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Contract

## **Fresh Milk and Cream Products**

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

F20: Modification notice

Notice identifier: 2022/S 000-018361

Procurement identifier (OCID): ocds-h6vhtk-034602

Published 5 July 2022, 3:08pm

### **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**

Lorraine Hartley

#### **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)

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

Fresh Milk and Cream Products

Reference number

NP776/18

**II.1.2) Main CPV code**

- 15510000 - Milk and cream

**II.1.3) Type of contract**

Supplies

**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 at the time of conclusion of the contract:**

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

Duration in months

12

**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: [2022/S 000-016221](#)

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

### **Contract No**

NP776/18

### **Title**

Fresh Milk and Cream Products

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

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

20 June 2022

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

The contract/concession 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 8447795140938

Country

United Kingdom

NUTS code

- UKM - Scotland

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: £1,700,000

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**Section VI. Complementary information**

**VI.3) Additional information**

This notice is to advise the need for modification to meet additional demands of the NHS 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. As a result it is a necessary step to delay start of new tender process until May 2023

(SC Ref:697835)

**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

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

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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**

- 15510000 - Milk and cream

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

NUTS code

- 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

#### **VII.1.4) 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.

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

Duration in months

12

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

Total value of the contract/lot/concession:

£1,700,000

**VII.1.7) Name and address of the contractor/concessionaire**

Grahams The Family Dairy Ltd

Airthrey Kerse Farm, , Henderson Street

Bridge of Allan

FK9 4RW

Telephone

+44 8447795140938

Country

United Kingdom

NUTS code

- UKM - Scotland

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):

The change to this contract is an additional 12 month extension. All terms & conditions of contract remain in place

### **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:

Due to the current and developing situation regarding Covid-19, 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 commencing any new tender process until end May 2023

### **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: £1,700,000

Total contract value after the modifications

Value excluding VAT: £1,700,000