

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/016221-2022>

Award

## **Fresh Milk & Cream Products**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-016221

Procurement identifier (OCID): ocds-h6vhtk-034602

Published 14 June 2022, 10:16am

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

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

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

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

Edinburgh

EH12 9EB

#### **Email**

[loraine.hartley@nhs.scot](mailto:loraine.hartley@nhs.scot)

#### **Telephone**

+44 1312756366

#### **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.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**

Fresh Milk & Cream Products

Reference number

NP77618

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

- 15510000 - Milk and cream

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

Supplies

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

To supply a range of fresh milk and fresh cream products

#### **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: £1,700,000

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

#### **II.2.2) Additional CPV code(s)**

- 15510000 - Milk and cream

#### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health

Boards, and/or the Authority

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

A range of fresh milk and cream to be used by Health Boards across Scotland, multi supplier framework, The Framework

Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards (including the Common Services

Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e. all NHS Scotland Health Boards,

Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS (Scotland)

Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014. All Scottish Hospices.

#### **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**

The total estimated value referred to in this notice is for the duration of the extension period (12 months)

---

## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

This VEAT notice is to advise the need for modification to meet the additional demands of the Scottish Health and Social Care sector during the Covid-19 pandemic (and recovery of services) to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015.

the priorities for NSS, NHS Scotland and likely those suppliers who would wish to be part of a tender process, have changed, As a result it

is a necessary step to delay start of new tender process until April 2023 necessitating a 12 month extension to current framework revising expiry to September 2023

Health Board operations have been severely affected by Covid impacts The reopening process and uncertain timescales have affected the ability to tender along with Health Board resource to be able to support. Tender process is planned to commence by April 2023

#### **IV.1.3) Information about a framework agreement**

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: [2018/S 179-405318](#)

---

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

### **Contract No**

NP77618

A contract/lot is awarded: Yes

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

#### **V.2.1) Date of conclusion of the contract**

1 June 2022

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

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

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

Grahams The Family Dairy Ltd

Airthrey Kerse Farm, , Henderson Street

Bridge of Allan

FK9 4RW

Telephone

+44 7795140938

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £1,700,000

---

### **Section VI. Complementary information**

#### **VI.3) Additional information**

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

[https://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=696233](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=696233).

(SC Ref:696233)

#### **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

##### **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.

**VI.4.4) Service from which information about the review procedure may be obtained**

Court Of Session

Parliament House, Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom