

**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: Marktgemeinde Aggsbach			National registration number:
Postal address: Aggsbach Markt 48			
Town: Aggsbach Markt	NUTS code: AT12	Postal code: 3641	Country: Austria
Contact person:			Telephone: +43 2712214
E-mail: <a href="mailto:gemeindeamt@aggsbach.gv.at">gemeindeamt@aggsbach.gv.at</a>			Fax:
Internet address(es) Main address: (URL) <a href="http://www.aggsbach.gv.at">http://www.aggsbach.gv.at</a> 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**

<b>II.1.1) Title:</b> Erd- und Baumeisterarbeiten und Straßenbau	<b>Reference number:</b> 2018071
<b>II.1.2) Main CPV-Code:</b> 45246400 <b>Supplementary CPV-Code:</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>II.1.3) Type of contract</b> <input checked="" type="radio"/> Works <input type="radio"/> Supplies <input type="radio"/> Services	
<b>II.1.4) Short description:</b> Errichtung von Hochwasserschutzmaßnahmen in Form von Dämmen, Mauern und Mobilelementen, Tiefgründung mit Untergründdichtung, Straßenbau, 2 Pumpwerke, eine Lagerhalle	
<b>II.1.6) Information about lots</b>	
This contract is divided into lots <input type="radio"/> yes <input checked="" type="radio"/> no	
<b>II.1.7) Total value of the procurement (excluding VAT)</b>	
Value: [ ] (Please give the total value of the procurement. For information about individual contracts, please use section V)	
or	
Lowest offer: [ ] / Highest offer: [ ] taken into consideration	
Currency: [ ] [ ] [ ]	
(for framework agreements – total maximum value for their entire duration)	
(for dynamic purchasing systems – value of contract(s) not included in previous contract award notices)	
(for contracts based on framework agreements, if required – value of contract(s) not included in previous contract award notices)	

## II.2) Description

<b>II.2.1) TITLE:</b>	
<b>II.2.2) Additional CPV code(s)</b>	
Main CPV code: [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ]	Supplementary CPV-Code: [ ][ ][ ][ ] [ ][ ][ ][ ]
Main CPV code: [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ]	Supplementary CPV-Code: [ ][ ][ ][ ] [ ][ ][ ][ ]
Main CPV code: [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ]	Supplementary CPV-Code: [ ][ ][ ][ ] [ ][ ][ ][ ]
Main CPV code: [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ]	Supplementary CPV-Code: [ ][ ][ ][ ] [ ][ ][ ][ ]
<b>Place of performance</b>	
NUTS code: AT12	
Main site or place of performance: Aggsbach Markt	
<b>II.2.4) Description of the procurement:</b> Erd- und Baumeisterarbeiten, Straßenbau (nature and quantity of works, supplies or services or indication of needs and requirements)	
<b>II.2.5) Award criteria</b>	
<input checked="" type="checkbox"/> Quality criterion	
Name: Qualität Schlüsselpersonal / Weighting: 10%	
<input type="radio"/> Cost criterion	
<input checked="" type="radio"/> Price	
Price – Weighting: 90%	
<b>II.2.11) Information about options</b>	
<input type="checkbox"/> Options:	
Description of options:	
<b>II.2.13) Information about European Union funds</b>	
The procurement is related to a project and/or programme financed by European Union funds <input type="radio"/> yes <input checked="" type="radio"/> no	
Identification of the project:	
<b>II.2.14) Additional information:</b>	

## SECTION IV: PROCEDURE

### IV.1) Description

#### IV.1.1) Type of procedure

- ☒ Open procedure
- ☐ Accelerated procedure:  
Justification:
- ☐ Restricted procedure
- ☐ Accelerated procedure:  
Justification:
- ☐ Competitive procedure with negotiation
- ☐ Accelerated procedure:  
Justification:
- ☐ Competitive dialogue
- ☐ Innovation partnership
- ☐ 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

- ☐ The procurement involves the establishment of a framework agreement
- ☐ A dynamic purchasing system was set up

#### IV.1.6) Information about electronic auction

- ☐ 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 ☐ yes ☒ no

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number in the OJ S: 2019/S 132–323178

(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

- ☐ An electronic auction has been used:

#### IV.2.9) Information about termination of call for competition in the form of a prior information notice

- ☐ The contracting authority will not award any further contracts based on the above prior information notice

## SECTION V: AWARD OF CONTRACT

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

A contract/lot is awarded ☐ yes ☒ no

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)

<p><b>Date of conclusion of the contract:</b> (dd/mm/yyyy)</p>
<p>Number of tenders received: <input type="text"/></p> <p>Number of tenders received from SMEs: <input type="text"/> (SME – as defined in Commission Recommendation 2003/361/EC)</p> <p>Number of tenders received from tenderers from other EU Member States: <input type="text"/></p> <p>Number of tenders received from tenderers from non-EU Member States: <input type="text"/></p> <p>Number of tenders received by electronic means: <input type="text"/></p> <p>The contract has been awarded to a group of economic operators <input type="radio"/> yes <input checked="" type="radio"/> no</p>

Official name:		National registration number:	
Postal address:			
Town:	NUTS code:	Postal code:	Country:
E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no			

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: []  
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)

☐ 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:

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<b>VI.4.1) Review body</b>		
Official name: Landesverwaltungsgericht Niederösterreich		
Postal address: Rennbahnstraße 29		
Town: St. Pölten	Postal code: 3109	Country: Austria
E-mail: post@lvwg.noel.gv.at	Telephone: +43 2742/90590	
Internet-Address:(URL) http://www.lvwg.noel.gv.at/	Fax: +43 2742/90590/15540	
<b>VI.4.2) Body responsible for mediation procedures</b>		
Official name: NÖ Schlichtungsstelle für öffentliche Aufträge		
Postal address: Landhausplatz 1		
Town: St. Pölten	Postal code: 3109	Country: Austria
E-mail:	Telephone: +43 27429005-0	
Internet-Address:(URL)	Fax: +43 27429005-13610	
<b>VI.4.3) Review procedure</b>		
Precise information on deadline(s) for review procedures:		
<b>VI.4.4) Service from which information about the review procedure may be obtained</b>		
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) 26/11/2019**

#### **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

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