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Contract

## **Ustekinumab and Omalizumab**

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

F03: Contract award notice

Notice identifier: 2024/S 000-029144

Procurement identifier (OCID): ocds-h6vhtk-047344

Published 11 September 2024, 4:09pm

### **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

#### **Contact**

Stephanie McNiven

#### **Email**

[stephanie.mcniven2@nhs.scot](mailto:stephanie.mcniven2@nhs.scot)

#### **Telephone**

+44 1698794000

**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.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

## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Ustekinumab and Omalizumab

Reference number

NP47924de

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

- 33600000 - Pharmaceutical products

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

Supplies

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

Supply of Ustekinumab and Omalizumab to NHS Scotland

#### **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: £13,816,578

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

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

Ustekinumab

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 Ustekinumab presentations to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per product line to a six (6) Framework Participants.

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

Quality criterion - Name: Quality Criterion: API Source / 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**

Omalizumab

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 Omalizumab presentations to NHS Scotland. The Authority has awarded this Lot as an unranked multi-supplier framework per product line to two (2) Framework Participants.

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

Quality criterion - Name: API Source / 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: [2024/S 000-019767](#)

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

### **Lot No**

1

### **Title**

Ustekinumab

A contract/lot is awarded: Yes

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

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

21 August 2024

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

Number of tenders received: 6

Number of tenders received from SMEs: 4

Number of tenders received from tenderers from other EU Member States: 6

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 6

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

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

Accord Healthcare Ltd

Sage House, 319 Piner Road

North Harrow

HA1 4HF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Amgen Ltd

240 Cambridge Science Park, Milton Road

Cambridge

CB4 0WD

Telephone

+44 1223436406

Fax

+44 1223228211

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Celltrion Healthcare United Kingdom Limited

1-7 The Switch

Slough

SL1 1QP

Telephone

+44 7587521510

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Janssen-Cilag Ltd

50-100 Holmers Farm Way

High Wycombe

HP12 4DP

Telephone

+44 7384820184

Country

United Kingdom

NUTS code

- UKJ1 - Berkshire, Buckinghamshire and Oxfordshire

The contractor is an SME

No

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

Sandoz

Park View, Riverside Way, Watchmoor Park

Camberley, Surrey

GU15 3YL

Telephone

+44 7766295207

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

STADA UK - Thornton & Ross

Linthwaite

Huddersfield

HD7 5JN

Telephone

+44 7979935409

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Total value of the contract/lot: £11,680,128

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

### **Lot No**

2

### **Title**

Omalizumab

A contract/lot is awarded: Yes

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

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

21 August 2024

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

Number of tenders received: 2

Number of tenders received from SMEs: 2

Number of tenders received from tenderers from other EU Member States: 2

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 2

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

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

Celltrion Healthcare United Kingdom Limited

1-7 The Switch

Slough

SL1 1QP

Telephone

+44 7587521510

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Novartis Pharmaceuticals UK Ltd

2nd Floor, The WestWorks Building, White City Place, 195 Wood Lane

London

W12 7FQ

Telephone

+44 7879667600

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Total value of the contract/lot: £2,136,450

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## **Section VI. Complementary information**

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

(SC Ref:777753)

### **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

Internet address

<https://scotcourts.gov.uk/the-courts/sheriff-court/about-sheriff-courts>

#### **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 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.