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Contract

## **NHS England procurement for the supply of Hepatitis C treatments and the provision of Hepatitis C elimination initiatives**

NHS England

F20: Modification notice

Notice identifier: 2024/S 000-008284

Procurement identifier (OCID): ocids-h6vhtk-0448d2

Published 14 March 2024, 5:17pm

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

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

NHS England

1st Floor, Quarry House, Quarry Hill

Leeds

LS2 7UE

#### **Contact**

Mark Perkins

#### **Email**

[mark.perkins@nhs.net](mailto:mark.perkins@nhs.net)

#### **Country**

United Kingdom

**NUTS code**

UKE - Yorkshire and the Humber

**Internet address(es)**

Main address

<https://www.england.nhs.uk/>

Buyer's address

<https://www.england.nhs.uk/>

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

NHS England procurement for the supply of Hepatitis C treatments and the provision of Hepatitis C elimination initiatives

**II.1.2) Main CPV code**

- 33600000 - Pharmaceutical products

**II.1.3) Type of contract**

Supplies

**II.2) Description****II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

**II.2.4) Description of the procurement at the time of conclusion of the contract:**

NHS Arden & Greater East Midlands Commissioning Support Unit (on behalf of NHS England Specialised Commissioning) seeks to appoint suitably qualified and experienced suppliers to (i) supply Hepatitis C Direct Acting Antiviral (DAA) treatments and (ii) provide initiatives and/or services to help identify and treat Hepatitis C patients so as to accelerate the elimination of Hepatitis C in England from 1st October 2018.

## **II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

1 May 2019

End date

31 March 2024

In the case of framework agreements, provide justification for any duration exceeding 4 years

The original advertised aim of the contract was to eliminate Hepatitis C in England. This has nearly been achieved but further services and/or supplies are necessary to achieve the elimination targets, as the last groups are harder to reach. It would not be possible to change contractor(s) for technical reasons at this stage of the programme (and no-one else can supply these medicines) and/or to do so would cause substantial inconvenience and duplication of costs.

It was not foreseen that it would take longer than anticipated to get to the hard to reach groups or that the programme would be delayed due to Covid-19.

The modification (i.e. extension) does not alter the overall nature of the contract as (a) the overall aim has not changed; and (b) the Authority are simply requiring more of the same supplies and services for a further two years.

The increase in costs of the modification does not exceed 50% of the original contract value.

## **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.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2018/S 000-168781](#)

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

### **Contract No**

01/05/2019-31/03/2024

### **Title**

NHS England procurement for the supply of Hepatitis C treatments and the provision of Hepatitis C elimination initiatives

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

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

1 May 2019

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

The contract/concession has been awarded to a group of economic operators: No

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

Merck Sharpe and Dohme (UK) Limited

120 Moorgate, London

London

EC2M 6UR

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

00233687

Internet address

[www.msd-uk.com](http://www.msd-uk.com)

The contractor/concessionaire is an SME

No

**V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £1

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The High Court

The Strand

London

WC2A 2LL

Country

United Kingdom

Internet address

<https://www.judiciary.uk/courts-and-tribunals/high-court/>

#### **VI.4.2) Body responsible for mediation procedures**

NHS England

Quarry House, Quarry Hill

Leeds

LS2 7UE

Country

United Kingdom

Internet address

<https://www.england.nhs.uk/>

## Section VII: Modifications to the contract/concession

### VII.1) Description of the procurement after the modifications

#### VII.1.1) Main CPV code

- 33600000 - Pharmaceutical products

#### VII.1.3) Place of performance

NUTS code

- UK - United Kingdom

#### VII.1.4) Description of the procurement:

This procurement will be conducted by NHS Arden & Greater East Midlands Commissioning Support Unit on behalf of NHS England Specialised Commissioning. Contract(s) entered into pursuant to this procurement will be between the successful supplier(s) and NHS England (National Health Service Commissioning Board). Organisations wishing to participate in the procurement must have at least one Direct Acting Antiviral (DAA) for the treatment of Hepatitis C within their product portfolio. There is no restriction on the number of DAA products that bidders can offer for, or that can be included in the contract(s).

Contract(s) awarded pursuant the procurement exercise are for use by the Department of Health, Public Health England, the NHS in England; and be used by private sector contractors and agents working on behalf of the aforementioned

Appointed suppliers will be responsible for (i) the supply of Hepatitis C DAA treatments and (ii) the provision of Hepatitis C elimination initiatives and/or services to help identify and treat Hepatitis C patients so as to accelerate the elimination of Hepatitis C in England from 1st October 2018. The duration of any Contract(s) awarded will be for an initial period of three (3) years, with an option to extend (at the sole discretion of the contracting authority) for an additional period or periods up to two (2) years.

Further information, including details regarding the Lots, is set out in the procurement documents which are available to download (see below for details)

The contracting authority intends to use the NHS Arden & Greater East Midlands Commissioning Support Unit e-procurement portal in this procurement exercise.

i) To Register - log onto the portal at <https://ardengemcsu.bravosolution.co.uk> (registration and use of the website is free of charge).

ii) Express interest by:

- a) selecting response to advert and PQQ (ref: pqq\_483) and ITT (ref: itt\_958)
- b) select Open Access ITT
- c) search for and access listing related to this contract and view details
- d) click on Express Interest link

iii) Once you have expressed interest, access the My ITTs page where you can download

and complete the ITT.

**VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

1 May 2019

End date

31 March 2024

In the case of framework agreements, provide justification for any duration exceeding 4 years:

The original advertised aim of the contract was to eliminate Hepatitis C in England. This has nearly been achieved but further services and/or supplies are necessary to achieve the elimination targets, as the last groups are harder to reach. It would not be possible to change contractor(s) for technical reasons at this stage of the programme (and no-one else can supply these medicines) and/or to d

**VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£1

**VII.1.7) Name and address of the contractor/concessionaire**

Merck Sharpe and Dohme (UK) Limited

120 Moorgate, London

London

EC2M 6UR

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

00233687

Internet address

[www.msd-uk.com](http://www.msd-uk.com)

The contractor/concessionaire is an SME

No

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

The contract is to be extended for a further two years. No further modifications are to be made except for the extension in duration

### **VII.2.2) Reasons for modification**

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

The original advertised aim of the contract was to eliminate Hepatitis C in England. This has nearly been achieved but further services and/or supplies are necessary to achieve the elimination targets, as the last groups are harder to reach. It would not be possible to change contractor(s) for technical reasons at this stage of the programme (and no-one else can supply these medicines) and/or to do so would cause substantial inconvenience and duplication of costs.

It was not foreseen that it would take longer than anticipated to get to the hard to reach groups or that the programme would be delayed due to Covid-19.

The modification (i.e. extension) does not alter the overall nature of the contract as (a) the overall aim has not changed; and (b) the Authority are simply requiring more of the same supplies and services for a further two years.

The increase in costs of the modification does not exceed 50% of the original contract value.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £1,000,000,000

Total contract value after the modifications

Value excluding VAT: £1,200,000,000