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Contract

## **VIR-7831 Supply Agreement for Pandemic Purposes**

Department of Health and Social Care

F03: Contract award notice

Notice identifier: 2021/S 000-022621

Procurement identifier (OCID): ocds-h6vhtk-02dfcc

Published 13 September 2021, 11:00am

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

#### **I.1) Name and addresses**

Department of Health and Social Care

39 Victoria Street

London

SW1H 0EU

#### **Contact**

Amy Watkins

#### **Email**

[TherapeuticsTaskforce@dhsc.gov.uk](mailto:TherapeuticsTaskforce@dhsc.gov.uk)

#### **Country**

United Kingdom

**NUTS code**

UKI32 - Westminster

**Internet address(es)**

Main address

<https://www.gov.uk/government/organisations/department-of-health-and-social-care>

Buyer's address

<https://www.gov.uk/government/organisations/department-of-health-and-social-care>

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

Health

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## **Section II: Object**

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

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

VIR-7831 Supply Agreement for Pandemic Purposes

Reference number

C45847

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

- 33600000 - Pharmaceutical products

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

Supplies

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

The evolution of the UK's pandemic response has highlighted the critical importance and economic value of a multi-layered and comprehensive approach to COVID-19. The need for antibodies and other therapeutics has always been under consideration, the mutation of the virus and the risk this poses on antibody and vaccine efficacy has only recently been properly identified and still requires further academic studies. These unforeseen circumstances mean there is now a critical, urgent need to procure and deploy a new class of mAbs, that can neutralise any COVID-19 variant. These neutralising mAbs provide protection to a cohort of the population who, for medical reasons, cannot mount an appropriate immune response to vaccination or, for whatever reason, do not get vaccinated and are also at higher risk of hospitalisation or death. This agreement is for the procurement of 100,008 units of Sotrovimab (VIR-7831).

#### **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: £1

## **II.2) Description**

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

NUTS codes

- UK - United Kingdom

Main site or place of performance

London

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

Procurement of VIR-7831.

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

Price

### **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

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

This good was procured under Regulation 32(2)(c) of the Public Contracts Regulations 2015, for the following reasons:

1. Strictly Necessary Scientific data has recently emerged which now shows how SARS-CoV-2 mutates such that it may make existing vaccine and antibody treatments ineffective. This mAb is one of only a handful of COVID-19 suitable 'neutralising' mAbs under development which can withstand the current Variant of Concern mutations. It is also the only one which has the potential to be MHRA approved for non-hospitalised patients in time for Autumn/Winter 2022. This mAb is therefore critical for the protection of the immunocompromised cohort of the UK population.
2. Extreme Urgency The potential impact on public health if this contract award is not made is significant and therefore DHSC has an urgent requirement for mAb therapies to be available for Q3 and Q4 2021. The UK is seeing daily case numbers increasing rapidly and new virus mutations spreading globally, despite ongoing international travel restrictions. The UK must act on the most up to date data it has access to, which indicates that there is a severe threat to public health for the immunocompromised cohort of the UK population which must be addressed.
3. Unforeseeable There are many aspects of the COVID-19 pandemic, since its original outbreak, which have been entirely unforeseeable and which have resulted in nations across the world struggling to respond. DHSC is acting on the newest information it has available to tailor its COVID-19 response accordingly.
4. The event was not caused by DHSC The events leading to the requirements for neutralising mAb treatment are not attributable to any action by DHSC. Rather the requirement is being driven by the mutation of the SARS-CoV-2 virus and the consequential evolution of a global pandemic.
5. Minimum procurement timescales Time is of the essence in relation to the need to secure the mAb supply. Wave-3 is underway and wave-4 is predicted to have begun by Q4 of 2021. In light of that and the fact that this mAb is yet to obtain final MHRA approval to make it lawful for use by DHSC, it will not be possible to comply with the minimum timescales of a standard open, restricted or competitive negotiated procedure procurement exercise.

#### **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**

A contract/lot is awarded: Yes

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

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

11 August 2021

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

Number of tenders received: 1

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: 0

Number of tenders received by electronic means: 0

The contract has been awarded to a group of economic operators: No

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

GlaxoSmithKline UK Limited

GSK House, 980 Great West Road, Middlesex

Brentford

TW8 9GS

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

04310159

Internet address

<http://uk.gsk.com/>

The contractor is an SME

No

**V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £1

Lowest offer: £1 / Highest offer: £1 taken into consideration

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## Section VI. Complementary information

### VI.3) Additional information

Information on contract value is being withheld due to commercial sensitivity under Regulation 50(6)(b) and (c) as the publication of the price may enable competitors to calculate cost per dose. This will (i) commercially prejudice the supplier in its ongoing negotiations with other national governments; (ii) commercially prejudice the contracting authority in its ongoing negotiations with other vendors and (iii) impact fair competition between vendors

### VI.4) Procedures for review

#### VI.4.1) Review body

The High Court

Strand

London

WC2A 2LL

Email

[generaloffice@administrativecourtoffice.justice.gov.uk](mailto:generaloffice@administrativecourtoffice.justice.gov.uk)

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals>