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Contract

CPH094 - Supply of Nicotine Replacement Therapy

Derbyshire County Council

F03: Contract award notice

Notice identifier: 2022/S 000-027878

Procurement identifier (OCID): ocds-h6vhtk-031891

Published 4 October 2022, 3:44pm

Section I: Contracting authority

I.1) Name and addresses

Derbyshire County Council

County Hall

Matlock

DE4 3AG

Contact

Miss Caroline May

Email

caroline.may@derbyshire.gov.uk

Telephone

+44 1629536805

Country

United Kingdom

Region code

UKF1 - Derbyshire and Nottinghamshire

Internet address(es)

Main address

<http://www.derbyshire.gov.uk/>

Buyer's address

<http://www.derbyshire.gov.uk/>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

CPH094 - Supply of Nicotine Replacement Therapy

Reference number

DN628817

II.1.2) Main CPV code

- 33000000 - Medical equipments, pharmaceuticals and personal care products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Contract for an accredited wholesale distributor to provide a range of licensed Nicotine Replacement Therapy (NRT) products for use by the Live Life Better Derbyshire (LLBD) Stop Smoking Service.

The LLBD Stop Smoking Service offers a 12-week programme to smokers and a regular supply of NRT is a key element to a successful quit programme.

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: £5,000,000

II.2) Description

II.2.2) Additional CPV code(s)

- 85000000 - Health and social work services

II.2.3) Place of performance

NUTS codes

- UKF1 - Derbyshire and Nottinghamshire

Main site or place of performance

Within the geographical area of Derbyshire

II.2.4) Description of the procurement

Contract for an accredited wholesale distributor to provide a range of licensed Nicotine Replacement Therapy (NRT) products for use by the Live Life Better Derbyshire (LLBD) Stop Smoking Service.

The LLBD Stop Smoking Service offers a 12-week programme to smokers and a regular supply of NRT is a key element to a successful quit programme.

II.2.5) Award criteria

Quality criterion - Name: Quality / Technical / Weighting: 20

Price - Weighting: 80

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

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

- No tenders or no suitable tenders/requests to participate in response to open procedure
- The services can be provided only by a particular economic operator for the following reason:

- absence of competition for technical reasons

Explanation:

An open tender was originally published 18/02/2022 with a closing date of 24/03/2022. The tender was not awarded due to no suitable and compliant bids received.

The requirement is for a direct supply model with an accredited wholesaler provider to achieve best value.

A non-wholesaler delivery model is available however, it does not meet the Council's requirements and does not achieve best value.

Use of the negotiated procedure without prior publication Reg 32. contracting authorities may award public contracts by a negotiated procedure without prior publication.

Under the grounds of:

(a) no suitable tenders were submitted in response to the open procedure, the initial conditions of the contract are not substantially altered;

(ii) competition is absent for technical reasons (wholesale licence).

See Source Derbyshire for specification and contract: <http://www.sourcederbyshire.co.uk/>
search under CPH094.

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 000-004597](#)

Section V. Award of contract

Contract No

CPH094

Title

CPH094 - Supply of Nicotine Replacement Therapy

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

8 September 2022

V.2.2) Information about tenders

Number of tenders received: 2

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

Sigma Pharmaceuticals Plc

P.O.Box 233, 1 Colonial Way

North Watford

WD24 4YR

Email

khs@sigmaplc.com

Telephone

+44 01923444999

Country

United Kingdom

NUTS code

- UKF1 - Derbyshire and Nottinghamshire

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: £5,000,000

Total value of the contract/lot: £5,000,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court (Technology and Construction Court)

Royal Court of Justice

London

Telephone

+44 02079477156

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Derbyshire County Council will incorporate a minimum 10 calendar days (or 15 if non electronic or fax methods used) standstill period at the point information on the award of the contract is communicated to the relevant economic operators. Debriefing by the Council shall be in accordance with the Public Contracts Regulation 2015 (as amended) (the Regulations). Such information should be requested from the addressee in Section 1.1. If an appeal regarding the award of the contract has not been successfully resolved the Regulations provide for the aggrieved parties who are of the opinion that they have been harmed or are at risk of harm by a breach of the Regulations, to take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought as soon as possible.

VI.4.4) Service from which information about the review procedure may be obtained

Derbyshire County Council

County Hall

Matlock

DE4 3AG

Country

United Kingdom