

**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: Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft			National registration number:
Postal address: z.H. ASFINAG Bau Management GmbH, Modecenterstraße 16			
Town: Wien	NUTS code: AT	Postal code: 1030	Country: Austria
Contact person:			Telephone: +43 50108-14423
E-mail: andrea.fink@asfinag.at			Fax: +43 050108-14420
Internet address(es) Main address: (URL) <a href="http://www.asfinag.at">www.asfinag.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 checked="" type="checkbox"/> Other activity: Infrastrukturbetreiber |
| <input type="checkbox"/> Health                         |  |

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

<b>II.1.1) Title:</b> A23 GEN Hochstraße St. Marx - Abnahmeprüfungen	<b>Reference number:</b> 2019/PROVIA ID-Nr:41384
<b>II.1.2) Main CPV-Code:</b> 71315300 Supplementary CPV-Code: [ ][ ][ ][ ][ ][ ][ ][ ]	
<b>II.1.3) Type of contract</b> <input type="radio"/> Works <input type="radio"/> Supplies <input checked="" type="radio"/> Services	
<b>II.1.4) Short description:</b> Abnahmeprüfungen für die folgenden Lose:Erdbauungebundene Schichten, AsphaltkonstruktionBeton inklusive Abdichtungsarbeiten, Beschichtungen	
<b>II.1.6) Information about lots</b>	
This contract is divided into lots <input checked="" type="radio"/> yes <input type="radio"/> no	
<b>II.1.7) Total value of the procurement (excluding VAT)</b>	
Value: [379146,42] (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

<b>II.2.1) TITLE:</b>	A23 GEN HOCHSTRASSE ST. MARX, ABNAHMEPRÜFUNGEN	<b>Lot No:</b> 1
<b>II.2.2) Additional CPV code(s)</b>		
<b>Main CPV code:</b> 71315300 Supplementary CPV-Code: [ ][ ][ ] [ ][ ][ ]		
<b>Main CPV code:</b> [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ] Supplementary CPV-Code: [ ][ ][ ] [ ][ ][ ]		
<b>Main CPV code:</b> [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ] Supplementary CPV-Code: [ ][ ][ ] [ ][ ][ ]		
<b>Main CPV code:</b> [ ][ ]-[ ][ ]-[ ][ ]-[ ][ ] Supplementary CPV-Code: [ ][ ][ ] [ ][ ][ ]		
<b>Place of performance</b>		
NUTS code: AT		
Main site or place of performance: Projektgebiet, Wien		
<b>II.2.4) Description of the procurement:</b> Abnahmeprüfungen für die folgenden Lose: Los1: Erdbau, Los2: ungebundene Schichten, Asphaltkonstruktion, Los3: Beton inkl. Abdichtungsarbeiten, Beschichtungen (nature and quantity of works, supplies or services or indication of needs and requirements)		
<b>II.2.5) Award criteria</b>		
<input checked="" type="radio"/> Quality criterion Name: Qualität / Weighting: 0%		
<input type="radio"/> Cost criterion  <input checked="" type="radio"/> Price Price – Weighting: 100%		
<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		



<b>II.2.5) Award criteria</b> <input checked="" type="checkbox"/> Quality criterion Name: Qualität / Weighting: 0%
<input type="radio"/> Cost criterion <input checked="" type="radio"/> Price Price – Weighting: 100%
<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

<b>IV.1.1) Type of procedure</b> <input checked="" type="radio"/> Open procedure <input type="checkbox"/> Accelerated procedure: Justification: <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)
<b>IV.1.3) Information about a framework agreement or a dynamic purchasing system</b> <input type="checkbox"/> The procurement involves the establishment of a framework agreement <input type="checkbox"/> A dynamic purchasing system was set up
<b>IV.1.6) Information about electronic auction</b> <input type="checkbox"/> An electronic auction has been used
<b>IV.1.8) Information about the Government Procurement Agreement (GPA)</b> The procurement is covered by the Government Procurement Agreement <input checked="" type="radio"/> yes <input type="radio"/> no

#### IV.2) Administrative information

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

Notice number in the OJ S: 2019/S 241–592267

(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:[302000869] Lot No:[1] Title: A23 GEN Hochstraße St. Marx - Abnahmeprüfungen

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: 04/03/2020 (dd/mm/yyyy)

Number of tenders received: [5]

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: Bmstr. Ing. Gerhard Fenz GmbH

National registration number:

Postal address:

Town: Guntramsdorf

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: [14344,20]

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 V: AWARD OF CONTRACT

Contract No:[302000869] Lot No:[2] Title: A23 GEN Hochstraße St. Marx - Abnahmeprüfungen

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:04/03/2020 (dd/mm/yyyy)

Number of tenders received: [4]

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: Bmstr. Ing. Gerhard Fenz GmbH

National registration number:

Postal address:

Town: Guntramsdorf

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: [70687,00]

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:[302000870] Lot No:[3] Title: A23 GEN Hochstraße St. Marx - Abnahmeprüfungen

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:04/03/2020 (dd/mm/yyyy)

Number of tenders received: [3]

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: Nievelt Labor GmbH

National registration number:

Postal address:

Town: Höbersdorf

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: [294115,22]

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>		
Official name: Bundesverwaltungsgericht		
Postal address: Erdbergstraße 192-196		
Town: Wien	Postal code: 1030	Country: Austria
E-mail: einlaufstelle@bvwg.gv.at	Telephone: +43 160149-0	
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: Bundesverwaltungsgericht		
Postal address: Erdbergstraße 192-196		
Town: Wien	Postal code: 1030	Country: Austria
E-mail: einlaufstelle@bvwg.gv.at	Telephone: +43 160149-0	
Internet-Address:(URL)	Fax:	

**VI.5) Date of dispatch of this notice: (dd/mm/yyyy) (dd/mm/yyyy) 23/03/2020**

### 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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