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Award

## **NSSCOVID-19 -218 Cytosponge Delivery, and Pathology Reporting Service**

NHS National Services Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-024752

Procurement identifier (OCID): ocds-h6vhtk-0365ac

Published 5 September 2022, 8:55am

### **Section I: Contracting authority/entity**

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

NHS National Services Scotland

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

#### **Contact**

Josh Foggo

#### **Email**

[josh.foggo@nhs.scot](mailto:josh.foggo@nhs.scot)

#### **Telephone**

+44 7855060653

#### **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**

NSSCOVID-19 -218 Cytosponge Delivery, and Pathology Reporting Service

Reference number

NSSCOVID-19 -218

**II.1.2) Main CPV code**

- 85111800 - Pathology services

**II.1.3) Type of contract**

Services

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

This requirement is for Cytosponge device and delivery of pathology lab, pathology service and pathology report

#### **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: £1,000,000

### **II.2) Description**

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

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

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

This is a direct award to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic

and is on the basis of the protection of exclusive rights, including intellectual property rights using the Cytosponge product in line with

Regulation 33(1)(b) of the Public Contracts (Scotland) Regulations 2015

#### **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

- The procurement falls outside the scope of application of the regulations

Explanation:

This is a direct award to meet the additional demands of the Scottish Health and Social Care sector during the current Covid-19 pandemic

and is on the basis of the protection of exclusive rights, including intellectual property rights using the Cytosponge product in line with

Regulation 33(1)(b) 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**

NSSCOVID-19 -218

A contract/lot is awarded: Yes

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

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

25 August 2022

#### **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**

Medtronic Limited

Building 9, Croxley Park

Watford

WD18 8WW

Telephone

+44 1923202577

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: £1,000,000

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**Section VI. Complementary information**

**VI.3) Additional information**

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=704678](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=704678).

(SC Ref:704678)

**VI.4) Procedures for review**

**VI.4.1) Review body**

Sherriff 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

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.