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Contract

NP47822 Multiple Sclerosis Medicines

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

F03: Contract award notice

Notice identifier: 2023/S 000-004666

Procurement identifier (OCID): ocds-h6vhtk-037dca

Published 15 February 2023, 2:13pm

Section I: Contracting authority

I.1) Name and addresses

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

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

Edinburgh

EH12 9EB

Contact

Cameron Wright

Email

cameron.wright@nhs.scot

Telephone

+44 1312757454

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

NP47822 Multiple Sclerosis Medicines

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Multiple Sclerosis Medicines 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: £12,985,684

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 Multiple Sclerosis Medicines to NHS Scotland. The Authority has awarded the Framework Agreement as a multi supplier framework agreement per line to four (4) Framework Participants.

The medicines awarded to the Framework Agreement are as follows:

- Glatiramer acetate injection
- Interferon beta-1a

II.2.5) Award criteria

Quality criterion - Name: Technical (Supply Chain) / Weighting: 5

Price - Weighting: 95

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: [2022/S 000-030719](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

17 January 2023

V.2.2) Information about tenders

Number of tenders received: 4

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 4

Number of tenders received by electronic means: 4

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

V.2.3) Name and address of the contractor

Biogen Idec Ltd

Innovation House, 70 Norden Road

M Maidenhead

SL6 4AY

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://www.biogen.uk.com/>

The contractor is an SME

No

V.2.3) Name and address of the contractor

Merck Serono Limited

5 New Square, Bedfont Lakes Business Park , Feltham

Middlesex

TW14 8HA

Country

United Kingdom

NUTS code

- UKI75 - Hounslow and Richmond upon Thames

Internet address

<https://www.merckgroup.com/uk-en>

The contractor is an SME

No

V.2.3) Name and address of the contractor

Mylan

Building 4, Trident Place, Mosquito Way

Hatfield

AL10 9UL

Country

United Kingdom

NUTS code

- UKH23 - Hertfordshire

The contractor is an SME

No

V.2.3) Name and address of the contractor

Teva UK Limited

Ridings Point, Whistler Drive

Castleford

WF10 5HX

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.tevauk.com

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £17,031,052

Total value of the contract/lot: £12,985,684

Section VI. Complementary information

VI.3) Additional information

The estimated values referred to in Section II.1.5 and 11.2.6 covers the twenty-six (26) months' contract duration and the twenty-two (22) months' extension period of the Framework Agreement.

For further details of individual lines for the Products awarded to the Framework Agreement, please contact the named person at the head of this Notice.

(SC Ref:721538)

VI.4) Procedures for review

VI.4.1) Review body

Sherriff Court House

27 Chambers Court

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

Country

United Kingdom

Internet address

<https://scotcourts.gov.uk/the-courts/sheriff-court/about-sheriff-courts>

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.

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.