

**Denmark-Copenhagen: Pharmaceutical products**

OJ S 113/2021 14/06/2021

**Contract notice****Supplies****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Amgros I/S  
Postal address: Dampfærgevej 22  
Town: København Ø  
NUTS code: DK0 Danmark  
Postal code: 2100  
Country: Denmark  
Contact person: Flemming Sonne  
E-mail: [udbud@amgros.dk](mailto:udbud@amgros.dk)  
Telephone: +45 88713000  
Fax: +45 88713008  
**Internet address(es):**  
Main address: <http://www.amgros.dk>

**I.1. Name and addresses**

Official name: Landspítali Háskólasjúkrahús  
Postal address: Skaftahlíð 24  
Town: Reykavík  
NUTS code: IS Ísland  
Postal code: 105  
Country: Iceland  
Contact person: Hulda Harðardóttir  
E-mail: [huldahar@landspitali.is](mailto:huldahar@landspitali.is)  
**Internet address(es):**  
Main address: <http://www.rikiskaup.is/>

**I.1. Name and addresses**

Official name: Sykehusinnkjøp HF, divisjon legemidler  
Postal address: Grev Wedels plass 7 5.etasje  
Town: Oslo  
NUTS code: NO Norge  
Postal code: 0151  
Country: Norway  
Contact person: Eirik Sverrisson  
E-mail: [legemidler@sykehusinnkjop.no](mailto:legemidler@sykehusinnkjop.no)  
**Internet address(es):**  
Main address: <http://www.sykehusinnkjop.no>

**I.2. Information about joint procurement**

The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law:

Danish law

### **I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: [www.amgros.dk](http://www.amgros.dk)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted to the abovementioned address

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

Body governed by public law

### **I.5. Main activity**

Health

## **Section II: Object**

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

#### **II.1.1. Title**

Joint Nordic Procurement of Pharmaceuticals 2022 — NF 2.604.b

#### **II.1.2. Main CPV code**

33600000 Pharmaceutical products

#### **II.1.3. Type of contract**

Supplies

#### **II.1.4. Short description**

Denmark, Norway and Iceland have entered into cooperation regarding the procurement of pharmaceuticals. The countries will jointly procure and award framework agreements in order to ensure the supply of pharmaceuticals to the public hospitals and health authorities in the countries. In Denmark certain pharmaceuticals are resold to the Faroe Island and Greenland. The obligation to deliver the pharmaceuticals in Iceland is subject to the precondition that the supplier obtains an exemption regarding printed labels and leaflets. If the supplier does not obtain such exemption the agreement will only apply to Denmark and Norway, see the Framework agreement section 2.2.1 and Appendix 6.

The framework agreements are non-exclusive to the supplier. The hospitals and health authorities are not obliged to use the framework agreement.

#### **II.1.5. Estimated total value**

Value excluding VAT: 10 400 000,00 EUR

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

This contract is divided into lots: no

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

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

33600000 Pharmaceutical products

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

NUTS code: DK0 Danmark

NUTS code: IS Ísland  
NUTS code: NO Norge

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

ATC Code: J01DH02

Generic Name: Meropenem

Pharmaceutical form: Injection and infusion Fluid

Strenght: 500 mg

Package:

Unit: 3 g

Volume in units: (Denmark 4.014) (Norway: 3.133) (Iceland 233)

ATC Code: J01DH02

Generic Name: Meropenem

Pharmaceutical form: Injection and infusion Fluid

Strenght: 1000 mg

Package:

Unit: 3 g

Volume in units: (Denmark 195.780) (Norway: 72.511) (Iceland 5.933)

Under the title 'quantity in units', an estimated consumption of the pharmaceuticals is indicated for each of the countries. It should be noted that this estimate corresponds to the historical consumption of the pharmaceuticals put up for tender and that suppliers must expect that the actual purchase under a framework agreement may deviate significantly from the estimate. Reference is made to paragraph 5.6 of the tender specifications and clause 4.2 in the framework agreement.

The Supplier must have authorisation to produce, import or receive pharmaceuticals for wholesale distribution within the EU/EEA.

The Pharmaceuticals shall be included in the Danish Medicines Agency's list of medicine prices ('medicinpriser.dk') and the Norwegian 'Farmalogg' and the Icelandic 'Lyfjaverðskrá' not later than 21 February 2022 in order to ensure supply from the beginning of the purchase period.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **II.2.6. Estimated value**

Value excluding VAT: 5 174 000,00 EUR

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Start: 01/04/2022 End: 31/03/2024

This contract is subject to renewal: yes

Description of renewals:

The contracting authorities shall be entitled to extend the framework agreement up to 2 times for each pharmaceutical on unchanged terms and conditions by up to 12 months.

#### **II.2.10. Information about variants**

Variants will be accepted: no

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

Options: yes

Description of options:

Clause 8.2 of the framework agreement provides for an option for delivery in a pre-agreement period (i.e. before the purchase period begins) and an option for delivery in a post-agreement period (i.e. after the purchase period). The two options may be exercised on the terms and conditions stipulated in the framework agreement.

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

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

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

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

When submitting a tender, suppliers must use the European Single Procurement Document (ESPD) in the tendering system for the declaration regarding the compulsory grounds for exclusion set out in sections 135-136 of the Danish Public Procurement Act (udbudsloven) (the Act can be found at [www.retsinformation.dk](http://www.retsinformation.dk)). Further information on the completion and application of the ESPD in the tender process is available in the guide drawn up by Amgro in this respect and in the 'Instructions for the European Single Procurement Document' drawn up by the Danish Competition and Consumer Authority (Konkurrence- og Forbrugerstyrelsen). The successful tenderer(s) to whom the contracting authorities intend to award the framework agreement must also, before the award, provide documentation to the contracting authorities regarding the absence of compulsory grounds for exclusion as set out in sections 152-153 of the Public Procurement Act. The contracting authorities are not entitled to exclude a supplier who is subject to one or more of the mandatory exclusion grounds set out in sections 135-136 of the Public Procurement Act if the supplier has provided sufficient documentation that the supplier is reliable, even if the supplier is subject to one or more of the grounds for exclusion set out in section 138 of the Public Procurement Act. The contracting authorities reserve the right to carry out a so-called 'self-cleaning' process if relevant.

#### **III.2. Conditions related to the contract**

##### **III.2.2. Contract performance conditions**

Reference is made to the provisions of the draft framework agreement and section II.2.4). No specific legal form is required. If the contract is awarded to a group of suppliers, each participant must undertake joint and several liability and appoint a joint representative.

### **Section IV: Procedure**

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

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

Open procedure

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

The procurement involves the establishment of a framework agreement  
Framework agreement with several operators

#### **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.2.2. Time limit for receipt of tenders or requests to participate**

Date: 31/08/2021 Local time: 12:00

##### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

##### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

Danish, English, Norwegian, Swedish

##### **IV.2.7. Conditions for opening of tenders**

Date: 31/08/2021 Local time: 12:00

Place:

Amgros I/S, Dampfærgevej 27-29, 2100 Copenhagen Ø.

Information about authorised persons and opening procedure: The Tenders are not permitted to attend the opening of the tenders. Tenders will be registered upon receipt, and tenders received on time will be opened collectively after expiry of the deadline for submission of tenders. With the notice regarding the tender evaluation, the tenderers will receive a comprehensive overview of the operators that have submitted compliant tenders.

### **Section VI: Complementary information**

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#### **VI.1. Information about recurrence**

This is a recurrent procurement: no

#### **VI.2. Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

#### **VI.3. Additional information**

This call for tenders is conducted as an open procedure in accordance with the Danish Procurement Act (udbudsloven). The procurement procedure is subject to Danish law and any complaints of the procurement procedure shall be lodged with the Danish Complaints Board for Public Procurement (Klagenævnet for udbud), see section VI.4.3).

In relation to section II.2.4), it should be noted, that the contracting authorities have considered whether the procurement group could be further subdivided. The contracting authorities have deemed that this is not the case based on the considerations of economies of scale, which will not be realizable with a further subdivision as well as costs and patient safety considerations related to the subsequent management of contract and pharmaceuticals.

In relation to sections II.1.5) and II.2.6) it should be noted that the estimated value indicated in section II.1.5) is the total estimated value of all procurement numbers (lots) for the duration of the framework agreement, including the option of renewal, see section II.2.7). Section II.2.6 sets out the estimated value for each procurement number, including the option of renewal, see section II.2.7. The value is based on the AIP ('Apotekernes Indkøbspris' published by the Danish Medicines Agency) of the pharmaceuticals. It should furthermore be noted that the

estimated value is based on historic consumption data and that the actual purchase under a framework agreement may deviate significantly from the estimate, see section II.2.4), paragraph 5.6 of the tender specifications and clause 4.2 of the framework agreement. Questions concerning the tender documents must be submitted through the tendering system, see the provisions of the tender specifications in this regard.

The access to submit tender requires that the operator is registered as a user of Amgros' tendering system. The registration as a user may take a few days, and the tenderer must therefore make sure to register in good time. Reference is made to the information provided in the tendering system, including the user guide.

In relation to section VI.2) it should be noted that electronic invoicing is required.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: [klfu@naevneshus.dk](mailto:klfu@naevneshus.dk)

Telephone: +45 72405600

Internet address: <https://klfu.naevneshus.dk>

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement (Act No 593 of 2 June 2016 as amended) the following deadlines apply to the lodging of complaints:

Complaints of the tendering procedure must be lodged with the Complaints Board for Public Procurement within 6 months after the contracting entity has entered into a framework agreement calculated from the day after the day when the contracting entity has notified the affected applicants and tenderers, see section 7(2), para.(3) of the Act. Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting authorities in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the complaint was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see clause 6(4) of the Act.

##### **VI.4.4. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens vej 35

Town: Valby

Postal code: 2500

Country: Denmark

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

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

09/06/2021