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Award

## **NP92624 (a-d) Enzyme Replacement Therapy Medicines**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-020101

Procurement identifier (OCID): ocds-h6vhtk-047915

Published 2 July 2024, 12:52pm

### **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**

[michelle.semple3@nhs.scot](mailto:michelle.semple3@nhs.scot)

#### **Telephone**

+44 1698794410

#### **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**

NP92624 (a-d) Enzyme Replacement Therapy Medicines

**II.1.2) Main CPV code**

- 33600000 - Pharmaceutical products

**II.1.3) Type of contract**

Supplies

**II.1.4) Short description**

Supply of Enzyme Replacement Therapy Medicines 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: £12,437,853.03

## **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.

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

Supply of ERT Medicines to NHS Scotland. The Authority has awarded this framework as a single supplier framework per line to one (1) Framework Participant.

### **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

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - protection of exclusive rights, including intellectual property rights

Explanation:

The medicine to be awarded to the framework agreement is protected by exclusive rights, including intellectual property rights, in line with Regulation 33(1)(b)(iii) of the Public Contracts (Scotland) Regulations 2015.

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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## Section V. Award of contract/concession

### Contract No

NP92624 (a-d)

A contract/lot is awarded: Yes

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

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

2 July 2024

#### 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**

Aventis Pharma Ltd Trading As Sanofi

410 Thames Valley Park Drive

Reading

RG6 1PT

Telephone

+44 1183543118

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: £12,437,853.03

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## **Section VI. Complementary information**

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

The estimated value of the Framework Agreements referred to in Sections II.1.7 and V.2.4 covers the twenty-four (24) month contract duration and the twelve (12) month extension period of the Framework Agreement.

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=763554](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=763554).

(SC Ref:763554)

### **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

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

he notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or

a minimum of 15 if the communication method used is not electronic) between the date on which the Authority despatches the VEAT notice and the date on which the Authority proposes to conclude the relevant framework agreement.

The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer.

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.