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Contract

Nitric Oxide Therapy

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

F03: Contract award notice

Notice identifier: 2022/S 000-004266

Procurement identifier (OCID): ocds-h6vhtk-02f3e9

Published 15 February 2022, 11:55am

Section I: Contracting authority

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

Email

rashida.rasool-gordon@nhs.scot

Telephone

+44 1698794410

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

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

Nitric Oxide Therapy

Reference number

NP43221

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Nitric Oxide Therapy 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: £2,788,180

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 Nitric Oxide Therapy to NHS Scotland that includes supply, rental and refill of cylinders and loan of a fully maintained and supported delivery system.

The Authority has awarded this framework as a unranked multi-supplier framework to two (2) Framework Participants.

II.2.5) Award criteria

Quality criterion - Name: Quality of Service / Weighting: 15

Quality criterion - Name: Delivery System / Weighting: 10

Quality criterion - Name: Contingency Plans / Weighting: 5

Quality criterion - Name: Account Management / Weighting: 5

Quality criterion - Name: Training / Weighting: 5

Price - Weighting: 60

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: [2021/S 000-027772](#)

Section V. Award of contract

Contract No

NP43221

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

18 January 2022

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 1

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

BTG Gases

SOL House, Station Road

Harrietsham

ME17 1JA

Telephone

+44 1622851415

Country

United Kingdom

NUTS code

- UKJ45 - Mid Kent

The contractor is an SME

Yes

V.2.3) Name and address of the contractor

BOC Healthcare

Priestley Way

Glasgow

G727HN

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: £2,788,180

Section VI. Complementary information

VI.3) Additional information

The value referred to in Section II.1.7 and V.2.4 covers the thirty-six (36) month contract duration and the full twenty-four (24) months extension period of the Framework Agreement.

(SC Ref:682994)

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.