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Contract

## **NP37122 ENT, Ophthalmology & Skin Medicines/Medical Devices**

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

F03: Contract award notice

Notice identifier: 2022/S 000-027484

Procurement identifier (OCID): ocds-h6vhtk-0371cc

Published 30 September 2022, 1:35pm

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

#### **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**

[siobhan.ramage@nhs.scot](mailto:siobhan.ramage@nhs.scot)

#### **Telephone**

+44 1698794410

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nss.nhs.scot>

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.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**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**

NP37122 ENT, Ophthalmology & Skin Medicines/Medical Devices

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

- 33600000 - Pharmaceutical products

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

Supplies

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

This Framework Agreement is for the supply of ENT, Ophthalmology & Skin Medicines/Medical Devices to health boards across NHS Scotland. The Goods have been split into two (2) categories, each of which is identified as a "Lot". Full details of each Lot is contained in section II.2 of this notice.

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £14,876,820

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

#### **II.2.1) Title**

ENT, Ophthalmology & Skin Generic Medicines/Medical Devices

Lot No

1

#### **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 2014.

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

Supply of ENT, Ophthalmology & Skin Generic Medicines/Medical Devices to NHS Scotland. The Authority has awarded each product line within this Lot to a single Framework Participant.

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

Quality criterion - Name: Logistics / Weighting: 5%

Price - Weighting: 95

### **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

## **II.2) Description**

### **II.2.1) Title**

Artificial saliva products, Eye preparations & Skin preparations

Lot No

2

### **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 2014.

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

Supply of Artificial saliva products, Eye preparations & Skin preparations to NHS Scotland in a range of presentations. The Authority has awarded each product line as a multi-supplier unranked framework agreement on a line by line basis to a maximum of six (6) Framework Participants.

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

Quality criterion - Name: Logistics / Weighting: 5%

Price - Weighting: 95

### **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**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

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

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2022/S 022-190564](#)

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

### **Lot No**

1

### **Title**

ENT, Ophthalmology & Skin Generic Medicines/Medical Devices

A contract/lot is awarded: Yes

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

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

31 August 2022

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

Number of tenders received: 40

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 39

Number of tenders received by electronic means: 40

The contract has been awarded to a group of economic operators: Yes

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

Zentiva Pharma UK Ltd

12 New Fetter Lane

London

EC4A 1JP

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Thornton & Ross

Linthwaite

Huddersfield

HD7 5QH

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

TJ Smith and Nephew Ltd (Trading as Smith & Nephew)

Building 5, Croxley Green Business Park, Hatters Lane

Watford Hertfordshire

WD18 8YE

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Thea Pharmaceuticals Limited

IC5, Block B, Floor 1, Innovation Way

Keele

ST55NT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Teva UK Limited

Ridings Point, Whistler Drive

Castleford

WF10 5HX

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Selective Supplies Ltd

The Priory, Syresham Gardens

Haywards Heath

RH16 3LB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Tetris Pharma Ltd

2nd Floor 79 - 81 High Street

Marlow

SL7 1AB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Scope Ophthalmics Ltd

First Point, Buckingham Gate

Gatwick

RH6 0NT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Sandoz Ltd

Frimley Business Park, Frimley

Camberley

GU16 7SR

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Reckitt Benckiser

Wellcroft House, Wellcroft Road

Slough

SL1 4AQ

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Rayner Intraocular Lenses Ltd

Ridley Innovation Centre, Dominion Way

Worthing

BN14 8AQ

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Ranbaxy (UK) Ltd

Building 4, Chiswick Park, 566 Chiswick High Road

London

W4 5YE

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Parapharm Development Ltd

Merlin House , Brunel Road

Theale

RG7 4AB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Mercury Pharma Group

No.1 Croydon, 12-16 Addiscombe Road

Croydon

CR0 0XT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Medicom Healthcare

Unit 5, Concorde Close

Fareham

PO15 5RT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Morningside Pharmaceuticals Limited

5 Pavilion Way, Castle Business Park

Loughborough, Leicestershire

LE11 5GW

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Martindale Pharma

Bampton Road, Harold Hill

Romford

RM3 8UG

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Intrapharm Laboratories Ltd

The Granary, The Courtyard Barns, Choke Lane,

Maidenhead

SL6 6PT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Glenmark Pharmaceuticals Europe Ltd

Building 2, Croxley Green Business Park

Watford

WD18 8YA

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

GlaxoSmithKline

980 Great West Road

Brentford

TW8 9GS

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Ennogen Healthcare Ltd

Unit G4,Riverside Industrial Estate,, Riverside way,

Dartford

DA1 5BS

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Ecolab Ltd

Lotherton Way, Garforth,

Leeds

LS25 2JY

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

DRUGSRUS LTD

5 SANDRIDGE CLOSE

HARROW

HA1 1XD

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

CST Pharma Ltd

Unit 5-7, Westgate Park Industrial Estate, Tintagel Way

Walsall

WS9 8ER

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Crescent Pharma Limited

Unit 3 & 4 Quidhampton Business Units, Polhampton Lane, Overton

Basingstoke

RG25 3ED

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Carl Zeiss Ltd

ZEISS House, 1030 Cambourne Business , Cambourne

Cambridge

CB23 6DW

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Beaver Visitec International

85c Park Drive, Milton Park

Abingdon

OX14 4RY

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Aspire Pharma Ltd

4 Rotherbrook Court, Bedford Road

Petersfield

GU32 3QG

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Altacor

Merlin House, Brunel Road

Reading

RG7 4AB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

AbbVie Ltd

Abbvie House, Vanwall Business Park

Maidenhead

SL6 4UB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Total value of the contract/lot: £13,534,493

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

### **Lot No**

2

### **Title**

Artificial saliva products, Eye preparations & Skin preparations

A contract/lot is awarded: Yes

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

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

31 August 2022

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

Number of tenders received: 17

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 16

Number of tenders received by electronic means: 17

The contract has been awarded to a group of economic operators: Yes

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

Zentiva Pharma UK Ltd

12 New Fetter Lane

London

EC4A 1JP

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Thea Pharmaceuticals Limited

IC5, Block B, Floor 1, Innovation Way

Keele

ST55NT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Thornton & Ross

Linthwaite

Huddersfield

HD7 5QH

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Selective Supplies Ltd

The Priory, Syresham Gardens

Haywards Heath

RH16 3LB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Scope Ophthalmics Ltd

First Point, Buckingham Gate

Gatwick

RH6 0NT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Sandoz Ltd

Frimley Business Park, Frimley

Camberley

GU16 7SR

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Mercury Pharma Group

No.1 Croydon, 12-16 Addiscombe Road

Croydon

CR0 0XT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

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

Medicom Healthcare

Unit 5, Concorde Close

Fareham

PO15 5RT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

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

Intrapharm Laboratories Ltd

The Granary, The Courtyard Barns, Choke Lane,

Maidenhead

SL6 6PT

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Ennogen Healthcare Ltd

Unit G4,Riverside Industrial Estate,, Riverside way,

Dartford

DA1 5BS

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Europharma Concepts Ltd (t/a Oralieve UK)

Kilbeggan Rd, Lahinch

Clara

n/a

Country

Ireland

NUTS code

- IEZZZ - Extra-Regio NUTS 3

The contractor is an SME

No

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

DRUGSRUS LTD

5 SANDRIDGE CLOSE

HARROW

HA1 1XD

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

CST Pharma Ltd

Unit 5-7, Westgate Park Industrial Estate, Tintagel Way

Walsall

WS9 8ER

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Carl Zeiss Ltd

ZEISS House, 1030 Cambourne Business , Cambourne

Cambridge

CB23 6DW

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Aspire Pharma Ltd

4 Rotherbrook Court, Bedford Road

Petersfield

GU32 3QG

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Altacor

Merlin House, Brunel Road

Reading

RG7 4AB

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

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

Total value of the contract/lot: £1,342,327

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## **Section VI. Complementary information**

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

The estimated value referred to in Section II.1.7 & All Lots covers the twenty four (24) month contract duration and the twenty four (24) month extension period of the framework agreement.

(SC Ref:699325)

### **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)

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 Sherriff Court or the Court of Session.

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 Contract (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.