

**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: Bundesministerium für Klimaschutz, Umwelt, Energie, Mobilität, Innovation und Technologie (BMK) vormals Bundesministerium für Nachhaltigkeit und Tourismus (BMNT) im Vergabeverfahren vertreten durch die Österreichische Energieagentur - Austrian Energy Agency			National registration number: 9110022647310
Postal address: Mariahilfer Straße 136			
Town: Wien	NUTS code: AT	Postal code: 1150	Country: Austria
Contact person:			Telephone: +43 15861524-0
E-mail: klimaaktivmobil@energyagency.at			Fax: +43 15861524-340
Internet address(es) Main address: (URL) www.energyagency.at Address of the buyer profile: (URL)			

I.2) Joint procurement

<input type="checkbox"/> The contract involves joint procurement
In the case of joint procurement involving different countries, state applicable national procurement law:
<input type="checkbox"/> The contract is awarded by a central purchasing body

I.4) TYPE OF THE CONTRACTING AUTHORITY

<input checked="" type="checkbox"/> Ministry or any other national or federal authority, including their regional or local subdivisions	<input type="checkbox"/> Body governed by public law
<input type="checkbox"/> National or federal agency/office	<input type="checkbox"/> European institution/agency or international organisation
<input type="checkbox"/> Regional or local authority	<input type="checkbox"/> Other:
<input type="checkbox"/> Regional or local agency/office	

I.5) MAIN ACTIVITY

<input type="checkbox"/> General public services	<input type="checkbox"/> Housing and community amenities
<input type="checkbox"/> Defence	<input type="checkbox"/> Social protection
<input type="checkbox"/> Public order and safety	<input type="checkbox"/> Recreation, culture and religion
<input checked="" type="checkbox"/> Environment	<input type="checkbox"/> Education
<input type="checkbox"/> Economic and financial affairs	<input type="checkbox"/> Other activity:
<input type="checkbox"/> Health	

SECTION II: OBJECT

II.1) Scope of the procurement

II.1.1) Title: Beratungsprogramm klimaaktiv mobil Mobilitätsmanagement für Betriebe, Bauträger und Flottenbetreiber		Reference number: kam-mmbetriebe-2020
II.1.2) Main CPV-Code: 71311300 Supplementary CPV-Code: [] [] [] [] [] [] [] []		
II.1.3) Type of contract <input type="radio"/> Works <input type="radio"/> Supplies <input checked="" type="radio"/> Services		
II.1.4) Short description: Umsetzung des klimaaktiv mobil Beratungsprogramms "Mobilitätsmanagement für Betriebe, Bauträger und Flottenbetreiber"		
II.1.6) Information about lots This contract is divided into lots <input type="radio"/> yes <input checked="" type="radio"/> no		
II.1.7) Total value of the procurement (excluding VAT) Value: [417000] (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: EUR (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

II.2.1) TITLE:	
II.2.2) Additional CPV code(s)	
Main CPV code: [][]-[][]-[][]-[][]	Supplementary CPV-Code: [][][][] [][][][]
Main CPV code: [][]-[][]-[][]-[][]	Supplementary CPV-Code: [][][][] [][][][]
Main CPV code: [][]-[][]-[][]-[][]-[][]	Supplementary CPV-Code: [][][][][] [][][][][]
Main CPV code: [][]-[][]-[][]-[][]-[][]	Supplementary CPV-Code: [][][][][] [][][][][]
Place of performance NUTS code: AT	
Main site or place of performance: Österreichweit	
II.2.4) Description of the procurement: Umsetzung des klimaaktiv mobil Beratungsprogramms "Mobilitätsmanagement für Betriebe, Bauträger und Flottenbetreiber" (nature and quantity of works, supplies or services or indication of needs and requirements)	
II.2.5) Award criteria	
<input checked="" type="checkbox"/> Quality criterion Name: Leistungsumfang / Weighting: 30% Name: Leistungsqualität / Weighting: 60%	
<input type="radio"/> Cost criterion <input type="radio"/> Price Name: Stundensatz / Weighting: 10% Name: undefined / Weighting: undefined	
II.2.11) Information about options	
<input checked="" type="checkbox"/> Options:	

Description of options: Zusätzlich zu den beauftragenden Leistungen hat der Auftraggeber ein Optionsrecht auf Erbringung weiterer Leistungen im Ausmaß von insgesamt 50% des Gesamtauftragswertes sowie Option auf dreimalige Verlängerung für jeweils ein Jahr.

II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds ☐ yes ☒ no

Identification of the project:

II.2.14) Additional information:

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 224-549690

(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: Umsetzung des klimaaktiv mobil Beratungsprogramms "Mobilitätsmanagement für Betriebe, Bauräger und Flottenbetreiber"

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:13/03/2020 (dd/mm/yyyy)

Number of tenders received: [2]

Number of tenders received from SMEs: [1] (SME – as defined in Commission Recommendation 2003/361/EC)

Number of tenders received from tenderers from other EU Member States: [0]

Number of tenders received from tenderers from non-EU Member States: [0]

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: HERRY Consult GmbH

National registration number:

Postal address: Argentinierstraße 21

Town: Wien

NUTS code: AT

Postal code: 1040

Country: Austria

E-mail: office@herry.at

Telephone: +43 15041258

Internet address:(URL) https://www.herry.at

Fax: +43 15043536

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: [417000]

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 VI: COMPLEMENTARY INFORMATION

VI.3) Additional information

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VI.4) Procedures for review

VI.4.1) Review body		
Official name: Bundesverwaltungsgericht		
Postal address: Erdbergstraße 192 – 196		
Town: Wien	Postal code: 1030	Country: Austria
E-mail: einlaufstelle@bvwg.gv.at	Telephone: +43 1/60149/0	
Internet-Address:(URL) https://www.bvwg.gv.at/	Fax: +43 71123/8891541	
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: Bundesverwaltungsgericht		
Postal address: Erdbergstraße 192 – 196		
Town: Wien	Postal code: 1030	Country: Austria
E-mail: kommunikation@bvwg.gv.at	Telephone: +43 1/60149/0	
Internet-Address:(URL)	Fax: +43 1/53109/153357	

VI.5) Date of dispatch of this notice: (dd/mm/yyyy) (dd/mm/yyyy) 09/04/2020

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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