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Contract

## **Fingolimod Capsules**

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

F03: Contract award notice

Notice identifier: 2022/S 000-016376

Procurement identifier (OCID): ocds-h6vhtk-031171

Published 15 June 2022, 10:29am

### **Section I: Contracting authority**

#### **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

#### **Contact**

Marta Siwek

#### **Email**

[marta.siwek@nhs.scot](mailto:marta.siwek@nhs.scot)

#### **Telephone**

+44 1698794496

**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.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**

Fingolimod Capsules

Reference number

NP47822a

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

- 33600000 - Pharmaceutical products

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

Supplies

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

Supply of Fingolimod 500mcg Capsules to NHS Scotland.

#### **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: £11,644,164

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

#### **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**

This Ranked Multi Supplier Framework Agreement is for the supply of Fingolimod 500mcg capsules to NHS Scotland for the treatment of Multiple Sclerosis (MS) directly to hospitals and via homecare under the national framework agreement, NP48818 NHS Commissioned Homecare Delivery Service Agreement.

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

Quality criterion - Name: Supply Chain / Weighting: 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

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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

#### **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: [2022/S 000-002775](#)

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

### **Contract No**

NP47822a

A contract/lot is awarded: Yes

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

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

20 May 2022

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

Number of tenders received: 5

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: 5

Number of tenders received by electronic means: 5

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

**V.2.3) Name and address of the contractor**

Teva UK Limited

Ridings Point, Whistler Drive

Castleford

WF10 5HX

Telephone

+44 7715800199

Fax

+44 1977628788

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Dr Reddy's Laboratories (UK) Ltd

6 Riverview Road

Beverley

HU17 0LD

Telephone

+44 7717467751

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Zentiva

Office 112, , Austen House, Station View,

Guildford,

GU1 4AR

Telephone

+44 7857670816

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: £11,644,164

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## **Section VI. Complementary information**

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

The estimated value referred to in Section II.1.7 and Section IV.2.4 covers the sixteen (16) months contract duration and the thirty-two (32) months extension period of the framework agreement.

(SC Ref:695519)

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

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

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

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.