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Contract

## **NP31518 Albumin Products**

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

F20: Modification notice

Notice identifier: 2023/S 000-000915

Procurement identifier (OCID): ocds-h6vhtk-0396cc

Published 12 January 2023, 10:15am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

#### **Contact**

Cameron Wright

#### **Email**

[cameron.wright@nhs.scot](mailto:cameron.wright@nhs.scot)

#### **Telephone**

+44 1312757454

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

NP31518 Albumin Products

**II.1.2) Main CPV code**

- 33141510 - Blood products

**II.1.3) Type of contract**

Supplies

**II.2) Description****II.2.2) Additional CPV code(s)**

- 33141510 - Blood products
- 33141520 - Plasma extracts

**II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to the National Health Service (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

#### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

The Framework Agreement is for:

LOT 1 - the supply of Human Albumin Solution (Low strength), 4.5% - 5% in a range of vial sizes;

AND

LOT 2 - the supply of Human Albumin Solution (High strength), 15% - 25% in a range of vial sizes.

Each Lot has been awarded as a Ranked Multi Supplier Framework.

The Framework Participants are required to supply Goods to the Scottish National Blood Transfusion Service (SNBTS), Edinburgh for use by the Participating Authorities.

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

Duration in months

48

#### **II.2.13) Information about European Union Funds**

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

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2018/S 144-328900](#)

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## **Section V. Award of contract/concession**

### **Contract No**

NP31518

### **Title**

NP31518 Albumin Products

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

31 October 2018

#### **V.2.2) Information about tenders**

The contract/concession has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor/concessionaire**

CSL Behring

4 Milton road

Haywards Heath

RH16 1AH

Telephone

+44 7827837466

Country

United Kingdom

NUTS code

- UKJ27 - West Sussex (South West)

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Bio Products Laboratory

Dagger Lane, Elstree

Hertfordshire

WD6 3BX

Telephone

+44 2082582251

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Octapharma Ltd

The Zenith Building, 26 Spring Gardens

Manchester

M2 1AB

Telephone

+44 1618373770

Fax

+44 1618373799

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Grifols UK Ltd

Byron House, Cambridge Business Park

Cambridge

CB4 0WZ

Telephone

+44 7795198236

Country

United Kingdom

NUTS code

- UKH12 - Cambridgeshire CC

The contractor/concessionaire is an SME

No

**V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £7,645,810

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## **Section VI. Complementary information**

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

The estimated value of the Framework Agreement referred to in Section V.2.4 (comprising two (2) Lots) covers the twenty-six (26) months' initial duration and the twenty-two (22) months' extension duration of the Framework Agreement.

(SC Ref:718079)

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

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

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

[edinburgh@scotcourts.gov.uk](mailto:edinburgh@scotcourts.gov.uk)

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>

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

Precise information on deadline(s) for review procedures

Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts: An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session.

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 33141510 - Blood products

#### **VII.1.2) Additional CPV code(s)**

- 33141520 - Plasma extracts

#### **VII.1.3) Place of performance**

NUTS code

- UKM - Scotland

#### **VII.1.4) Description of the procurement:**

This modification, effecting an extension of the Framework Agreement duration from 01/03/2023 until 30/04/2023, is necessary to meet the additional demands of the Scottish Health and Social Care sector to maintain necessary supply due to circumstances unforeseen by the Authority pertaining to the Voluntary Scheme for Branded Medicines Pricing and Access (VPAS) in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015.

#### **VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Duration in months

2

#### **VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£351,192



**VII.1.7) Name and address of the contractor/concessionaire**

CSL Behring

4 Milton road

Haywards Heath

RH16 1AH

Telephone

+44 7827837466

Country

United Kingdom

NUTS code

- UKJ27 - West Sussex (South West)

The contractor/concessionaire is an SME

No

**VII.1.7) Name and address of the contractor/concessionaire**

Bio Products Laboratory

Dagger Lane, Elstree

Hertfordshire

WD6 3BX

Telephone

+44 2082582251

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor/concessionaire is an SME

No

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

This modification effects an extension of the Framework Agreement duration from 01/03/2023 until 30/04/2023. The modification notice is advised at Framework Agreement level only and so it does not detail individual Lots.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

This modification is necessary to meet the additional demands of the Scottish Health and Social Care sector to maintain necessary supply due to circumstances unforeseen by the Authority pertaining to the Voluntary Scheme for Branded Medicines Pricing and Access (VPAS) in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £7,645,810

Total contract value after the modifications

Value excluding VAT: £7,997,002