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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](mailto: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](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

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## **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](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.