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Tender

Wound Closure Products

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

F02: Contract notice

Notice identifier: 2022/S 000-035115

Procurement identifier (OCID): ocds-h6vhtk-038cbe

Published 12 December 2022, 4:46pm

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

patrick.mulraney@nhs.scot

Telephone

+44 1312757454

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

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/>

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/>

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

Wound Closure Products

Reference number

NP51422

II.1.2) Main CPV code

- 33141121 - Surgical sutures

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Framework Participant must be able a range of Wound Closure Products, were delivery will be direct to the NDC (National Distribution Centre) and across the NHS Scotland health boards.

We envisage awarding 6 (six) suppliers to each lot.

II.1.5) Estimated total value

Value excluding VAT: £14,925,486

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

Absorbable Braided Sutures

Lot No

1

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Absorbable Braided Sutures across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £6,138,859

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Absorbable Monofilament Sutures

Lot No

2

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Absorbable Monofilament Sutures across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £1,962,948

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Absorbable Ties

Lot No

3

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Absorbable Ties across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £282,864

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Non Absorbable Braided Sutures

Lot No

4

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Non Absorbable Braided Sutures across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £1,556,296

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Non Absorbable Monofilament Sutures

Lot No

5

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Non Absorbable Monofilament Suture across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £2,790,052

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Non Absorbable Ties

Lot No

6

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Non Absorbable Ties across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Non Absorbable Steel Wires

Lot No

7

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Non Absorbable Steel Wires across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £255,727

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Knotless Sutures

Lot No

8

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Knotless Sutures across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct

to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,406

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Anti Microbial Sutures

Lot No

9

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Anti Microbial Sutures cross a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £1,729,648

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Non Invasive Wound Closure Product

Lot No

10

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Non Invasive Wound Closure product across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Skin Adhesive External complete with Applicator

Lot No

11

II.2.2) Additional CPV code(s)

- 24911200 - Adhesives

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Skin Adhesive External complete with Applicator across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Skin Staplers

Lot No

12

II.2.2) Additional CPV code(s)

- 30197320 - Staplers

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Skin Staplers across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £67,485

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Staple Extractors

Lot No

13

II.2.2) Additional CPV code(s)

- 30197321 - Staple removers

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Staple Extractors across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £43,868

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Skin Staplers and Staple Extractors

Lot No

14

II.2.2) Additional CPV code(s)

- 30197321 - Staple removers

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Skin Staplers and Staple Extractors across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic

catalogue

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

Wound Closure and Tissue Accessories (Not pacing wires and nylon tape)

Lot No

15

II.2.2) Additional CPV code(s)

- 33141121 - Surgical sutures

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We are require a range of Wound Closure and Tissue Accessories (Not pacing wires and nylon tape) across a range of different sizes for delivery into the NDC (National Distribution Centre) at Larkhall, South Lanarkshire and also direct to all health boards across NHS Scotland.

We envisage awarding 6 (Six) suppliers to this lot.

II.2.5) Award criteria

Quality criterion - Name: Training & Support / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £50,033

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 optional extension periods both consisting of 12 months can be utilised by the Authority.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

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

Envisaged maximum number of participants to the framework agreement: 90

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

12 January 2023

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

Tender must be valid until: 31 March 2023

IV.2.7) Conditions for opening of tenders

Date

12 January 2023

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 Common Services Agency (more commonly known as National Services Scotland)

(‘the Authority’) acting through its division National Procurement, is undertaking this procurement of (add description here...) (‘Products’) on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as ‘Participating Authorities’), where applicable and Scottish Hospices.

The estimated values referred to in Section II.1.5 and 11.2.6 covers the 5 years contract duration plus the 2 x 12 months extension period of the framework agreement.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22542. 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 NHSS Community Benefit Gateway

(SC Ref:713162)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

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 operators 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 dispatches 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.