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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](mailto: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](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

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## **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

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## **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](#)

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## **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](http://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



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## **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**

Sheriff Court House

27 Chambers Court

Edinburgh

EH1 1LB

Email

[edinburgh@scotcourts.gov.uk](mailto: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.