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Contract

NP36722 Fertility Products

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

F03: Contract award notice

Notice identifier: 2023/S 000-001508

Procurement identifier (OCID): ocds-h6vhtk-0375cf

Published 18 January 2023, 11:05am

Section I: Contracting authority

I.1) Name and addresses

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

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

Edinburgh

EH12 9EB

Contact

Rashida Rasool

Email

rashida.rasool@nhs.scot

Telephone

+44 1312756051

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nhsscotlandprocurement.scot.nhs.uk/>

Buyer's address

http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

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

NP36722 Fertility Products

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

This Framework Agreement is for the supply of fertility products to NHS Scotland.

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £5,045,796

II.2) Description

II.2.1) Title

Lot 1 - Follitropin Alfa

Lot No

1

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of Follitropin Alfa fertility medicines in pre-filled syringes, vials, pre-filled pens and glass cartridges to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per line to a maximum of three (3) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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) Description

II.2.1) Title

Lot 3 - Gonadotrophin Releasing Hormone - GNRH Agonists

Lot No

3

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of Gonadotrophin-Releasing Hormone (GNRH) Agonists fertility medicines in vials and sprays to NHS Scotland. The Authority has awarded this framework as an unranked multi-supplier framework per line to a maximum of two (2) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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) Description

II.2.1) Title

Lot 4 - Progesterones

Lot No

4

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of Progesterone fertility medicines in vials, gel and tablets to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per line to a maximum of four (4) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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) Description

II.2.1) Title

Lot 5 - Gonadotrophin Releasing Hormone - GNRH Antagonists

Lot No

5

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of Gonadotrophin Releasing Hormone (GNRH) Antagonists fertility medicines in vials to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per line to a maximum of two (2) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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) Description

II.2.1) Title

Lot 6 - All Other Fertility Products

Lot No

6

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of All Other fertility medicines in vials and patches to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per line to a maximum of one (1) Framework Participant.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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) Description

II.2.1) Title

Lot 2 - Gonadotrophins

Lot No

2

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

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

II.2.4) Description of the procurement

Supply of Human Menopausal Gonadotrophins fertility medicines in vials to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per line to a maximum of two (2) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

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

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: [2022/S 000-028998](#)

Section V. Award of contract

Lot No

1

Title

Lot 1 - Follitropin Alfa

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 3

Number of tenders received by electronic means: 3

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

V.2.3) Name and address of the contractor

Gedeon Richter

127 Shirland Road

London

W9 2EP

Telephone

+44 7849633847

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Telephone

+44 7970151725

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Theramex HQ UK Ltd

Sloane Square House, 1 Holbien Place

London

SW1W 8NS

Telephone

+44 7919374816

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £2,190,252

Section V. Award of contract

Lot No

3

Title

Lot 3 - Gonadotrophin Releasing Hormone - GNRH Agonists

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 2

Number of tenders received by electronic means: 2

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

V.2.3) Name and address of the contractor

Neon Healthcare

8 The Chase, John Tate Road, Foxholes Business Park

Hertford

SG13 7NN

Telephone

+44 1920444345

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Pfizer Ltd

Walton Oaks, Dorking Road

Tadworth

KT20 7NS

Telephone

+44 7471112086

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £285,555

Section V. Award of contract

Lot No

4

Title

Lot 4 - Progesterones

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 4

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 4

Number of tenders received by electronic means: 4

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

V.2.3) Name and address of the contractor

Ferring Pharmaceuticals Limited

Drayton Hall, Church Road

West Drayton

UB7 7PS

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Telephone

+44 7970151725

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Pharmasure Ltd

28 The Metro Centre, Dwight Road

Watford

WD18 9SB

Telephone

+44 1923233466

Fax

+44 1923233113

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Teva UK Limited

Ridings Point, Whistler Drive

Castleford

WF10 5HX

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £1,438,484

Section V. Award of contract

Lot No

5

Title

Lot 5 - Gonadotrophin Releasing Hormone - GNRH Antagonists

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 3

Number of tenders received by electronic means: 3

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

V.2.3) Name and address of the contractor

Ferring Pharmaceuticals Limited

Drayton Hall, Church Road

West Drayton

UB7 7PS

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Gedeon Richter

127 Shirland Road

London

W9 2EP

Telephone

+44 7849633847

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Telephone

+44 7970151725

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £613,944

Section V. Award of contract

Lot No

6

Title

Lot 6 - All Other Fertility Products

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 1

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

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Telephone

+44 7970151725

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £158,400

Section V. Award of contract

Lot No

2

Title

Lot 2 - Gonadotrophins

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2022

V.2.2) Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 3

Number of tenders received by electronic means: 3

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

V.2.3) Name and address of the contractor

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Telephone

+44 7970151725

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.3) Name and address of the contractor

Pharmasure Ltd

28 The Metro Centre, Dwight Road

Watford

WD18 9SB

Telephone

+44 1923233466

Fax

+44 1923233113

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £359,160

Section VI. Complementary information

VI.3) Additional information

The estimated value referred to in Section II.I.7 and within all Lots covers the forty-eight (48) months contract duration.

For further details of individual lines awarded within each Lot, please contact the named person at the head of this Notice.

(SC Ref:711793)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

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.