

**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) http://www.oegk.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 | ☒ Body governed by public law |
| ☐ National or federal agency/office | ☐ European institution/agency or international organisation |
| ☐ Regional or local authority | ☐ Other: |
| ☐ Regional or local agency/office | |

I.5) MAIN ACTIVITY

- | | |
|---|---|
| ☐ General public services | ☐ Housing and community amenities |
| ☐ Defence | ☐ Social protection |
| ☐ Public order and safety | ☐ Recreation, culture and religion |
| ☐ Environment | ☐ Education |
| ☐ Economic and financial affairs | ☐ Other activity: |
| ☒ Health | |

II.1) Scope of the procurement

II.1.1) Title: FFP1-Masken aufgrund des Corona Virus	Reference number: KD EINKAUF_09_2020_FFP1- Masken Covid-19
II.1.2) Main CPV-Code: 35113000 Supplementary CPV-Code: [][][][] [][][][]	
II.1.3) Type of contract ☐ Works ☒ Supplies ☐ Services	
II.1.4) Short description: Beschaffung von 100.000 Stück FFP1-Masken aufgrund des Corona Virus	
II.1.6) Information about lots	
This contract is divided into lots ☐ yes ☒ no	
II.1.7) Total value of the procurement (excluding VAT) Value: [89000] (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

[illegible]

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

Date of conclusion of the contract:17/04/2020 (dd/mm/yyyy)

V.2.3) Name and address of the contractor

The contractor is an SME ☒ yes ☐ no

(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)

Short description of the part of the contract to be subcontracted:

Official name: Bundesverwaltungsgericht

Postal address: Erdbergstraße 192-196		
Town: Wien	Postal code:	Country: Austria
E-mail:	Telephone:	
Internet-Address:(URL)	Fax:	
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) 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 Aeneas Beteiligungsgesellschaft mbH vergeben.