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Contract

Glatiramer Injection

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

F20: Modification notice

Notice identifier: 2022/S 000-023055

Procurement identifier (OCID): ocds-h6vhtk-030f0b

Published 19 August 2022, 8:45am

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-gordon@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=AA1188 3

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Glatiramer Injection

Reference number

NP47818

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

• 33661000 - Medicinal products for the nervous system

II.2.3) Place of performance

NUTS codes

• UKM - Scotland

II.2.4) Description of the procurement at the time of conclusion of the contract:

This modification of contract term from 01/09/2022 to 28/02/2023 is to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic and to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015

Modification notice is advised at framework level and does not detail individual lots.

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

Duration in months

6

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: <u>2022/S 000-002162</u>

Section V. Award of contract/concession

Contract No

NP47818

Title

Glatiramer Injection

V.2) Award of contract/concession

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

20 July 2022

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

Teva UK Limited

Ridings Point, Whistler Drive

Castleford

WF10 5HX

Telephone

+44 7715800199

Fax

+44 1977628788

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

Mylan

Building 4, Trident Place, Mosquito Way

Hatfield

AL10 9UL

Telephone

+44 7585600993

Country

United Kingdom

NUTS code

• UK - United Kingdom

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: £11,005,352

Section VI. Complementary information

VI.3) Additional information

The estimated value of two (2) Lots referred to in Section V.2.4 covers the thirty-six (36) months of the framework length and

fifteen (15) months extension period of the framework agreement.

(SC Ref:702140)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

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 be 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.

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)

• 33610000 - Medicinal products for the alimentary tract and metabolism

VII.1.3) Place of performance

NUTS code

UKM - Scotland

VII.1.4) Description of the procurement:

This modification of contract term from 01/09/2022 to 28/02/2023 is to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic and to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015

Modification notice is advised at framework level and does not detail individual lots.

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

Duration in months

6

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

Total value of the contract/lot/concession:

£1,000,487

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

Teva UK Limited

Ridings Point, Whistler Drive

Castleford
WF10 5HX
Telephone
+44 7715800199
Fax
+44 1977628788
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
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VII.1.7) Name and address of the contractor/concessionaire Mylan
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way Hatfield
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way Hatfield AL10 9UL
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way Hatfield AL10 9UL Telephone
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way Hatfield AL10 9UL Telephone +44 7585600993
VII.1.7) Name and address of the contractor/concessionaire Mylan Building 4, Trident Place, Mosquito Way Hatfield AL10 9UL Telephone +44 7585600993 Country

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 to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic and to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015

Modification notice is advised at framework level and does not detail individual lots.

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 to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic and to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015

Modification notice is advised at framework level and does not detail individual lots.

VII.2.3) Increase in price

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

Value excluding VAT: £11,005,352

Total contract value after the modifications

Value excluding VAT: £12,005,839