This is a published notice on the Find a Tender service: <a href="https://www.find-tender.service.gov.uk/Notice/003354-2022">https://www.find-tender.service.gov.uk/Notice/003354-2022</a>

Award

# **Etravirine (Intelence®)**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-003354

Procurement identifier (OCID): ocds-h6vhtk-0313b5

Published 7 February 2022, 9:35am

## 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

Rashida Rasool-Gordon

#### **Email**

rashida.rasool-gordon@nhs.scot

#### **Telephone**

+44 1312756051

## Country

**United Kingdom** 

**NUTS** code

UKM - Scotland

Internet address(es)

Main address

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

Buyer's address

 $\frac{https://www.publiccontractsscotland.gov.uk/search/Search\_AuthProfile.aspx?ID=AA1188}{3}$ 

## 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

Etravirine (Intelence®)

Reference number

NP91921(m)

### II.1.2) Main CPV code

• 33600000 - Pharmaceutical products

### II.1.3) Type of contract

## Supplies

## II.1.4) Short description

Supply of Etravirine 100mg and Etravirine 200mg tablets (Intelence®) to NHS Scotland.

#### II.1.6) Information about lots

This contract is divided into lots: No

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

Value excluding VAT: £494,886

## II.2) Description

#### 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 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

Supply of Etravirine 100mg and Etravirine 200mg tablets (Intelence®) to NHS Scotland.

#### 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

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - o protection of exclusive rights, including intellectual property rights

### Explanation:

The medicine awarded to this framework agreement is, and will remain to be, protected by patent for the duration of the framework agreement.

#### IV.1.3) Information about a framework agreement

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

## Section V. Award of contract/concession

#### **Contract No**

NP91921(m)

A contract/lot is awarded: Yes

## V.2) Award of contract/concession

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

5 February 2022

#### V.2.2) Information about tenders

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

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

Janssen-Cilag Ltd

50-100 Holmers Farm Way

High Wycombe

**HP12 4DP** 

Telephone

+44 1494567543

Country

**United Kingdom** 

**NUTS** code

· UKJ1 - Berkshire, Buckinghamshire and Oxfordshire

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £494,886

## **Section VI. Complementary information**

## VI.3) Additional information

The total value in Sections II.1.7 and V.2.4 refers to the twenty-four (24) months initial period and twenty-four (24) months extension period.

(SC Ref:681352)

## VI.4) Procedures for review

#### VI.4.1) Review body

**Edinburgh Sheriff Court** 

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.