

**Belgium-Brussels: Ex Post Evaluation: EU Competition Enforcement and Acquisitions of Innovative Competitors in the Pharma Sector Leading to the Discontinuation of Overlapping Drug Research and Development Projects**

OJ S 83/2022 28/04/2022

Contract award notice

Services

**Legal Basis:**

Regulation (EU, Euratom) No 2018/1046

---

**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: European Commission, Directorate-General for Competition (COMP)

Postal address: Madouplein 1

Town: Brussels

NUTS code: BE100 Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad

Postal code: 1049

Country: Belgium

E-mail: [COMP-PA@ec.europa.eu](mailto:COMP-PA@ec.europa.eu)

**Internet address(es):**

Main address: <http://ec.europa.eu/competition/>

**I.4. Type of the contracting authority**

European institution/agency or international organisation

**I.5. Main activity**

General public services

---

**Section II: Object**

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

**II.1.1. Title**

Ex Post Evaluation: EU Competition Enforcement and Acquisitions of Innovative Competitors in the Pharma Sector Leading to the Discontinuation of Overlapping Drug Research and Development Projects

Reference number: COMP/2021/OP/0002

**II.1.2. Main CPV code**

79311410 Economic impact assessment

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

Empirical research by Cunningham et al. (2021) suggests that in the pharmaceutical industry a considerable number of acquisitions might have as their object or effect the discontinuation of overlapping drug R&D projects to the detriment of innovation competition and ultimately consumers. Such acquisitions are commonly referred to as 'killer acquisitions'. The study aims to determine what are the typical features of such killer acquisitions and obtain evidence on

the prevalence of such acquisitions, as this would allow the Commission to determine which transactions in the pharmaceutical industry deserve closer scrutiny. A second objective of the study is to conduct ex post evaluations of selected past merger decisions. These case studies aim to assess whether in the concentrations notified to and examined by the Commission under the EU Merger Regulation, the Commission correctly anticipated the risks of possible discontinuations of competing lines of drug R&D projects.

#### **II.1.6. Information about lots**

This contract is divided into lots: no

#### **II.1.7. Total value of the procurement**

Value excluding VAT: 475 000,00 EUR

### **II.2. Description**

#### **II.2.2. Additional CPV code(s)**

79310000 Market research services, 79311410 Economic impact assessment, 79419000 Evaluation consultancy services, 33600000 Pharmaceutical products

#### **II.2.3. Place of performance**

NUTS code: BE100 Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad

Main site or place of performance: Please consult the procurement documents available at the address indicated in Section I.3).

#### **II.2.4. Description of the procurement**

Ex post evaluation: EU competition enforcement and acquisitions of innovative competitors in the pharma sector leading to the discontinuation of overlapping drug research and development projects.

#### **II.2.5. Award criteria**

Quality criterion - Name: Suitability of the proposed analytical framework and methodological approach / Weighting: 25

Quality criterion - Name: Pertinence of an example to be provided of an acquisition in the pharma sector, which led to the discontinuation of an overlapping drug project / Weighting: 25

Quality criterion - Name: The relevance of the data and other information sources to be used for the purpose of achieving the study's objectives / Weighting: 25

Quality criterion - Name: Organisation of the work / Weighting: 15

Quality criterion - Name: Quality control measures / Weighting: 10

Price - Weighting: 35

#### **II.2.11. Information about options**

Options: no

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

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project: Single market programme.

#### **II.2.14. Additional information**

Please consult the procurement documents available at the address indicated in Section I.3).

## **Section IV: Procedure**

---

#### **IV.1. Description**

##### **IV.1.1. Type of procedure**

Open procedure

##### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

##### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **IV.2. Administrative information**

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

Notice number in the OJ S: [2021/S 151-398626](#)

##### **IV.2.8. Information about termination of dynamic purchasing system**

##### **IV.2.9. Information about termination of call for competition in the form of a prior information notice**

### **Section V: Award of contract**

---

**Contract No:** COMP/2021/OP/0002

**Title:**

Ex Post Evaluation: EU Competition Enforcement and Acquisitions of Innovative Competitors in the Pharma Sector Leading to the Discontinuation of Overlapping Drug Research and Development Projects

A contract/lot is awarded: yes

#### **V.2. Award of contract**

##### **V.2.1. Date of conclusion of the contract**

13/04/2022

##### **V.2.2. Information about tenders**

Number of tenders received: 4

The contract has been awarded to a group of economic operators: no

##### **V.2.3. Name and address of the contractor**

Official name: Learlab S.R.L.

National registration number: RM-933350

Postal address: Via di Monserrato 48

Town: Roma

NUTS code: ITI43 Roma

Postal code: 00186

Country: Italy

The contractor is an SME: no

##### **V.2.4. Information on value of the contract/lot**

Initial estimated total value of the contract/lot: 500 000,00 EUR

Total value of the contract/lot: 475 000,00 EUR

##### **V.2.5. Information about subcontracting**

## Section VI: Complementary information

---

### VI.3. Additional information

Please consult the procurement documents available at the address indicated in Section I.3). In case of unavailability or disruptions in the functioning of the electronic means of communication provided in Section I.3) in the last five calendar days before the time limit for receipt indicated in Section IV.2.2), the contracting authority reserves the right to extend this time limit and publish the extension at the internet address provided in Section I.3), without a preceding publication of a corrigendum to this notice. Economic operators interested in this procurement are invited to subscribe to the call for tenders at the address in Section I.3) in order to get notified when new information or documents are published.

### VI.4. Procedures for review

#### VI.4.1. Review body

Official name: General Court of the European Union

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: L-2925

Country: Luxembourg

Telephone: +352 4303-1

Internet address: <http://curia.europa.eu>

#### VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Please consult the procurement documents available at the address indicated in Section I.3).

### VI.5. Date of dispatch of this notice

21/04/2022