

Denmark-Copenhagen: Pharmaceutical products
OJ S 222/2023 17/11/2023
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 - 2024 - NF2.200.a

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 in the countries. In Denmark certain pharmaceuticals are resold to the Faroe Island and Greenland. Under this procurement group, the pharmaceuticals are tendered under each procurement no. for the purpose of supplying the Contracting Authorities as 2 markets (Norway as 1 market and Denmark and Iceland as 1 market) see section II.2.4 and the tender specification.

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.

II.1.6. Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Value excluding VAT: 6 898 928,00 EUR

II.2. Description

II.2.1. Title

1

Lot No: 1

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: A04AA01

Generic Name: Ondansetrone

Pharmaceutical form: Injection Fluid

Strenght: 2 mg/ml

Package: 2 ml

Unit: 16 mg

Volume in units: (Denmark 112.158) (Iceland 7.500)

ATC Code: A04AA01

Generic Name: Ondansetrone

Pharmaceutical form: Injection Fluid

Strenght: 2 mg/ml

Package: 4 ml

Unit: 16 mg

Volume in units: (Denmark 8.562) (Iceland 12.500)

Each procurement number is a separate lot for the pharmaceutical indicated and is put up for tender independently of the other procurement numbers. This means that a tenderer may submit a tender for one, several or all procurement numbers (lots), and that framework agreements will be awarded separately for each procurement number. However, the aim is to conclude framework agreements with different suppliers for the procurement numbers 1 and 2, which are linked procurement numbers.

If there is only one compliant tender for either procurement numbers 1 or 2, the framework agreement for the procurement number in question is awarded to the supplier concerned. The supplier concerned will then be excluded from award on the other of the two procurement numbers, and the framework agreement will be awarded to the supplier of the remaining suppliers offering the "best price-quality ra-tio".

If there are several compliant tenders for both procurement numbers 1 and 2, the award under pro-curement number 1 will take precedence. This means that if the same supplier has submitted a tender offering the "best price-quality ratio" for both procurement numbers 1 and 2, and there are several com-pliant tenders for both procurement numbers 1 and 2, the Contracting Authorities will only award the supplier concerned a framework agreement for procurement number 1, since the framework agreement for procurement number 2 is awarded to the supplier with the "second best price-quality ratio" under the procurement number concerned.

If there is only one compliant tender for both procurement numbers 1 and 2, the framework agreements will be awarded to the suppliers of the respective compliant tenders, notwithstanding that this may mean that the same supplier will be awarded a framework agreement for both procurement numbers 1 and 2.

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"), the Norwegian "Farmalogg" and the Icelandic "Lyfjaverðskrá" not

later than 5 February 2024 in order to ensure supply from the beginning of the Purchase Period.

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

II.2.5. Award criteria

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

Quality criterion - Name: Environmental / 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

II.2. Description

II.2.1. Title

2

Lot No: 2

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: A04AA01

Generic Name: Ondansetrone

Pharmaceutical form: Injection Fluid

Strenght: 2 mg/ml

Package: 2 ml

Unit: 16 mg

Volume in units: Norway 75.000

ATC Code: A04AA01

Generic Name: Ondansetrone

Pharmaceutical form: Injection Fluid

Strenght: 2 mg/ml

Package: 4 ml

Unit: 16 mg

Volume in units: Norway 8.250

Each procurement number is a separate lot for the pharmaceutical indicated and is put up for tender independently of the other procurement numbers. This means that a tenderer may submit a tender for one, several or all procurement numbers (lots), and that framework agreements will be awarded separately for each procurement number. However, the aim is to conclude framework agreements with different suppliers for the procurement numbers 1 and 2, which are linked procurement numbers.

If there is only one compliant tender for either procurement numbers 1 or 2, the framework agreement for the procurement number in question is awarded to the supplier concerned. The supplier concerned will then be excluded from award on the other of the two procurement numbers, and the framework agreement will be awarded to the supplier of the remaining suppliers offering the "best price-quality ratio".

If there are several compliant tenders for both procurement numbers 1 and 2, the award under procurement number 1 will take precedence. This means that if the same supplier has submitted a tender offering the "best price-quality ratio" for both procurement numbers 1 and 2, and there are several compliant tenders for both procurement numbers 1 and 2, the Contracting Authorities will only award the supplier concerned a framework agreement for procurement number 1, since the framework agreement for procurement number 2 is awarded to the supplier with the "second best price-quality ratio" under the procurement number concerned.

If there is only one compliant tender for both procurement numbers 1 and 2, the framework agreements will be awarded to the suppliers of the respective compliant tenders, notwithstanding that this may mean that the same supplier will be awarded a framework agreement for both procurement numbers 1 and 2.

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"), the Norwegian "Farmalogg" and the Icelandic "Lyfjaverðskrá" not later than 5 February 2024 in order to ensure supply from the beginning of the Purchase Period.

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

II.2.5. Award criteria

Quality criterion - Name: environmental / Weighting: 30

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

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

II.2. Description

II.2.1. Title

3

Lot No: 3

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: A04AA01

Generic Name: Ondansetrone Ready to use

Pharmaceutical form: Injection Fluid

Strenght: 0,08 mg/ml

Package: 50 ml

Unit: 16 mg

Volume in units: (Denmark 999), (Iceland 999), (Norway 999)

ATC Code: A04AA01

Generic Name: Ondansetrone ready to use

Pharmaceutical form: Injection Fluid

Strenght: 0,08 mg/ml

Package: 100 ml

Unit: 16 mg

Volume in units: (Denmark 999), (Iceland 999), (Norway 999)

Each procurement number is a separate lot for the pharmaceutical indicated and is put up for tender independently of the other procurement numbers. This means that a tenderer may submit a tender for one, several or all procurement numbers (lots), and that framework agreements will be awarded separately for each procurement number. A framework agreement awarded under Procurement number 3 will cover delivery of the pharmaceuticals in all three countries: Denmark, Norway and Iceland.

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"), the Norwegian "Farmalogg" and the Icelandic "Lyfjaverðskrá" not later than 5 February 2024 in order to ensure supply from the beginning of the Purchase Period.

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

II.2.5. Award criteria

Quality criterion - Name: Environmental / Weighting: 30

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

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

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: [2023/S 089-273331](#)

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

The contracting authority will not award any further contracts based on the above prior information notice

Section V: Award of contract

Lot No: 1

Title:

1

A contract/lot is awarded: yes

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

09/11/2023

V.2.2. Information about tenders

Number of tenders received: 3

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

V.2.3. Name and address of the contractor

Official name: Fresenius Kabi

National registration number: 21347809

Postal address: Islands Brygge 57

Town: Copenhagen

NUTS code: DK0 Danmark

Postal code: 2300

Country: Denmark

The contractor is an SME: yes

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

Initial estimated total value of the contract/lot: 1 152 400,00 EUR

Total value of the contract/lot: 1 152 400,00 EUR

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

Contract No: 2**Lot No: 2****Title:**

2

A contract/lot is awarded: yes

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

09/11/2023

V.2.2. Information about tenders

Number of tenders received: 3

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

V.2.3. Name and address of the contractor

Official name: Hameln pharma ApS

National registration number: 39720213

Postal address: Naverland 22

Town: Glostrup

NUTS code: DK0 Danmark
Postal code: 2600
Country: Denmark
The contractor is an SME: yes

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

Initial estimated total value of the contract/lot: 603 628,00 EUR

Total value of the contract/lot: 603 628,00 EUR

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 3

Lot No: 3

Title:

3

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

09/11/2023

V.2.2. Information about tenders

Number of tenders received: 1

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

V.2.3. Name and address of the contractor

Official name: Fresenius Kabi

National registration number: 21347809

Postal address: Islands Brygge 57

Town: Copenhagen

NUTS code: DK0 Danmark

Postal code: 2300

Country: Denmark

The contractor is an SME: yes

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

Initial estimated total value of the contract/lot: 9 000,00 EUR

Total value of the contract/lot: 9 000,00 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

13/11/2023