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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

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

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.

(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

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