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Contract

NP49124 Hepatitis C Medicines

NHS Scotland

F03: Contract award notice

Notice identifier: 2024/S 000-009172

Procurement identifier (OCID): ocds-h6vhtk-041e33

Published 21 March 2024, 12:15pm

Section I: Contracting authority

I.1) Name and addresses

NHS Scotland

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

Edinburgh

EH12 9EB

Contact

Nadia Crockett

Email

Nadia.Crockett@nhs.scot

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

NP49124 Hepatitis C Medicines

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Hepatitis C Medicines to NHS Scotland.

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £36,556,080

II.2) Description

II.2.1) Title

Hepatitis C - Treatment Cost per Medicine

Lot No

1

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 Hepatitis C Medicines to NHS Scotland. The Authority has awarded this Lot as a single supplier framework per line to one (1) Framework Participant.

II.2.5) Award criteria

Quality criterion - Name: Treatment duration / Weighting: 2.5

Quality criterion - Name: Genotype testing / Weighting: 2.5

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

II.2) Description

II.2.1) Title

Hepatitis C Medicines - Price submitted based on Volume (unscored)

Lot No

2

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 Hepatitis C to NHS Scotland to NHS Scotland. The Authority has awarded this Lot as a unranked multi-supplier framework per line to two (2) Framework Participants.

Please note II.2.5) Award criteria is not applicable. This was an unscored Lot.

II.2.5) Award criteria

Price

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

II.2.14) Additional information

Please note II.2.5) Award criteria is not applicable as this is an unscored lot.

II.2) Description

II.2.1) Title

Hepatitis C Medicines - Price submitted based on Volume (unscored)

Lot No

3

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 Hepatitis C to NHS Scotland to NHS Scotland. The Authority has awarded this Lot as a unranked multi-supplier framework per line to two (2) Framework Participants.

Please note II.2.5) Award criteria is not applicable. This was an unscored Lot.

II.2.5) Award criteria

Price

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

II.2.14) Additional information

Please note II.2.5) Award criteria is not applicable. This was an unscored Lot.

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: [2023/S 000-035428](#)

Section V. Award of contract

Lot No

1

Title

Hepatitis C - Treatment Cost per Medicine

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

27 February 2024

V.2.2) Information about tenders

Number of tenders received: 3

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: 3

Number of tenders received by electronic means: 3

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

V.2.3) Name and address of the contractor

AbbVie Ltd

Abbvie House, Vanwall Business Park

M Maidenhead

SL6 4UB

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Gilead Sciences Ltd

280 High Holborn , Holborn

London

WC1V 7EE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Merck Sharp & Dohme UK Ltd

120 Moorgate, London, United Kingdom

HODDESDON

EC2M 6UR.

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £36,556,080

Section V. Award of contract

Lot No

2

Title

Hepatitis C Medicines - Price submitted based on Volume (unscored)

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

27 February 2024

V.2.2) Information about tenders

Number of tenders received: 2

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: 2

Number of tenders received by electronic means: 2

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

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Gilead Sciences Ltd

280 High Holborn , Holborn

London

WC1V 7EE

Country

United Kingdom

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- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

AbbVie Ltd

Abbvie House, Vanwall Business Park

Maidenhead

SL6 4UB

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £1

Section V. Award of contract

Lot No

3

Title

Hepatitis C Medicines - Price submitted based on Volume (unscored)

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

27 February 2024

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 0

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The contractor is an SME

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Gilead Sciences Ltd

280 High Holborn , Holborn

London

WC1V 7EE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £1

Section VI. Complementary information

VI.3) Additional information

The estimated value(s) referred to in Section section II.I.7 and Section V.2.4 and within all Lots cover(s) the twenty-four (24) month contract duration and the forty-eight (48) month extension period of the framework agreement.

(SC Ref:761578)

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://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.