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Award

## **NP35418 Contrast Media Agents**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-016382

Procurement identifier (OCID): ocds-h6vhtk-03d4f4

Published 9 June 2023, 10:24am

### **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

#### **Contact**

Rashida Rasool

#### **Email**

[rashida.rasool@nhs.scot](mailto:rashida.rasool@nhs.scot)

#### **Telephone**

+44 1312756051

**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

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

NP35418 Contrast Media Agents

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

- 33600000 - Pharmaceutical products

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

Supplies

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

The framework agreement is for the supply of Contrast Media Agents to NHS Scotland and the Health and Social Care (HSC) Trusts in Northern Ireland.

The Goods have been split 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.1.6) Information about lots**

This contract is divided into lots: Yes

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

Value excluding VAT: £7,336,894

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

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

Ultrasound Contrast Agents

Lot No

2

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

- 33600000 - Pharmaceutical products

- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media
- 33694000 - Diagnostic agents

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of ultrasound contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 2 - a single supplier framework agreement awarded on a line by line basis.

### **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**

Linear Gadolinium Based Contrast Agents

Lot No

4

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

- 33600000 - Pharmaceutical products

- 33694000 - Diagnostic agents
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of linear gadolinium based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 4 - a single supplier framework agreement awarded on a line by line basis.

### **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**

Macrocyclic Gadolinium Based Contrast Agents

Lot No

3

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

- 33600000 - Pharmaceutical products

- 33694000 - Diagnostic agents
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of macrocyclic gadolinium based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 3 - as an unranked multi-supplier framework agreement awarded on a line by line basis.

#### **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**

Non-ionic monomeric iodine-based contrast agents

Lot No

5

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

- 33600000 - Pharmaceutical products
- 33694000 - Diagnostic agents
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of non-ionic monomeric iodine based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 5 - an unranked multi-supplier framework agreement awarded on line by line basis.

### **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**

Non-ionic dimeric Iodine based contrast agents

Lot No

6

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

- 33600000 - Pharmaceutical products
- 33694000 - Diagnostic agents
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of non-ionic dimeric iodine based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 6 - a single supplier framework agreement awarded on a line by line basis.

### **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**

Non-ionic monomer iomeprol contrast agent

Lot No

7

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

- 33600000 - Pharmaceutical products
- 33694000 - Diagnostic agents
- 33696800 - X-ray contrast media
- 33696000 - Reagents and contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of non-ionic monomer iomeprol contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 7 - a single supplier framework agreement awarded on a line by line basis.

## **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**

Additional Iodine based contrast agents

Lot No

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

- 33600000 - Pharmaceutical products
- 33694000 - Diagnostic agents
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of additional iodine based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 8 - a single supplier framework agreement awarded on a line by line basis.

## **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**

Barium Based Contrast Agents

Lot No

1

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

- 33600000 - Pharmaceutical products
- 33696000 - Reagents and contrast media
- 33696800 - X-ray contrast media
- 33694000 - Diagnostic agents

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to NHS (Scotland) Act 1978, any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts in Northern Ireland

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

Supply of barium based contrast agents to NHS Scotland and the Health and Social Care Trusts in Northern Ireland.

Lot 1 - a single supplier framework agreement awarded on a line by line basis.

### **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**

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 associated recovery, to maintain supply and remove unnecessary disruption from the Authority due to circumstances unforeseen by the Authority in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015.

#### **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: [2022/S 000-191172](#)

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

### **Lot No**

1

### **Title**

Barium Based Contrast Agents

A contract/lot is awarded: Yes

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

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

17 May 2023

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

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

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

Guerbet Laboratories Ltd

Avon House, 435 Stratford Road

Shirley

B90 4AA

Telephone

+44 1217338542

Fax

+44 1217333120

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

The contractor/concessionaire is an SME

No

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

Bracco UK Ltd

Bracco House, Mercury Park, Wycombe Lane, Wooburn Green

High Wycombe

HP10 0HH

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £38,123

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

### **Lot No**

2

### **Title**

Ultrasound Contrast Agents

A contract/lot is awarded: Yes

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

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

17 May 2023

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

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

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

Bracco UK Ltd

Unit 15, Valley Business Centre

High Wycombe

HP13 6EQ

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Lamepro

Burgemeester, Guljelaan 2

Breda NL

4837CZ

Telephone

+44 7733014692

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

GE Healthcare

White Lion Road

Amersham

Telephone

+44 7860624838

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £87,568

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

### **Lot No**

3

### **Title**

Macrocyclic Gadolinium Based Contrast Agents

A contract/lot is awarded: Yes

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

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

17 May 2023

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

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

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

Bracco UK Ltd

Unit 15, Valley Business Centre

High Wycombe

HP13 6EQ

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

GE Healthcare

White Lion Road

Amersham

Telephone

+44 1494544000

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Bayer Plc

400 South Oak Way, Green Park

Reading

RG2 6AD

Telephone

+44 1635563432

Fax

+44 1635563693

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

The contractor/concessionaire is an SME

No

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

Guerbet Laboratories Ltd

Avon House, 435 Stratford Road

Shirley

B90 4AA

Telephone

+44 1217338542

Fax

+44 1217333120

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

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: £708,314

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

### **Lot No**

4

### **Title**

Linear Gadolinium Based Contrast Agents

A contract/lot is awarded: Yes

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

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

17 May 2023

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

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

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

Bayer Plc

400 South Oak Way, Green Park

Reading

RG2 6AD

Telephone

+44 1635563432

Fax

+44 1635563693

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

The contractor/concessionaire is an SME

No

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

Bracco UK Ltd

Unit 15, Valley Business Centre

High Wycombe

HP13 6EQ

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £323,626

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

### **Lot No**

5

### **Title**

Non-ionic monomeric iodine-based contrast agents

A contract/lot is awarded: Yes

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

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

17 May 2023

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

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

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

Bracco UK Ltd

Bracco House, Mercury Park, Wycombe Lane, Wooburn Green

High Wycombe

HP10 0HH

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

GE Healthcare

White Lion Road

Amersham

Email

[dot.robinson@ge.com](mailto:dot.robinson@ge.com)

Telephone

+44 7860624838

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Guerbet Laboratories Ltd

Avon House, 435 Stratford Road

Shirley

B90 4AA

Telephone

+44 1217338542

Fax

+44 1217333120

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

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: £5,620,660

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## Section V. Award of contract/concession

### Lot No

6

### Title

Non-ionic dimeric Iodine based contrast agents

A contract/lot is awarded: Yes

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

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

17 May 2023

#### V.2.2) Information about tenders

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

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

GE Healthcare

White Lion Road

Amersham

Email

[dot.robinson@ge.com](mailto:dot.robinson@ge.com)

Telephone

+44 7860624838

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Bracco UK Ltd

Bracco House, Mercury Park, Wycombe Lane, Wooburn Green

High Wycombe

HP10 0HH

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £148,408

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

**Lot No**

7

**Title**

Non-ionic monomer iomeprol contrast agent

A contract/lot is awarded: Yes

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

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

17 May 2023

### **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**

Bracco UK Ltd

Bracco House, Mercury Park, Wycombe Lane, Wooburn Green

High Wycombe

HP10 0HH

Telephone

+44 1628851500

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £54,522

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

### **Lot No**

8

### **Title**

Additional Iodine based contrast agents

A contract/lot is awarded: Yes

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

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

17 May 2023

#### **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**

Bayer Plc

400 South Oak Way, Green Park

Reading

RG2 6AD

Telephone

+44 1635563432

Fax

+44 1635563693

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

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: £355,673

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## **Section VI. Complementary information**

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

The estimated value(s) referred to in Section II.I.7 and eight (8) Lots covers the twelve (12) month modification period of the framework agreement.

(SC Ref:732358)

### **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)

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.