

**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: Österreichische Gesundheitskasse			National registration number:
Postal address: Wienerbergstr. 15-19			
Town: Wien	NUTS code: AT13	Postal code: 1100	Country: Austria
Contact person:			Telephone: +43 160122-3312
E-mail: vergabeverfahren-11@oegk.at			Fax: +43 160122-3728
Internet address(es) Main address: (URL) <a href="http://www.oegk.at">http://www.oegk.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**

- |  |  |
|--|--|
| <input type="checkbox"/> Ministry or any other national or federal authority, including their regional or local subdivisions | <input checked="" 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 type="checkbox"/> Environment                    | <input type="checkbox"/> Education                        |
| <input type="checkbox"/> Economic and financial affairs | <input type="checkbox"/> Other activity:                  |
| <input checked="" type="checkbox"/> Health              |   |

## **II.1) Scope of the procurement**

## II.2) Description

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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:** 20/04/2020 (dd/mm/yyyy)

Number of tenders received: [1]

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: [ ]

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: bboplus GmbH			National registration number:
Postal address: IZ Niederösterreich Süd, Straße 9, Objekt 65			
Town: Guntramsdorf	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: [61430,40]

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

<b>VI.4.1) Review body</b>
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Official name: Bundesverwaltungsgericht		
Postal address: Erdbergstraße 192-196		
Town: Wien	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
<b>VI.4.2) Body responsible for mediation procedures</b>		
Official name:		
Postal address:		
Town:	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
<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) 13/05/2020**

#### **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

Um die Versorgung mit Schutzausrüstung während der aktuellen Krisensituation aufgrund aufrechter SARS-CoV-2-Pandemie gewährleisten zu können, bestand dringender Bedarf zur Anschaffung einer Mindestausstattung an Schutzmasken. Die zum Gesundheitsschutz erforderliche Unverzüglichkeit und die prekäre Liefersituation bei bestehender Gefahr im Verzug, ließen es nicht zu, die im offenen Verfahren, im nicht offenen Verfahren mit vorheriger Bekanntmachung oder in einem gemäß §34 BVergG durchzuführenden Verhandlungsverfahren vorgeschriebenen Fristen einzuhalten (§36 Abs 1 Z 4 BVergG). Es wurde daher ein Verhandlungsverfahren ohne vorheriger Bekanntmachung durchgeführt und der Auftrag an die bboplus GmbH vergeben.