

**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: ELGA GmbH                                                                                                              |                 |                   | National registration number: |
| Postal address: Treustraße 35-43/ Stg. 4/ 1. Stock                                                                                    |                 |                   |                               |
| Town: Wien                                                                                                                            | NUTS code: AT13 | Postal code: 1200 | Country: Austria              |
| Contact person: Kinsky Consulting e.U.                                                                                                |                 |                   | Telephone: +43 18658942       |
| E-mail: kinsky@kinsky-consulting.at                                                                                                   |                 |                   | Fax: +43 18658942             |
| Internet address(es)<br>Main address: (URL) <a href="http://www.elga.gv.at">www.elga.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☐ Body governed by public law☐ National or federal agency/office☐ European institution/agency or international organisation☐ Regional or local authority☒ Other: gemeinnützige GmbH☐ 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: eHealth Terminology

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>II.1.1) Title:</b> eHealth Terminologieserver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Reference number:</b> eHealth Terminologieserver |
| <b>II.1.2) Main CPV-Code:</b> 48000000 Supplementary CPV-Code: [ ] [ ] [ ] [ ] [ ] [ ] [ ]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                     |
| <b>II.1.3) Type of contract</b> <input type="radio"/> Works <input checked="" type="radio"/> Supplies <input type="radio"/> Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                     |
| <b>II.1.4) Short description:</b> Der derzeitige Terminologieserver der österreichischen eHealth-Landschaft soll durch eine neue Anwendung abgelöst werden (=Gegenstand dieses Vergabeverfahrens). Die ELGA GmbH wurde gemäß Jahresarbeitsprogramm ELGA GmbH 2020 (Auftrag 14) von ihren Eigentümern Bund, Länder und Sozialversicherung dazu beauftragt, eine neue Terminologieserver-Lösung zu beschaffen. Die ELGA GmbH als Auftraggeberin dieses Vergabeverfahrens ist Lizenznehmerin. Der/Die LizenzgeberIn (AuftragnehmerIn als ZuschlagsempfängerIn dieses Verfahrens) gestattet der Lizenznehmerin, den Inhalt (=Terminologien) dieser eHealth Terminologieserver-Lösung im Rahmen der ELGA-Infrastruktur für die österreichische eHealth-Landschaft (Sozialversicherung, Bund, Gesundheitsdienste-Anbieter-Systeme etc.) zur kostenfreien Nutzung bereitzustellen. Ziel ist ein funktionaler Ersatz, der vor allem in diesen Bereichen Verbesserungen bringen soll: • Betriebs- und Laststabilität • Verlässliche Funktionalität • Zukunftsfähigkeit: Basis für Erweiterungen, Unterstützung von aktuellen und zukünftigen Projekten • Einfache und sichere Terminologiewartung, sowie Publikation • Reaktionszeit und Wartungsmöglichkeiten |                                                     |
| <b>II.1.6) Information about lots</b><br>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><br>Value: [ ] (Please give the total value of the procurement. For information about individual contracts, please use section V)<br>or<br>Lowest offer: [ ] / Highest offer: [ ] taken into consideration<br>Currency: [ ] [ ] [ ]<br>(for framework agreements – total maximum value for their entire duration)<br>(for dynamic purchasing systems – value of contract(s) not included in previous contract award notices)<br>(for contracts based on framework agreements, if required – value of contract(s) not included in previous contract award notices)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                     |

II 2 1)TITLE:

[illegible]

eHealth Terminologieserver verfügbar gemacht und verwaltet werden können. Dazu gehören sowohl Codesysteme wie LOINC, ICD-10, SNOMED und ELGA-weite Terminologien, als auch Value Sets, die zum Teil umfangreiche Informationen tragen. Als Grundregel ist festzuhalten, dass der Terminologieserver ein System zur Bereitstellung von Value Sets und Codesystemen darstellt, wobei grundsätzlich kein Echtzeit-Zugriff bei der Verarbeitung durch die Primärsysteme (z.B.: Informationssysteme von Gesundheitsdienste-Anbietern (GDA)) vorgesehen ist. Eine Benutzerverwaltung inklusive Rechte- und Rollenkonzept ist notwendig. Die Anforderungen sind detailliert in der „Leistungsbeschreibung eHealth Terminologieserver“ angeführt, die in der 2. Stufe an die qualifizierten BieterInnen übermittelt wird. Der eHealth Terminologieserver muss folgende eHealth Standards erfüllen: HL7 FHIR Terminology Ressourcen[ ], ClaML 3.0 und CSV/Excel (für Export) und KANN zusätzlich anbieten: HL7 CTS2, IHE SVS und IHE SVCM, FHIR Terminology Operations. Die Anwendung und die Benutzer- bzw. Betriebsdokumentation muss in deutscher oder englischer Sprache ausgeführt sein. Für die Möglichkeit, die Weboberfläche auf deutsche Anzeigetexte umzustellen, werden Bewertungspunkte vergeben. Die Arbeitssprache in der Projektumsetzung ist Deutsch oder Englisch. Die Abstimmungen und Abnahmen haben in Deutsch oder Englisch zu erfolgen. Die Auftraggeberin behält sich das Recht vor, insbes. den Leistungsteil der Projektumsetzung im Detail mit den BieterInnen der 2. Stufe zu verhandeln, die Leistungsinhalte zu definieren und etwaige Leistungen auch aus dem Leistungsbild herauszulösen. (nature and quantity of works, supplies or services or indication of needs and requirements)

#### II.2.5) Award criteria

☐ Quality criterion

☐ Cost criterion

☒ Price

Price – Weighting:

#### II.2.11) Information about options

☒ Options:

Description of options: Verlängerungsoption (5 Jahre + 3 + 2 Jahre sowie nach dem 10. Jahr eine automatische einjährige Verlängerung ist vorgesehen bzw möglich). Betriebs-Option: laufender Betrieb des eHealth Terminologieservers durch den Auftragnehmer (=Lieferanten der Software, nähere Details siehe Angebotsbestimmungen)

#### II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds ☐ yes ☒ no

Identification of the project:

#### II.2.14) Additional information:

### 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

|                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="radio"/> Innovation partnership<br><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><br><input type="checkbox"/> The procurement involves the establishment of a framework agreement<br><input type="checkbox"/> A dynamic purchasing system was set up |
| <b>IV.1.6) Information about electronic auction</b><br><input type="checkbox"/> An electronic auction has been used                                                                                                                                      |
| <b>IV.1.8) Information about the Government Procurement Agreement (GPA)</b><br>The procurement is covered by the Government Procurement Agreement <input checked="" type="radio"/> yes <input type="radio"/> no                                          |

#### IV.2) Administrative information

|                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>IV.2.1) Previous publication concerning this procedure</b><br>Notice number in the OJ S: 2020/S 119–288642<br>(One of the following: Prior information notice used as a call for competition; Contract notice; Voluntary ex ante transparency notice) |
| <b>IV.2.8) Information about termination of dynamic purchasing system</b><br><input type="checkbox"/> An electronic auction has been used:                                                                                                               |
| <b>IV.2.9) Information about termination of call for competition in the form of a prior information notice</b><br><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:[] Title:**

A contract/lot is awarded ☐ yes ☒ no

##### V.1) Information on non-award

|                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The contract/lot is not awarded<br><input type="radio"/> No tenders or requests to participate were received or all were rejected<br><input checked="" type="radio"/> Other reasons (discontinuation of procedure)<br>Notice reference: [ ][ ][ ][ ]-[ ][ ][ ][ ][ ] (year and document number) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

##### V.2) Award of contract

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>Date of conclusion of the contract:</b> (dd/mm/yyyy)                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |
| Number of tenders received: []<br>Number of tenders received from SMEs: [] (SME – as defined in Commission Recommendation 2003/361/EC)<br>Number of tenders received from tenderers from other EU Member States: []<br>Number of tenders received from tenderers from non-EU Member States: []<br>Number of tenders received by electronic means: []<br>The contract has been awarded to a group of economic operators <input type="radio"/> yes <input checked="" type="radio"/> no |                               |
| <b>V.2.3) Name and address of the contractor</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |                               |
| Official name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | National registration number: |
| Postal address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                               |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |            |              |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|------------|
| Town:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | NUTS code: | Postal code: | Country:   |
| E-mail:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |              | Telephone: |
| Internet address:(URL)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |              | Fax:       |
| The contractor is an SME <input type="radio"/> yes <input checked="" type="radio"/> no                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |              |            |
| <b>V.2.4) Information on value of the contract/lot (excluding VAT)</b><br>Initial estimated total value of the contract/lot: []<br>(for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot)<br>Total value of the contract/lot: []<br>or<br>Lowest offer: [] / Highest offer: [] taken into consideration<br>Currency: [ ] [ ] [ ]<br><br>(for framework agreements – total maximum value for this lot)<br>(for dynamic purchasing systems – value of contract(s) for this lot not included in previous contract award notices)<br>(for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices) |            |              |            |
| <b>V.2.5) Information about subcontracting</b><br><input type="checkbox"/> Value or proportion likely to be subcontracted to third parties:<br>Value or proportion likely to be subcontracted to third parties<br>Value excluding VAT: [ ] [ ] Currency: [ ] [ ] [ ]<br><br>Proportion: [ ] %<br>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 1/60149/0 |  |
| Internet-Address:(URL) https://www.bvwg.gv.at/                                           |                   | Fax: +43 71123/8891541   |  |
| <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) 03/02/2021**

#### **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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