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Award

NP31419 Clozapine Medicines

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-037723

Procurement identifier (OCID): ocds-h6vhtk-042948

Published 21 December 2023, 3:28pm

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

Cameron Wright

Email

Cameron.Wright@nhs.scot

Telephone

+44 7870831908

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.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

NP31419 Clozapine Medicines

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Clozapine Medicines to NHS Scotland.

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: £4,026,980

II.2) Description

II.2.2) Additional CPV code(s)

- 33600000 - Pharmaceutical products

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

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 a range of Clozapine Tablets for three (3) testing options (Central Laboratory, Local Laboratory and Near Patient Testing) to NHS Scotland, including the loan of patient monitoring machine for blood testing.

The Authority has awarded this Lot to a single supplier.

II.2.5) Award criteria

Quality criterion - Name: Implementation / Weighting: 48

Quality criterion - Name: Courier Service / Weighting: 6

Quality criterion - Name: Process (Local Laboratory) / Weighting: 6

Price - Weighting: 40

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

- The procurement falls outside the scope of application of the regulations

Explanation:

This VEAT notice is to advise the need for modification to meet the additional demands of the Scottish Health and Social Care sector to manage resource constraints and to maintain necessary supply due to circumstances unforeseen by the Authority in line with Regulation 72(1)(c) of the Public Contracts (Scotland) Regulations 2015.

IV.1.3) Information about a framework agreement

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: [2019/S 059-136316](#)

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

1 December 2023

V.2.2) Information about tenders

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

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

Mylan

Albany Gate, Darkes Lane

Potters Bar

EN6 1AG

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £671,163

Section VI. Complementary information

VI.3) Additional information

The estimated value of the Framework Agreement referred to in Section V.2.4 covers the ten (10) month duration of the proposed modification period of the Framework Agreement.

(SC Ref:752138)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The notification will incorporate a 'standstill period' of a minimum of ten (10) clear calendar days (or a minimum of fifteen (15) if the communication method used is not electronic) between the date on which the Authority despatches the VEAT notice and the date on which the Authority proposes to conclude the 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.

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.