

**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: COVID-19 Finanzierungsagentur des Bundes GmbH			National registration number:
Postal address: Taborstraße 1-3 OG 14			
Town: Wien	NUTS code: AT13	Postal code: 1020	Country: Austria
Contact person:			Telephone: +43 1245003265
E-mail: katharina.tretnak-hahnl@kwr.at			Fax:
Internet address(es) Main address: (URL) https://cofag.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: COVID-19 Finanzierungsagentur des Bundes**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: COFAG - Rechtsberatungsleistungen	Reference number: COFAG - Rechtsberatungsleistungen
II.1.2) Main CPV-Code: 79111000 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: Rahmenvereinbarungen über Rechtsberatungsleistungen in 4 Losen: Los 1: Finance Los 2: Gesellschaftsrecht Los 3: Vergaberecht Los 4: Datenschutzrecht	
II.1.6) Information about lots	
This contract is divided into lots <input checked="" type="radio"/> yes <input type="radio"/> no	
II.1.7) Total value of the procurement (excluding VAT)	
Value: [3000000] (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:	RAHMENVEREINBARUNG ÜBER RECHTSBERATUNGSLEISTUNGEN: LOS 1 - FINANCE	LOT No: 1
II.2.2) Additional CPV code(s)		
Main CPV code: 79111000 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: Österreich		
II.2.4) Description of the procurement: Rahmenvereinbarung über Rechtsberatungsleistungen: Los 1 - Finance (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: Konzept / Weighting: 30 Name: Präsentation / Weighting: 30		
<input type="radio"/> Cost criterion <input checked="" type="radio"/> Price Price – Weighting: 40		
II.2.11) Information about options		
<input checked="" type="checkbox"/> Options: Description of options: Vgl Ausschreibungsunterlagen		
II.2.13) Information about European Union funds		
The procurement is related to a project and/or programme financed by European Union funds <input type="radio"/> yes <input checked="" type="radio"/> no		

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SECTION IV: PROCEDURE

IV.1) Description

IV.1.1) Type of procedure <input checked="" type="radio"/> Open procedure <input checked="" type="checkbox"/> Accelerated procedure: Justification: Dringlichkeit der zu beauftragenden Rechtsberatungsleistungen <input type="radio"/> Restricted procedure <input type="checkbox"/> Accelerated procedure: Justification: <input type="radio"/> Competitive procedure with negotiation <input type="checkbox"/> Accelerated procedure: Justification: <input type="radio"/> Competitive dialogue <input type="radio"/> Innovation partnership <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 checked="" 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: 2020/S 115–279449 (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:[] Lot No:[1] Title: Rahmenvereinbarung über Rechtsberatungsleistungen: Los 1 - Finance

A contract/lot is awarded ☒ yes ☐ no

☐ Other reasons (discontinuation of procedure)

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

V.2) Award of contract

Date of conclusion of the contract: 17/08/2020 (dd/mm/yyyy)

Number of tenders received: [6]

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: kA zur Sicherstellung des freien und lautereren Wettbewerbs

National registration number:

Postal address:

Town: Österreich

NUTS code: AT

Postal code:

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: [1000000]

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:[] Lot No:[3] Title: Rahmenvereinbarung über Rechtsberatungsleistungen: Los 3: Vergaberecht

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: 17/08/2020 (dd/mm/yyyy)
Number of tenders received: [10] 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 <input type="radio"/> yes <input checked="" type="radio"/> no

V.2.3) Name and address of the contractor

Official name: kA zur Sicherstellung des freien und lauterer Wettbewerbs		National registration number:	
Postal address:			
Town: Österreich	NUTS code: AT	Postal code:	Country: Austria
E-mail:		Telephone:	
Internet address:(URL)		Fax:	
The contractor is an SME <input type="radio"/> yes <input checked="" 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: [500000]
 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:[] Lot No:[4] Title: Rahmenvereinbarung über Rechtsberatungsleistungen: Los 4: Datenschutzrecht

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: 17/08/2020 (dd/mm/yyyy)
Number of tenders received: [10] 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: <input type="checkbox"/>
Number of tenders received from tenderers from non-EU Member States: <input type="checkbox"/>
Number of tenders received by electronic means: <input type="checkbox"/>
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: kA zur Sicherstellung des freien und lautereren Wettbewerbs			National registration number:
Postal address:			
Town: Österreich	NUTS code: AT	Postal code:	Country: Austria
E-mail:			Telephone:
Internet address:(URL)			Fax:
The contractor is an SME <input type="radio"/> yes <input checked="" 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: [500000]

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:		
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) 15/09/2020

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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