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Tender

## **Contrast Media Agents**

The Common Services Agency (more commonly known as NHS National Services Scotland) ("the Authority")

F02: Contract notice

Notice identifier: 2024/S 000-013945

Procurement identifier (OCID): ocds-h6vhtk-04563b

Published 30 April 2024, 4:37pm

The closing date and time has been changed to:

**31 May 2024, 12:00pm**

See the [change notice](#).

## **Section I: Contracting authority**

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

The Common Services Agency (more commonly known as NHS National Services Scotland) ("the Authority")

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

Edinburgh

EH12 9EB

#### **Contact**

Ruaridh Armitage

#### **Email**

[ruaridh.armitage@nhs.scot](mailto:ruaridh.armitage@nhs.scot)

**Telephone**

+44 1698794410

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nhsscotlandprocurement.scot.nhs.uk/>

Buyer's address

[http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](http://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.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/web/login.html>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/web/login.html>

**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**

Contrast Media Agents

Reference number

NP35424

#### **II.1.2) Main CPV code**

- 33600000 - Pharmaceutical products

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

This Framework Agreement is for the supply of Contrast Media Agents to NHS Scotland.

The Goods have been separated into eight (8) categories, each of which is identified as a "Lot".

Full details of each Lot is contained in section II.2 of this Notice.

#### **II.1.5) Estimated total value**

Value excluding VAT: £44,036,295

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

Tenders may be submitted for all lots

### **II.2) Description**

#### **II.2.1) Title**

Lot 1 – Barium Based Contrast Agents

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

### **II.2.4) Description of the procurement**

Supply of Barium Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £364,550

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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**

Lot 2 – Ultrasound Contrast Agents

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 Services (Scotland) Act 1978, and

any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

#### **II.2.4) Description of the procurement**

Supply of Ultrasound Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

#### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

#### **II.2.6) Estimated value**

Value excluding VAT: £263,070

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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**

Lot 3 – Macrocyclic Gadolinium Based Contrast Agents

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

### **II.2.4) Description of the procurement**

Supply of Macrocyclic Gadolinium Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £18,423,225

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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**

Lot 4 – Linear Gadolinium Based Contrast Agents

Lot No

4

### **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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

### **II.2.4) Description of the procurement**

Supply of Linear Gadolinium Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £1,782,150

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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**

Lot 5 – Non-ionic Monomeric Iodine Based Contrast Agents

Lot No

5

#### **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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

#### **II.2.4) Description of the procurement**

Supply of Non-ionic Monomeric Iodine Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

#### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

#### **II.2.6) Estimated value**

Value excluding VAT: £21,260,500

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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**

Lot 6 – Non-Ionic Dimeric Iodine Based Contrast Agents

Lot No

6

### **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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

### **II.2.4) Description of the procurement**

Supply of Non-Ionic Dimeric Iodine Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £1,110,275

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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**

Lot 8 – Additional Iodine Based Contrast Agents

Lot No

8

### **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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

### **II.2.4) Description of the procurement**

Supply of Additional Iodine Based Contrast Agents to NHS Scotland. The Authority intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £393,480

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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**

Lot 7 – Non-Ionic Monomer Iomeprol Contrast Agents

Lot No

7

#### **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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

#### **II.2.4) Description of the procurement**

Supply of Non-Ionic Monomer Iomeprol Contrast Agents to NHS Scotland. The Authority

intends awarding all presentations within this lot as an unranked multi-supplier. Full details can be found within the ITT.

#### **II.2.5) Award criteria**

Quality criterion - Name: Contingency Planning / Weighting: 10

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Product Support / Weighting: 5

Price - Weighting: 80

#### **II.2.6) Estimated value**

Value excluding VAT: £439,045

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority is entitled at its sole discretion to extend the Framework Agreement for up to a maximum of twenty four (24) months by giving a minimum of three (3) months written notice of such extension(s).

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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 III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

(a) Potential Framework Participants must be able to demonstrate the existence of a valid and current UK Marketing Authorisation (PL, PLGB or PLPI number) that has been approved by the MHRA for all tendered Medicines at the date of submission of the tender.

(b) Potential Framework Participants and any sub-contractor(s) must possess valid certification of BS EN ISO 9001 or equivalent.

(c) All tendered Goods must comply with the MHRA best Practice Guidance on Labelling and Packaging and the National Patient Safety Agency ("NPSA") Guidelines on Packaging and Labelling on pack design.

(d) Potential Framework Participants are required to provide evidence that their organisation has taken steps to build their awareness of the climate change emergency and how they will respond.

Minimum level(s) of standards possibly required

a) Confirmation of existence of a valid and current UK Marketing Authorisation (PL, PLGB or PLPI number) that has been approved by the MHRA for all tendered Medicines at the date of submission of the tender should be included in the Qualification Envelope of the ITT under the Technical and Professional ability: Quality Control.

(b) Confirmation of the existence of valid certification of BS EN ISO 9001 or equivalent. Confirmation of such certification should be included in the Qualification Envelope of the ITT under the Quality Assurance Schemes.

(c) Confirmation that samples for tendered Goods will be supplied upon request to ensure compliance with the MHRA best Practice Guidance on Labelling and Packaging and the National Patient Safety Agency ("NPSA") Guidelines on Packaging and Labelling on pack design. Confirmation of sample provision should be provided in the Qualification Envelope of the ITT under Technical and Professional ability: Products.

(d) A completed copy of the Bidder Climate Change Plan Template, including planned projects and actions to reduce the bidder's carbon emissions should be provided in the Qualification Envelope of the ITT under Environmental Management Criteria. This does not need to contain calculated carbon emissions.

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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

Framework agreement with several operators

#### **IV.1.6) Information about electronic auction**

An electronic auction will be used

#### **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.2.2) Time limit for receipt of tenders or requests to participate**

Originally published as:

Date

30 May 2024

Local time

12:00pm

Changed to:

Date

31 May 2024

Local time

12:00pm

See the [change notice](#).

**IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

**IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 3 (from the date stated for receipt of tender)

**IV.2.7) Conditions for opening of tenders**

Date

30 May 2024

Local time

12:00pm

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**Section VI. Complementary information**

**VI.1) Information about recurrence**

This is a recurrent procurement: No

**VI.2) Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

**VI.3) Additional information**

The estimated value referred to in Section II.I.5 and within each Lot covers the thirty-six (36) months contract duration and the full twenty-four (24) months extension options.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 26405. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

It is a mandatory requirement that Potential Framework Participants agree to support the concept, provision and ongoing development of community benefits provision in relation to this framework.

Potential Framework Participants are required to agree to this mandatory requirement. They are also requested to provide a brief summary of the community benefits that have recently been delivered within Scotland, if at all, and also what impact and outcomes these have achieved.

Potential Framework Participants are required to summarise any proposed community benefits that will be developed and delivered as part of this contract if successful or, alternatively, Potential Framework Participants confirm that they will engage with the NHS Scotland's Community Benefits Gateway (CBG). This gateway, developed through requests from suppliers seeking opportunities to support the delivery of community benefits within the contracting region, provides information on community benefit opportunities. The CBG is a free and easy to use online service that connects NHS Scotland suppliers with third sector community organisations within Scotland and will be used for tracking and reporting and is an approved compliant route to the realisation of community benefits.

For further information please visit [www.nss.nhs.scot/procurement-and-logistics/sustainability/access-our-community-benefit-gateway](http://www.nss.nhs.scot/procurement-and-logistics/sustainability/access-our-community-benefit-gateway)

(SC Ref:764884)

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

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

Edinburgh Sheriff Court

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

The Authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the framework agreement which notification will contain among other information, a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which the Authority despatches the notice(s) and the date on which the Authority proposes to conclude the relevant framework agreement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer(s). 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.

