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Contract

## **Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicine**

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

F03: Contract award notice

Notice identifier: 2022/S 000-003095

Procurement identifier (OCID): ocds-h6vhtk-02e443

Published 3 February 2022, 8:55am

### **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**

Linda Downie

#### **Email**

[linda.downie3@nhs.scot](mailto:linda.downie3@nhs.scot)

#### **Telephone**

+44 1698794410

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

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

Buyer's address

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

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicine

Reference number

NP40921

### **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 Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicines to NHS Scotland.

The Goods have been separated into four (4) categories, each of which is identified as a “Lot”. Full details of each Lot is contained in section II.2 of this notice.

### **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: £14,625,036

## **II.2) Description**

### **II.2.1) Title**

Levobupivacaine (As Hydrochloride) Sterile Wrapped Ampoules For Injection

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**

The Supply of Levobupivacaine (As Hydrochloride) Sterile Wrapped Ampoules For Injection to NHS Scotland in a range of presentations. The Authority has awarded all presentations within this lot to a single supplier.

## **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**

All Other Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicines

Lot No

18

### **II.2.2) Additional CPV code(s)**

- 33600000 - Pharmaceutical products

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

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 Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicines in a range of presentations. Each product line was treated as an individual Lot, and the Authority has awarded each lot to a single 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**

Levobupivacaine (As Hydrochloride) Solution For Infusion

Lot No

## **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**

The Supply of Levobupivacaine (As Hydrochloride) Solution For Infusion to NHS Scotland in a range of presentations. The Authority has awarded each product line as an unranked multi-supplier framework agreement to 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**

Baclofen Intrathecal Injections

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 Baclofen Intrathecal Injections to NHS Scotland in a range of presentations. The Authority has awarded all presentations within this lot to a single supplier.

### **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

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## **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: [2021/S 000-023760](#)



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

### **Lot No**

19

### **Title**

Levobupivacaine (As Hydrochloride) Solution For Infusion

A contract/lot is awarded: Yes

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

#### **V.2.1) Date of conclusion of the contract**

21 December 2021

#### **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: 1

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

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**

Fresenius Kabi Limited

Cestrian Court, Eastgate Way, Manor Park

Runcorn

WA7 1NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Altan Pharma Ltd

The Lennox Building, 50 South Richmond Street

Dublin 2

D02FK02

Country

Ireland

NUTS code

- IE - Ireland

The contractor is an SME

No

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

Total value of the contract/lot: £1,611,385

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

### **Lot No**

18

### **Title**

All Other Analgesics, Anaesthetics, Musculoskeletal & Joint Disease Generic Medicines

A contract/lot is awarded: Yes

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

#### **V.2.1) Date of conclusion of the contract**

21 December 2021

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

Number of tenders received: 31

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 28

Number of tenders received by electronic means: 31

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

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

Accord-UK Ltd

Whiddon Valley, Barnstaple

Devon

EX32 8NS

Country

United Kingdom

NUTS code

- UKK43 - Devon CC

The contractor is an SME

No

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

Crescent Pharma Limited

Unit 3 & 4 Quidhampton Business Units, Polhampton Lane, Overton

Basingstoke

RG25 3ED

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Focus Pharmaceuticals Ltd

5 Faraday Court, Centrum 100, First Avenue

Burton upon Trent

DE14 2WX

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Fresenius Kabi Limited

Cestrian Court, Eastgate Way, Manor Park

Runcorn

WA7 1NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Glenmark Pharmaceuticals Europe Ltd

Building 2, Croxley Green Business Park

Watford

WD18 8YA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Arcadia Pharma Limited T/A Arcadia Medical

Unit 3 Bell Court , Swansea West Industrial Park

Swansea

SA5 4HP

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Aspen Pharma Ireland Ltd

12/13 Exchange place, Custom House Docks

Dublin

dublin 1

Country

Ireland

NUTS code

- IE - Ireland

The contractor is an SME

No

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

DRUGSRUS LTD

5 SANDRIDGE CLOSE

HARROW

HA1 1XD

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

GSK UK Limited

1-3 Iron Bridge Road, Stockley Park West

Uxbridge

UB11 1BT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

hameln pharma ltd

Unit C, Nexus, Gloucester Business Park

Gloucester

GL3 4AG

Country

United Kingdom

NUTS code

- UKK13 - Gloucestershire

The contractor is an SME

No

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

Kent Pharmaceuticals Ltd

Joshna House, Crowbridge Road

Ashford

TN24 0GR



Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Martindale Pharma

Bampton Road, Harold Hill

Romford

RM3 8UG

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Morningside Pharmaceuticals Limited

5 Pavilion Way, Castle Business Park

Loughborough, Leicestershire

LE11 5GW

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Mylan

Building 4, Trident Place, Mosquito Way

Hatfield

AL10 9UL

Country

United Kingdom

NUTS code

- UKH23 - Hertfordshire

The contractor is an SME

No

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

Neuraxpharm UK Ltd

Unit 12, Farnborough Business Centre , Eelmoor Rd

Farnborough, Hampshire

GU14 7XA

Country

United Kingdom

NUTS code

- UKJ3 - Hampshire and Isle of Wight

The contractor is an SME

No

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

Panpharma UK Ltd

Cotton Exchange, Bixteth Street

Liverpool

L3 9LQ

Country

United Kingdom

NUTS code

- UKD72 - Liverpool

The contractor is an SME

No

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

Pfizer Limited

Walton Oaks, Dorking Road

Tadworth

KT20 7NS

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Phoenix Labs

Suit 12, Bunkilla Plaza, Bracetown Business Park, Clonee, Co. Meath

Clonee

N/A

Country

Ireland

NUTS code

- IE - Ireland

The contractor is an SME

No

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

Ranbaxy (UK) Ltd

Building 4, Chiswick Park, 566 Chiswick High Road

London

W4 5YE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Rosemont Pharmaceuticals Ltd

Braithwaite Street, Leeds, West Yorkshire

Leeds

LS11 9XE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Sandoz Ltd

Frimley Business Park, Frimley

Camberley

GU16 7SR

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Selective Supplies Ltd

The Priory, Syresham Gardens

Haywards Heath

RH16 3LB

Country

United Kingdom

NUTS code

- UK - United Kingdom

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

- UK - United Kingdom

The contractor is an SME

No

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

Altan Pharma Ltd

The Lennox Building, 50 South Richmond Street

Dublin 2

D02FK02

Country

Ireland

NUTS code

- IE - Ireland

The contractor is an SME

No

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

Thornton & Ross Ltd

Manchester Road, Linthwaite, West Yorkshire

HUDDERSFIELD

HD7 5QH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Typharm Ltd

Unit 14D Wendover Road, Rackheath Industrial Estate

Norwich

NR13 6LH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

V Pharma Ltd

Oaklyn House, Horsham Road, Walliswood

Dorking

RH5 5RD



Country

United Kingdom

NUTS code

- UKJ26 - East Surrey

The contractor is an SME

No

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

Wockhardt UK Limited

Ash Road North, Wrexham Ind Estate, Wrexham

Wrexham

LL12 8NZ

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Zentiva Pharma UK Ltd

12 New Fetter Lane

london

EC4A 1JP

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Mercury Pharma Group

No.1 Croydon, 12-16 Addiscombe Road

Croydon

CR0 0XT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Tetris Pharma Ltd

2nd Floor 79 - 81 High Street

Marlow

SL7 1AB

Country

United Kingdom

NUTS code

- UKJ13 - Buckinghamshire CC

The contractor is an SME

No

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

Total value of the contract/lot: £12,381,386

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

#### **Lot No**

1

#### **Title**

Baclofen Intrathecal Injections

A contract/lot is awarded: Yes

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

##### **V.2.1) Date of conclusion of the contract**

21 December 2021

##### **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**

Aguettant Ltd

No 1 Farleigh House, Flax Bourton

Bristol

BS48 1UR

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £71,516

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

### **Lot No**

3

### **Title**

Levobupivacaine (As Hydrochloride) Sterile Wrapped Ampoules For Injection

A contract/lot is awarded: Yes

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

#### **V.2.1) Date of conclusion of the contract**

21 December 2021

#### **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**

Fresenius Kabi Limited

Cestrian Court, Eastgate Way, Manor Park

Runcorn

WA7 1NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £560,749

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## **Section VI. Complementary information**

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

The estimated values referred to in Section II.1.5 and all Lots cover the twenty-four (24) months framework duration and the twenty-four (24) month extension period of the framework agreement.

(SC Ref:679457)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Email

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