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Contract

## **NP48318 Emergency Planning Storage & Distribution**

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

F20: Modification notice

Notice identifier: 2023/S 000-034041

Procurement identifier (OCID): ocds-h6vhtk-041ab2

Published 17 November 2023, 10:00am

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

#### **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**

Scott Cowan

#### **Email**

[Scott.Cowan@nhs.scot](mailto:Scott.Cowan@nhs.scot)

#### **Telephone**

+44 1698794410

**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)

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**Section II: Object**

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

**II.1.1) Title**

NP48318 Emergency Planning Storage & Distribution

**II.1.2) Main CPV code**

- 63120000 - Storage and warehousing services

**II.1.3) Type of contract**

Services

**II.2) Description**

**II.2.2) Additional CPV code(s)**

- 33600000 - Pharmaceutical products

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

NUTS codes

- UKM - Scotland

### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

Lot 1 - Storage and Distribution of Pandemic Influenza Antivirals (PIPP).

Lot 2 - Storage, Distribution and Recycling of Antibiotics and IV Fluids.

Lot 3 - Storage and Distribution of CBRN (Chemical, Biological, Radiological, Nuclear) agents.

Lot 4 - Storage, Distribution and Recycling of CRRT Medicines.

Lot 5 - Storage, Distribution and Recycling of the Critical Care/ITU Stockpile.

The Authority have awarded all five lots as a single supplier contract to TPS Healthcare Ltd.

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

Start date

1 January 2019

End date

31 December 2023

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

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2018/S 248-573066](#)

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

### **Contract No**

NP48318 Emergency Planning Storage & Distribution

### **Title**

NP48318 Emergency Planning Storage & Distribution

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

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

7 December 2018

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

The contract/concession has been awarded to a group of economic operators: No

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

The TPS Healthcare Group Ltd

27-35 Napier Place, Wardpark North

Cumbernauld

G68 0LL

Telephone

+44 1236784634

Country

United Kingdom

NUTS code

- UKM84 - North Lanarkshire

The contractor/concessionaire is an SME

Yes

**V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £6,092,485

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## **Section VI. Complementary information**

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

The estimated value of the Contract referred to in Sections V.2.4 in each of the five (5) lots cover the twelve (12) month duration

of the proposed modification period of the Contract.

(SC Ref:749014)

### **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)

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.

The bringing of court proceedings against the Authority after the Contract has been entered into will not affect the Contract 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 Contract has been entered into are limited to the award of damages.

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 63120000 - Storage and warehousing services

#### **VII.1.2) Additional CPV code(s)**

- 33600000 - Pharmaceutical products

#### **VII.1.3) Place of performance**

NUTS code

- 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.

#### **VII.1.4) Description of the procurement:**

This contract modification, effecting an extension of the Contract duration from 31 December 2023 until 31 December 2024, has been agreed between the supplier and the Authority on behalf of NHS Scotland to meet the additional demands of the Scottish Health and Social Care sector.

This modification has been approved to maintain necessary supply and remove unnecessary disruption from the Authority at this time in line with Regulation 72(1)(b) of the Public Contracts (Scotland) Regulations 2015.

#### **VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

1 January 2024

End date

31 December 2024

### **VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£564,000

### **VII.1.7) Name and address of the contractor/concessionaire**

The TPS Healthcare Group Ltd

27-35 Napier Place, Wardpark North

Cumbernauld

G68 0LL

Telephone

+44 1236784634

Country

United Kingdom

NUTS code

- UKM84 - North Lanarkshire

The contractor/concessionaire is an SME

Yes

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

This modification effects an extension of the Contract duration from 31 December 2023 until 31 December 2024. The modification notice is advised at Contract level only and so it does



not detail individual Lots. All Terms and Conditions for the Contract remain in place.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

This modification is necessary to meet the additional demands of the Scottish Health and Social Care sector to maintain necessary supply due to circumstances unforeseen by the Authority and at this time have rendered this modification necessary, in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £6,092,485

Total contract value after the modifications

Value excluding VAT: £6,656,485