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Award

## **Hepatitis C Medicines**

NHS National Services Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-003365

Procurement identifier (OCID): ocds-h6vhtk-0313c0

Published 7 February 2022, 9:55am

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

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

NHS National Services Scotland

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

Edinburgh

EH12 9EB

#### **Contact**

Andy Stewart

#### **Email**

[Andrew.Stewart5@nhs.scot](mailto:Andrew.Stewart5@nhs.scot)

#### **Telephone**

+44 7957280465

#### **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

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## **Section II: Object**

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

#### **II.1.1) Title**

Hepatitis C Medicines

Reference number

NP49119

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

- 33600000 - Pharmaceutical products

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

Supplies

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

The framework agreement is awarded for the supply of medicines used to treat Hepatitis C 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: £7,500,000

### **II.2) Description**

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

Treatment Cost per Medicine

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 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**

This Framework Agreement is for the supply of medicines used in the treatment of Hepatitis C to NHSScotland.

#### **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**

Treatment Spend Cap

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 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**

This Framework Agreement is for the supply of branded medicines under a capped spend model used in the treatment of Hepatitis C to NHSScotland.

#### **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

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

This VEAT notice is to advise the need for modification to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic and to maintain necessary supply due to circumstances unforeseen by the Authority in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015

#### 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

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number: [2019/S 108-262913](#)

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## Section V. Award of contract/concession

### Lot No

1

### Title

Treatment Cost per Medicine

A contract/lot is awarded: Yes

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

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

7 February 2022

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

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

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

AbbVie Ltd

Abbvie House, Vanwall Business Park

M Maidenhead

SL6 4UB

Telephone

+44 7775116875

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**

Gilead Sciences Ltd

280 High Holborn , Holborn

London

WC1V 7EE

Telephone

+44 2036814526

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**

Merck Sharp & Dohme UK Ltd

120 Moorgate, London, United Kingdom

HODDESDON

EC2M 6UR.

Telephone

+44 1992455245

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: £3,500,000

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

### **Lot No**

2

### **Title**

Treatment Spend Cap

A contract/lot is awarded: Yes

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

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

7 February 2022

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

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

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

AbbVie Ltd

Abbvie House, Vanwall Business Park

Maidenhead

SL6 4UB

Telephone

+44 7775116875

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**

Gilead Sciences Ltd

280 High Holborn , Holborn

London

WC1V 7EE

Telephone

+44 2036814526

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: £4,000,000

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## **Section VI. Complementary information**

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

The estimated value(s) referred to in Section II.I.7 and both Lots covers the twelve (12) month modification period of the framework agreement.

(SC Ref:682305)

### **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.