

Denmark-København Ø: Pharmaceutical products
OJ S 156/2019 14/08/2019
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

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
Telephone: +45 88713000
Fax: +45 88713008
Internet address(es):
Main address: <http://www.amgros.dk>

I.1. Name and addresses

Official name: Landspítali
Postal address: Eiríksgata 5
Town: Reykjavík
NUTS code: IS Ísland
Postal code: 101
Country: Iceland
Contact person: Hulda Harðardóttir
E-mail: 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
Town: Oslo
NUTS code: NO Norge
Postal code: 0151
Country: Norway
Contact person: Eirik Sverrisson
E-mail: eirik.sverrisson@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.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Health

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Joint Nordic Procurement of Pharmaceuticals — 2020 — NF 1.621.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 is resold to the Faroe Island and Greenland. For this procurement group delivery to Iceland is an option, see section II.2.11).

Tenders for the pharmaceuticals are invited so that the contracting authorities can enter into framework agreements for delivery of the pharmaceuticals requested in the list of products and specified under the various lots below (section II.2.4).

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

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 5 990 000,00 EUR

II.2. Description

II.2.3. Place of performance

NUTS code: DK Danmark

NUTS code: IS Ísland

NUTS code: NO Norge

II.2.4. Description of the procurement

Procurement No 1

ATC Code: J01DH02

Generic name: Meropenem (Vial)

Pharmaceutical form: Powder for infusionfluid

Strength: 500 mg

Unit value: 3 g

Volume in units: (Norway: 3750)(Denmark: 6695)(Iceland: 19)

ATC Code: J01DH02

Generic name: Meropenem (Vial)

Pharmaceutical form: Powder for infusionfluid

Strength: 1 g

Unit value: 3 g

Volume in units: (Norway:65500)(Denmark:1784490)(Iceland:495)

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 is based on historic consumption data and that the suppliers must expect that the actual purchase under a framework agreement may differ significantly from the estimate. Reference is made to paragraph 3.6 of the tender specifications and clause 2 of the framework agreement.

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

Marketing authorisations applicable for Denmark, Norway and Iceland must be in place for the pharmaceuticals in sufficient time to ensure that the pharmaceuticals appear in Medicinpriser.dk (Denmark), 'Farmalogg' (Norway) and 'Lyfjaverðskrá' (Iceland) no later than 1.12.2019. The requirement regarding 'Lyfjaverðskrá' (Iceland) only apply if Iceland is part of the framework agreement, see section II.2.11).

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: yes

Description of options:

Clause 1 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 2 options may be exercised on the terms and conditions stipulated in the framework agreement and in the tender specifications.

For this procurement group delivery to Iceland is an option. The supplier can choose to submit a tender for this option. If the supplier is awarded a framework agreement the framework agreement will cover delivery of the pharmaceuticals in all 3 countries for the purchase period. If the supplier chooses not to give a tender for the delivery to Iceland the framework agreement will cover delivery of the pharmaceuticals in Denmark and Norway.

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 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

The procurement involves the establishment of a framework agreement

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: [2019/S 072-169900](#)

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

Title:

Joint Nordic Procurement of Pharmaceuticals — 2020 — NF 1.621.b

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

08/08/2019

V.2.2. Information about tenders

Number of tenders received: 3

The contract has been awarded to a group of economic operators: yes

V.2.3. Name and address of the contractor

Official name: Sun Pharmaceutical Germany GmbH

Town: Leverkusen

NUTS code: DE Deutschland

Country: Germany

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: FrostPharma AB

Town: Danderyd

NUTS code: SE Sverige

Country: Sweden

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Fresenius Kabi

Town: København

NUTS code: DK01 Hovedstaden

Country: Denmark

The contractor is an SME: no

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

Initial estimated total value of the contract/lot: 6 000 000,00 EUR

Total value of the contract/lot: 5 989 351,00 EUR

V.2.5. Information about subcontracting

Section VI: Complementary information

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).

In relation to section II.2.4) it should be noted that the contracting authorities has considered whether the procurement group can be subdivided. The contracting authorities has assessed that this is not the case on the basis of considerations of economies of scale which will not be realisable in case of 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 the procurement for the duration of the framework agreement, including the option of renewal, see section II.2.7). and 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 differ significantly from the estimate, see section II.2.4), paragraph 3.6 of the tender specifications and clause 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@erst.dk

Telephone: +45 35291095

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

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 2.6.2016 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

12/08/2019