

Belgium-Saint-Gilles: Pharmaceutical products
OJ S 144/2023 28/07/2023
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Association iris-Achats

Postal address: Rue Dejoncker 46 5ème étage

Town: Saint-Gilles

NUTS code: BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest

Postal code: 1060

Country: Belgium

Contact person: Madame Alice Maquestiau

E-mail: alice.maquestiau@iris-hopitaux.be

Telephone: +32 25437817

Internet address(es):

Main address: www.iris-hopitaux.be

I.2. Information about joint procurement

The contract is awarded by a central purchasing body

I.4. Type of the contracting authority

Other type: Hôpital

I.5. Main activity

Health

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Spécialités pharmaceutiques à base de lumacaftor/ivacaftor, tezacaftor/ivacaftor, ivacaftor et elexacaftor/tezacaftor/ivacaftor.

Reference number: IA/2023/PNSPP/Monopole Pharma Vertex

II.1.2. Main CPV code

33600000 Pharmaceutical products

II.1.3. Type of contract

Supplies

II.1.4. Short description

voir II.1.1

II.1.6.

Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Value excluding VAT: 12 371 427,92 EUR

II.2. Description

II.2.1. Title

Spécialités pharmaceutiques à base de lumacaftor/ivacaftor

Lot No: 1

II.2.2. Additional CPV code(s)

33600000 Pharmaceutical products

II.2.3. Place of performance

NUTS code: BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest

Main site or place of performance: Institut Jules Bordet, Rue Meylemeersch 90 à 1070

Bruxelles / CHU Saint-Pierre, Rue Haute, 322, site Porte de Hal à 1000 Bruxelles / Hôpital

Erasme- Cliniques Unive...(voir documents du marché)

II.2.4. Description of the procurement

voir II.2.1

II.2.5. Award criteria

Price

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:

no

II.2.14. Additional information

II.2. Description

II.2.1. Title

Spécialités pharmaceutiques à base de tezacaftor/ivacaftor

Lot No: 2

II.2.2. Additional CPV code(s)

33600000 Pharmaceutical products

II.2.3. Place of performance

NUTS code: BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest

Main site or place of performance: Institut Jules Bordet, Rue Meylemeersch 90 à 1070

Bruxelles / CHU Saint-Pierre, Rue Haute, 322, site Porte de Hal à 1000 Bruxelles / Hôpital

Erasme- Cliniques Unive...(voir documents du marché)

II.2.4. Description of the procurement

voir II.2.1

II.2.5. Award criteria

Price

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:
no

II.2.14. Additional information**II.2. Description****II.2.1. Title**

Spécialités pharmaceutiques à base d'ivacaftor
Lot No: 3

II.2.2. Additional CPV code(s)

33600000 Pharmaceutical products

II.2.3. Place of performance

NUTS code: BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest
Main site or place of performance: Institut Jules Bordet, Rue Meylemeersch 90 à 1070
Bruxelles / CHU Saint-Pierre, Rue Haute, 322, site Porte de Hal à 1000 Bruxelles / Hôpital
Erasme- Cliniques Unive...(voir documents du marché)

II.2.4. Description of the procurement

voir II.2.1

II.2.5. Award criteria

Price

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:
no

II.2.14. Additional information**II.2. Description****II.2.1. Title**

Spécialités pharmaceutiques à base de elexacaftor/tezacaftor/ivacaftor
Lot No: 4

II.2.2. Additional CPV code(s)

33600000 Pharmaceutical products

II.2.3. Place of performance

NUTS code: BE1 Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest
Main site or place of performance: Institut Jules Bordet, Rue Meylemeersch 90 à 1070
Bruxelles / CHU Saint-Pierre, Rue Haute, 322, site Porte de Hal à 1000 Bruxelles / Hôpital
Erasme- Cliniques Unive...(voir documents du marché)

II.2.4. Description of the procurement

voir II.2.1

II.2.5. Award criteria

Price

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:
no

II.2.14. Additional information

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

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

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - protection of exclusive rights, including intellectual property rights

Explanation:

- LOT n°1 : Lumacaftor/Ivacaftor commercialisé sous le nom de Orkambi®

La firme Vertex affirme être titulaire d'un brevet expirant après 2026 sur ce médicament, ce qui lui confère un droit d'exclusivité. Ce droit d'exclusivité a été confirmé par la firme par mail du 2 février 2022 et lors de la prospection du marché organisée par le pouvoir adjudicateur conformément à l'article 5 de l'Arrêté Royal du 15/07/2011.

- LOT n°2 : Tezacaftor/Ivacaftor commercialisé sous le nom de Symkevi®

La firme Vertex affirme être titulaire d'un brevet expirant après 2026 sur ce médicament, ce qui lui confère un droit d'exclusivité. Ce droit d'exclusivité a été confirmé par la firme par mail du 2 février 2022 et lors de la prospection du marché organisée par le pouvoir adjudicateur conformément à l'article 5 de l'Arrêté Royal du 15/07/2011.

- LOT n°3 : Ivacaftor commercialisé sous le nom de Kalydeco®

La firme Vertex affirme être titulaire d'un brevet expirant après 2026 sur ce médicament, ce qui lui confère un droit d'exclusivité. Ce droit d'exclusivité a été confirmé par la firme par mail du 2 février 2022 et lors de la prospection du marché organisée par le pouvoir adjudicateur conformément à l'article 5 de l'Arrêté Royal du 15/07/2011.

- LOT n°4 : Elexacaftor /tezacaftor / ivacaftor commercialisé sous le nom de Kaftrio®

La firme Vertex affirme être titulaire d'un brevet expirant après 2026 sur ce médicament, ce qui lui confère un droit d'exclusivité. Ce droit d'exclusivité a été confirmé par la firme par mail du 19 avril 2023 conformément à l'article 5 de l'Arrêté Royal du 15/07/2011.

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.2.8. 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: IA/2023/PNSPP/Monopole Pharma Vertex

Lot No: 1

Title:

Spécialités pharmaceutiques à base de lumacaftor/ivacaftor

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

20/07/2023

V.2.2. Information about tenders

Number of tenders received: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

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

V.2.3. Name and address of the contractor

Official name: VERTEX PHARMACEUTICALS (BELGIUM)

Postal address: Rond-point Robert Schuman 11

Town: Bruxelles

NUTS code: BE Belgique / België

Postal code: 1040

Country: Belgium

Telephone: +32 479204535

The contractor is an SME: no

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

Total value of the contract/lot: 511 896,84 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: IA/2023/PNSPP/Monopole Pharma Vertex

Lot No: 2

Title:

Spécialités pharmaceutiques à base de tezacaftor/ivacaftor

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

20/07/2023

V.2.2. Information about tenders

Number of tenders received: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

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

V.2.3. Name and address of the contractor

Official name: VERTEX PHARMACEUTICALS (BELGIUM)

Postal address: Rond-point Robert Schuman 11

Town: Bruxelles

NUTS code: BE Belgique / België

Postal code: 1040

Country: Belgium

Telephone: +32 479204535

The contractor is an SME: no

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

Total value of the contract/lot: 3 550 616,00 EUR

V.2.5. Information about subcontracting**Section V: Award of contract**

Contract No: IA/2023/PNSPP/Monopole Pharma Vertex

Lot No: 3

Title:

Spécialités pharmaceutiques à base d'ivacaftor

A contract/lot is awarded: yes

V.2. Award of contract**V.2.1. Date of conclusion of the contract**

20/07/2023

V.2.2. Information about tenders

Number of tenders received: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

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

V.2.3. Name and address of the contractor

Official name: VERTEX PHARMACEUTICALS (BELGIUM)

Postal address: Rond-point Robert Schuman 11

Town: Bruxelles

NUTS code: BE Belgique / België

Postal code: 1040

Country: Belgium
Telephone: +32 479204535
The contractor is an SME: no

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

Total value of the contract/lot: 8 250 000,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: IA/2023/PNSPP/Monopole Pharma Vertex

Lot No: 4

Title:

Spécialités pharmaceutiques à base de elexacaftor/tezacaftor/ivacaftor

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

20/07/2023

V.2.2. Information about tenders

Number of tenders received: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

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

V.2.3. Name and address of the contractor

Official name: VERTEX PHARMACEUTICALS (BELGIUM)

Postal address: Rond-point Robert Schuman 11

Town: Bruxelles

NUTS code: BE Belgique / België

Postal code: 1040

Country: Belgium

Telephone: +32 479204535

The contractor is an SME: no

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

Total value of the contract/lot: 58 915,08 EUR

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

Official name: Conseil d'Etat

Postal address: Rue de la Science 33

Town: Etterbeek

Postal code: 1040

Country: Belgium

VI.5. Date of dispatch of this notice

24/07/2023