contract notice; Voluntary ex ante transparency notice)
IV.2.8) Information about termination of dynamic purchasing system <input type="checkbox"/> An electronic auction has been used:
IV.2.9) Information about termination of call for competition in the form of a prior information notice <input type="checkbox"/> The contracting authority will not award any further contracts based on the above prior information notice

SECTION V: AWARD OF CONTRACT

Contract No:[1] Lot No:[1] Title:

A contract/lot is awarded ☒ yes ☐ no

V.1) Information on non-award

The contract/lot is not awarded <input type="radio"/> No tenders or requests to participate were received or all were rejected <input type="radio"/> Other reasons (discontinuation of procedure) Notice reference: [] [] [] - [] [] [] [] (year and document number)

V.2) Award of contract

Date of conclusion of the contract: 26/11/2019 (dd/mm/yyyy)			
Number of tenders received: [2] Number of tenders received from SMEs: [2] (SME – as defined in Commission Recommendation 2003/361/EC) Number of tenders received from tenderers from other EU Member States: [] Number of tenders received from tenderers from non-EU Member States: [] Number of tenders received by electronic means: [2] The contract has been awarded to a group of economic operators <input type="radio"/> yes <input checked="" type="radio"/> no			
V.2.3) Name and address of the contractor			
Official name: Fuchsluger GmbH		National registration number:	
Postal address: Gunnersdorf 20			
Town: Aschbach	NUTS code: AT	Postal code: 3361	Country: Austria

E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input checked="" type="radio"/> yes <input type="radio"/> no			
V.2.4) Information on value of the contract/lot (excluding VAT)			
Initial estimated total value of the contract/lot: [] (for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot) Total value of the contract/lot: [1583669,62] or Lowest offer: [] / Highest offer: [] taken into consideration Currency: [] [] [] (for framework agreements – total maximum value for this lot) (for dynamic purchasing systems – value of contract(s) for this lot not included in previous contract award notices) (for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices)			
V.2.5) Information about subcontracting			
<input type="checkbox"/> Value or proportion likely to be subcontracted to third parties: Value or proportion likely to be subcontracted to third parties Value excluding VAT: [] Currency: [] [] [] Proportion: [] % Short description of the part of the contract to be subcontracted:			
SECTION V: AWARD OF CONTRACT			
Contract No:[2] Lot No:[2] Title:			
A contract/lot is awarded <input checked="" type="radio"/> yes <input type="radio"/> no			
V.1) Information on non-award			
The contract/lot is not awarded <input type="radio"/> No tenders or requests to participate were received or all were rejected <input type="radio"/> Other reasons (discontinuation of procedure) Notice reference: [] [] []-[] [] [] [] (year and document number)			
V.2) Award of contract			
Date of conclusion of the contract: 26/11/2019 (dd/mm/yyyy)			
Number of tenders received: [3] Number of tenders received from SMEs: [2] (SME – as defined in Commission Recommendation 2003/361/EC) Number of tenders received from tenderers from other EU Member States: [] Number of tenders received from tenderers from non-EU Member States: [] Number of tenders received by electronic means: [3] The contract has been awarded to a group of economic operators <input type="radio"/> yes <input checked="" type="radio"/> no			
V.2.3) Name and address of the contractor			
Official name: Fuchsluger GmbH		National registration number:	
Postal address: Gunnersdorf 20			
Town: Aschbach	NUTS code: AT	Postal code: 3361	Country: Austria
E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input checked="" type="radio"/> yes <input type="radio"/> no			

V.2.4) Information on value of the contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: []

(for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot)

Total value of the contract/lot: [529510]

or

Lowest offer: [] / Highest offer: [] taken into consideration

Currency: [] [] []

(for framework agreements – total maximum value for this lot)

(for dynamic purchasing systems – value of contract(s) for this lot not included in previous contract award notices)

(for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices)

V.2.5) Information about subcontracting☐ Value or proportion likely to be subcontracted to third parties:

Value or proportion likely to be subcontracted to third parties

Value excluding VAT: [] Currency: [] [] []

Proportion: [] %

Short description of the part of the contract to be subcontracted:

SECTION V: AWARD OF CONTRACT**Contract No:[3] Lot No:[3] Title:**A contract/lot is awarded ☒ yes ☐ no**V.1) Information on non-award**

The contract/lot is not awarded

☐ No tenders or requests to participate were received or all were rejected☐ Other reasons (discontinuation of procedure)

Notice reference: [] [] [] []-[] [] [] [] (year and document number)

V.2) Award of contract**Date of conclusion of the contract:**26/11/2019 (dd/mm/yyyy)

Number of tenders received: [2]

Number of tenders received from SMEs: [2] (SME – as defined in Commission Recommendation 2003/361/EC)

Number of tenders received from tenderers from other EU Member States: []

Number of tenders received from tenderers from non-EU Member States: []

Number of tenders received by electronic means: [2]

The contract has been awarded to a group of economic operators ☐ yes ☒ no**V.2.3) Name and address of the contractor**

Official name: Fuchsluger GmbH

National registration number:

Postal address: Gunnersdorf 20

Town: Aschbach

NUTS code: AT

Postal code: 3361

Country: Austria

E-mail:

Telephone:

Internet address:(URL)

Fax:

The contractor is an SME ☒ yes ☐ no**V.2.4) Information on value of the contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: []

(for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot)

Total value of the contract/lot: [356250]

or

Lowest offer: [] / Highest offer: [] taken into consideration Currency: [] [] [] (for framework agreements – total maximum value for this lot) (for dynamic purchasing systems – value of contract(s) for this lot not included in previous contract award notices) (for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices)
V.2.5) Information about subcontracting <input type="checkbox"/> Value or proportion likely to be subcontracted to third parties: Value or proportion likely to be subcontracted to third parties Value excluding VAT: [] Currency: [] [] [] Proportion: [] % Short description of the part of the contract to be subcontracted:

SECTION VI: COMPLEMENTARY INFORMATION

VI.3) Additional information

Die Vergabe erfolgte auf Basis des Koppelungsangebotes der Fuchsluger GmbH gemäß Punkt 6 der Angebotsbestimmungen; der von der Fuchsluger GmbH angebotene Gesamtpreis für alle drei Lose (Koppelungsangebot) beläuft sich auf EUR 2.271.875,25 (inkl. Nachlass, exkl. USt).

VI.4) Procedures for review

VI.4.1) Review body		
Official name: Landesverwaltungsgericht Niederösterreich		
Postal address: Rennbahnstraße 29		
Town: St. Pölten	Postal code: 3109	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
VI.4.2) Body responsible for mediation procedures		
Official name:		
Postal address:		
Town:	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
VI.4.3) Review procedure		
Precise information on deadline(s) for review procedures:		
VI.4.4) Service from which information about the review procedure may be obtained		
Official name:		
Postal address:		
Town:	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	

VI.5) Date of dispatch of this notice: (dd/mm/yyyy) (dd/mm/yyyy) 09/12/2019

Annex D1 – General procurement

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union

Directive 2014/24/EU

(please select the relevant option and provide an explanation)

☒ **1. Justification for the choice of the negotiated procedure without prior publication of a call for competition in accordance with Article 32 of Directive 2014/24/EU**

☐ No tenders or no suitable tenders/requests to participate in response to:

☒ **open procedure**

☒ **restricted procedure**

☐ The products involved are manufactured purely for the purpose of research, experiment, study or development under the conditions stated in the directive (for supplies only):

☐ The works, supplies or services can be provided only by a particular economic operator for the following reason:

☒ **absence of competition for technical reasons**

☒ **procurement aiming at the creation or acquisition of a unique work of art or artistic performance**

☒ **protection of exclusive rights, including intellectual property rights**

☐ Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive:

☐ Additional deliveries by the original supplier ordered under the strict conditions stated in the directive:

☐ New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the directive:

☐ Service contract to be awarded to the winner or one of winners under the rules of a design contest:

☐ Procurement of supplies quoted and purchased on a commodity market:

☐ Purchase of supplies or services on particularly advantageous terms:

☒ **from a supplier which is definitively winding up its business activities**

☒ **from the liquidator in an insolvency procedure, an arrangement with creditors or a similar procedure under national laws and regulations**

☒ **2. Other justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union**

☐ The procurement falls outside the scope of application of the directive:

3.Explanation
