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Tender

NP36722 Fertility Products

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

F02: Contract notice

Notice identifier: 2022/S 000-028998

Procurement identifier (OCID): ocds-h6vhtk-0375cf

Published 14 October 2022, 12:25pm

Section I: Contracting authority

I.1) Name and addresses

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

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.nhsscotlandprocurement.scot.nhs.uk/>

Buyer's address

http://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.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/web/login.html>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/web/login.html>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

NP36722 Fertility Products

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 fertility products to NHS Scotland.

II.1.5) Estimated total value

Value excluding VAT: £6,490,616

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

Lot 2 - Gonadotrophins

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of Human Menopausal Gonadotrophins fertility medicines in vials to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of three (3) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £1,645,800

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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

Lot 4 - Progesterones

Lot No

4

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of Progesterone fertility medicines in vials, gel and tablets to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of five (5) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £1,378,128

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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

Lot 3 - Gonadotrophin Releasing Hormone - GNRH Agonists

Lot No

3

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of Gonadotrophin-Releasing Hormone (GNRH) Agonists fertility medicines in vials and sprays to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of three (3) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £191,896

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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

Lot 5 - Gonadotrophin Releasing Hormone - GNRH Antagonists

Lot No

5

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of Gonadotrophin Releasing Hormone (GNRH) Antagonists fertility medicines in vials to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of three (3) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £771,744

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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

Lot 6 - All Other Fertility Products

Lot No

6

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of All Other fertility medicines in vials and patches to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of four (4) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £266,384

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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

Lot 1 - Follitropin Alfa

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 Services (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to New Public Bodies (Joint Working) Scotland Act 2014.

II.2.4) Description of the procurement

Supply of Follitropin Alfa fertility medicines in pre-filled syringes, vials, pre-filled pens and glass cartridges to NHS Scotland. The Authority intends to award this framework as an unranked multi-supplier framework per line to a maximum of three (3) Framework Participants. Full details of Goods and volumes can be found within the ITT documents.

II.2.5) Award criteria

Quality criterion - Name: Logistics / Weighting: 5

Price - Weighting: 95

II.2.6) Estimated value

Value excluding VAT: £2,236,664

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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 III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

Economic operators may be excluded from this competition if they are in breach of any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015.

III.1.3) Technical and professional ability

List and brief description of selection criteria

(a) Potential Framework Participants must be able to demonstrate the existence of a valid and current UK Marketing Authorisation (PL, PLGB or PLPI number) that has been approved by the MHRA for all tendered Medicines at the date of submission of the tender.

(b) Potential Framework Participants and any sub-contractor(s) must possess valid certification of BS EN ISO 9001 or equivalent.

(c) All tendered Goods must comply with the MHRA best Practice Guidance on Labelling and Packaging and the National Patient Safety Agency ("NPSA") Guidelines on Packaging and Labelling on pack design.

(d) Potential Framework Participants are required to provide evidence that their organisation has taken steps to build their awareness of the climate change emergency and how they will respond.

Minimum level(s) of standards possibly required

a) Confirmation of existence of a valid and current UK Marketing Authorisation (PL, PLGB or PLPI number) that has been approved by the MHRA for all tendered Medicines at the date of submission of the tender should be included in the Qualification Envelope of the ITT under the Technical and Professional ability: Quality Control.

(b) Confirmation of the existence of valid certification of BS EN ISO 9001 or equivalent. Confirmation of such certification should be included in the Qualification Envelope of the ITT under the Quality Assurance Schemes.

(c) Confirmation that samples for tendered Goods will be supplied upon request to ensure compliance with the MHRA best Practice Guidance on Labelling and Packaging and the National Patient Safety Agency ("NPSA") Guidelines on Packaging and Labelling on pack design. Confirmation of sample provision should be provided in the Qualification Envelope of the ITT under Technical and Professional ability: Products.

(d) A completed copy of the Bidder Climate Change Plan Template, including planned projects and actions to reduce the bidder's carbon emissions should be provided in the Qualification Envelope of the ITT under Environmental Management Criteria. This does not need to contain calculated carbon emissions.

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

Framework agreement with several operators

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.2.2) Time limit for receipt of tenders or requests to participate

Date

14 November 2022

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

14 November 2022

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

The estimated value referred to in Section II.I.5 and within each Lot covers the forty-eight (48) months contract duration.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22439. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

It is a mandatory requirement that Potential Framework Participants agree to support the concept, provision and ongoing development of community benefits provision in relation to this framework.

Potential Framework Participants are required to agree to this mandatory requirement. They are also requested to provide a brief summary of the community benefits that have recently been delivered within Scotland, if at all, and also what impact and outcomes these have achieved.

Potential Framework Participants are required to summarise any proposed community benefits that will be developed and delivered as part of this contract if successful or,

alternatively, Potential Framework Participants confirm that they will engage with the NHS Scotland's Community Benefits Gateway (CBG). This gateway, developed through requests from suppliers seeking opportunities to support the delivery of community benefits within the contracting region, provides information on community benefit opportunities. The CBG is a free and easy to use online service that connects NHS Scotland suppliers with third sector community organisations within Scotland and will be used for tracking and reporting and is an approved compliant route to the realisation of community benefits.

For further information please visit www.nss.nhs.scot/procurement-and-logistics/sustainability/access-our-community-benefit-gateway

(SC Ref:708194)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

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

The Authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the framework agreement which notification will contain among other information, a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which the Authority despatches the notice(s) and the date on which the Authority proposes to conclude the relevant framework agreement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer(s). 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 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.