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Contract

## **NP35418 Contrast Media Agents**

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

F20: Modification notice

Notice identifier: 2022/S 000-017786

Procurement identifier (OCID): ocds-h6vhtk-034c20

Published 29 June 2022, 3:15pm

### **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**

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)

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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.2) Description****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 at the time of conclusion of the contract:**

This framework extension is for the supply of contrast media agents to NHS Scotland and the Health and Social Care (HSC) Trusts in Northern Ireland structured into eight (8) Lots:

Lot 1 - Barium Based Contrast Agents

Lot 2 - Ultrasound Contrast Agents

Lot 3 - Macrocyclic Gadolinium Based Contrast Agents

Lot 4 - Linear Gadolinium Based Contrast Agents

Lot 5 - Non-ionic monomeric iodine-based contrast agents

Lot 6 - Non-ionic dimeric Iodine based contrast agents

Lot 7 - Non-ionic monomer Iomeprol contrast agent

Lot 8 - Additional Iodine based contrast agents

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

Duration in months

48

### **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.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2018/S 050-110143](#)

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

### **Contract No**

NP35418

### **Title**

NP35418 Contrast Media Agents

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

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

15 May 2018

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

The contract/concession 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**

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**

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.2.3) 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 the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £17,446,344

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## **Section VI. Complementary information**

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

The estimated value of eight (8) Lots referred to in Section V.2.4 covers the twenty-four (24) months of the framework length and twenty-four (24) months extension period of the framework agreement.

(SC Ref:697355)

## **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.



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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 33600000 - Pharmaceutical products

#### **VII.1.2) Additional CPV code(s)**

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

#### **VII.1.3) Place of performance**

NUTS code

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to the National Health Service (Scotland) Act 1978, and any IJBs established pursuant to the Public Bodies (Joint Working) Scotland Act 2014 and HSC Trusts, NIreland.

#### **VII.1.4) Description of the procurement:**

This extension is for the supply of contrast media agents to NHS Scotland and the Health and Social Care (HSC) Trusts in Northern Ireland structured into eight (8) Lots:

Lot 1 - Barium Based Contrast Agents

Lot 2 - Ultrasound Contrast Agents

Lot 3 - Macrocyclic Gadolinium Based Contrast Agents

Lot 4 - Linear Gadolinium Based Contrast Agents

Lot 5 - Non-ionic monomeric iodine-based contrast agents

Lot 6 - Non-ionic dimeric Iodine based contrast agents

Lot 7 - Non-ionic monomer Iomeprol contrast agent

Lot 8 - Additional Iodine based contrast agents

**VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

1 July 2022

End date

30 June 2023

**VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£6,885,783

**VII.1.7) 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

**VII.1.7) 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

**VII.1.7) 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

**VII.1.7) 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

**VII.1.7) 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

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

This modification is necessary to meet the additional demands of the Scottish Health and Social Care sector and the Health and Social Care (HSC) Trusts in Northern Ireland during the current Covid-19 pandemic and to maintain necessary supply due to circumstances unforeseen by the Authority in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015 and the Health and Social Care (HSC) Trusts in Northern Ireland.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

This modification is necessary to meet the additional demands of the Scottish Health and Social Care sector and the Health and Social Care (HSC) Trusts in Northern Ireland. during the current Covid-19 pandemic and to maintain necessary supply due to circumstances unforeseen by the Authority in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015 and the Health and Social Care (HSC) Trusts in Northern Ireland.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £17,446,344

Total contract value after the modifications

Value excluding VAT: £24,332,127