

**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 48			
Town: Aggsbach Markt	NUTS code: AT12	Postal code: 3641	Country: Austria
Contact person:			Telephone: +43 2712214
E-mail: gemeindeamt@aggsbach.gv.at			Fax: +43 131360-090
Internet address(es) Main address: (URL) http://www.aggsbach.gv.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.1.1) Title: HWS Aggsbach Markt Erd- und Baumeisterarbeiten, Straßenbau	Reference number: 2018071
II.1.2) Main CPV-Code: 45246400 Supplementary CPV-Code: [] [] [] [] [] [] [] []	
II.1.3) Type of contract <input checked="" type="radio"/> Works <input type="radio"/> Supplies <input type="radio"/> Services	
II.1.4) Short description: Errichtung von Hochwasserschutzmaßnahmen in Form von Dämmen, Mauern und Mobilelementen; Pfahlgründung mit DSV-Untergrunddichtung; Straßenbau, 2 Pumpwerke, Hochbau (Lagerhalle, Strandcafe), Leitungsbau	
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: [12603197,20] (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: AT12	
Main site or place of performance: Aggsbach Markt	
II.2.4) Description of the procurement: Hochwasserschutzdamm mit einer Länge von 300m, Hochwasserschutzmauer mit einer Länge von rd. 1000m, 3500m Bohrpfähle DM90 als Tiefgründung, 7.600m² DS-Wand mit einer Stärke von 50cm bzw. 100cm, Sanierung und Neuerrichtung einer Bacheindeckung (Rechteckgerinne 5m x 2m) mit einer Länge von rd. 140m, 2 Unterflurpumpwerke (20m x 6m x 6m bzw. 14m x 6m x 5m), Generalsanierung einer Bundesstraße auf einer Länge von 680m, Lagerhalle für den Mobilschutz (40m x 10m x 5m), Abtrag und Neuerrichtung Strandcafe zweigeschoßig (16m x 12m x 7m) (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: Qualifikation Schlüsselpersonal / Weighting: 8% Name: Verlängerung Gewährleistungsfrist / Weighting: 2%	
<input type="radio"/> Cost criterion <input checked="" type="radio"/> Price Price – Weighting: 90%	
II.2.11) Information about options	
<input type="checkbox"/> Options: Description of options:	

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: 2020/S 184-443289

(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**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:**12/04/2021 (dd/mm/yyyy)

Number of tenders received: [1]

Number of tenders received from SMEs: [] (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: []

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

Official name: Porr Bau GmbH, NL NÖ, BG Gänserndorf

National registration number:

Postal address: Protteser Str. 49

Town: Gänserndorf

NUTS code: AT12

Postal code: 2230

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: [12603197,20]

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: 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	
VI.4.2) Body responsible for mediation procedures		
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	
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) 19/04/2021

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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