

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/003359-2022>

Award

## **Emtricitabine / Rilpivirine / Tenofovir Disoproxil (Eviplera®)**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-003359

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

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](mailto: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

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

**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**

Emtricitabine / Rilpivirine / Tenofovir Disoproxil (Eviplera®)

Reference number

NP91921(h)

#### **II.1.2) Main CPV code**

- 33600000 - Pharmaceutical products

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

Supply of Emtricitabine 200mg / Rilpivirine 25mg / Tenofovir Disoproxil 245mg tablets (Eviplera®) 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: £3,267,201

### **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 Emtricitabine 200mg / Rilpivirine 25mg / Tenofovir Disoproxil 245mg tablets (Eviplera®) 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:
  - 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(h)

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**

Gilead Sciences Ltd

280 High Holborn

London

WC1V 7EE

Telephone

+44 7909532240

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £3,267,201

---

**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:681144)

**VI.4) Procedures for review**

**VI.4.1) Review body**

Edinburgh Sheriff Court

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.