

Denmark-Copenhagen: Pharmaceutical products
OJ S 250/2021 24/12/2021
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 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
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
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 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.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 5 000 000,00 EUR

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
Strength: 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
Strength: 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

Quality criterion - Name: Security of supply / Weighting: 20

Quality criterion - Name: Environment / Weighting: 30

Price - Weighting: 50

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 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: [2021/S 113-296226](#)

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: 1

Title:

Joint Nordic Procurement of Pharmaceuticals 2022 - NF 2.604.b

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

14/12/2021

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 Pharmaceuticals Germany GmbH

Town: Leverkusen

NUTS code: DE Deutschland

Postal code: 413 77

Country: Germany

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Frost Pharma AB

Town: Danderyd

NUTS code: SE Sverige

Postal code: 182 53

Country: Sweden

The contractor is an SME: yes

V.2.3. Name and address of the contractor

Official name: Fresenius Kabi

National registration number: 21347809

Town: Copenhagen S

NUTS code: DK0 Danmark

Postal code: 2300

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: 10 400 000,00 EUR
Total value of the contract/lot: 4 300 000,00 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.4.3.

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@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://klfu.naevneneshus.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

20/12/2021