

**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: Stadtgemeinde Poysdorf   |               |                   | National registration number: |
| Postal address: Josefsplatz 1   |               |                   |                               |
| Town: Poysdorf  | NUTS code: AT | Postal code: 2170 | Country: Austria              |
| Contact person:   |               |                   | Telephone: +43 025522200-23   |
| E-mail: <a href="mailto:gemeinde@poysdorf.at">gemeinde@poysdorf.at</a>  |               |                   | Fax: +43 025522200-11         |
| Internet address(es)<br>Main address: (URL) <a href="http://www.poysdorf.gv.at">www.poysdorf.gv.at</a><br>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**

|  |                                   |
|--|-----------------------------------|
| <b>II.1.1) Title:</b> Stadtgemeinde Poysdorf HW-Schutz Poysdorf RHB Schottenthal in der KG Erdberg   | <b>Reference number:</b> 2019-016 |
| <b>II.1.2) Main CPV-Code:</b> 45246400 Supplementary CPV-Code: [ ] [ ] [ ] [ ] [ ] [ ] [ ]   |                                   |
| <b>II.1.3) Type of contract</b> <input checked="" type="radio"/> Works <input type="radio"/> Supplies <input type="radio"/> Services                   |                                   |
| <b>II.1.4) Short description:</b> Die Stadtgemeinde Poysdorf plant die Errichtung eines Rückhaltebeckens nördlich des Ortsgebietes von der KG Erdberg. |                                   |
| <b>II.1.6) Information about lots</b>  |                                   |
| This contract is divided into lots <input type="radio"/> yes <input checked="" type="radio"/> no   |                                   |
| <b>II.1.7) Total value of the procurement (excluding VAT)</b>  |                                   |
| Value: [182019,80] (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>   |  |
| <b>II.2.2) Additional CPV code(s)</b>   |  |
| <b>Main CPV code:</b> 45246400 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: Poysdorf   |  |
| <b>II.2.4) Description of the procurement:</b> Die Stadtgemeinde Poysdorf plant die Errichtung eines Rückhaltebeckens nördlich des Ortsgebietes von der KG Erdberg, - 2-teiliges Rückhaltbecken mit ca. 4.500 m <sup>3</sup> Rückhaltevolumen - Einlaufschacht zur Einleitung der Wässer aus dem Graben westlich der B7 - Auslaufschacht zur Ableitung der gedrosselten Wässer aus dem südlichen Becken in den Graben südlich des Beckens<br>(nature and quantity of works, supplies or services or indication of needs and requirements) |  |
| <b>II.2.5) Award criteria</b>   |  |
| <input type="checkbox"/> Quality criterion  |  |
| <input type="radio"/> Cost criterion  |  |
| <input checked="" type="radio"/> Price  |  |
| Price – Weighting:  |  |
| <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****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 099–238593

(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:**



**VI.4) Procedures for review**

|  |                              |                  |
|--|------------------------------|------------------|
| <b>VI.4.1) Review body</b>   |                              |                  |
| 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 274290590     |                  |
| Internet-Address:(URL) http://www.lvwg.noel.gv.at/                                       | Fax: +43 27429059015540      |                  |
| <b>VI.4.2) Body responsible for mediation procedures</b>                                 |                              |                  |
| Official name: NÖ Schlichtungsstelle für öffentliche Aufträge                            |                              |                  |
| Postal address: Landhausplatz 1  |                              |                  |
| Town: St. Pölten   | Postal code: 3109            | Country: Austria |
| E-mail: post.lad1@noel.gv.at   | Telephone: +43 2742900512109 |                  |
| Internet-Address:(URL) www.noel.gv.at  | Fax: +43 2742900513845       |                  |
| <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: NÖ Rechtsanwaltskammer  |                              |                  |
| Postal address: Andreas Hofer Straße 6   |                              |                  |
| Town: St. Pölten   | Postal code: 3109            | Country: Austria |
| E-mail: office@raknoe.at   | Telephone: +43 274271650-0   |                  |
| Internet-Address:(URL) www.raknoe.at   | Fax: +43 274276588           |                  |

**VI.5) Date of dispatch of this notice: (dd/mm/yyyy) (dd/mm/yyyy) 10/06/2020**

**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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