

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/038199-2024>

Award

NP46220 Nicotine Replacement Therapy Products

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-038199

Procurement identifier (OCID): ocds-h6vhtk-04c033

Published 26 November 2024, 3:47pm

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

Zenab Ghazali

Email

zenab.ghazali@nhs.scot

Telephone

+44 7977806098

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

NP46220 Nicotine Replacement Therapy Products

II.1.2) Main CPV code

- 33600000 - Pharmaceutical products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Nicotine Replacement Therapy Products 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: £1,102,580

II.2) Description

II.2.1) Title

Nicotine Replacement Therapy Gum

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

Lot 2 – the supply of Nicotine Replacement Therapy Products in the form of gum to NHS Scotland. The Authority has awarded this Lot as a unranked multi-supplier framework agreement per line to one (1) Framework Participant.

The Framework Participant is required to supply Goods to the designated delivery points throughout Scotland for use by Participating Authorities.

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

Nicotine Replacement Therapy Patches

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

Lot 1 – the supply of Nicotine Replacement Therapy Products in the form of patches to NHS Scotland. The Authority has awarded this Lot as a ranked multi-supplier framework agreement to one (1) Framework Participant.

The Framework Participant is required to supply Goods to the designated delivery points throughout Scotland for use by Participating Authorities.

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

Nicotine Replacement Therapy Lozenges

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 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

Lot 3 – the supply of Nicotine Replacement Therapy Products in the form of lozenges to NHS Scotland. The Authority has awarded this Lot as a unranked multi-supplier framework agreement per line to one (1) Framework Participant.

The Framework Participant is required to supply Goods to designated delivery points throughout Scotland for use by Participating Authorities.

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 during the current Covid-19 pandemic 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: [2020/S 228-563003](#)

Section V. Award of contract/concession

Lot No

2

Title

Nicotine Replacement Therapy Gum

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

26 November 2024

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

Haleon PLC

The Heights Building 5 First Floor, The Heights Weybridge

Surrey

KT13 0NY

Telephone

+44 1932959500

Country

United Kingdom

NUTS code

- UKJ - South East (England)

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: £107,024

Section V. Award of contract/concession

Lot No

3

Title

Nicotine Replacement Therapy Lozenges

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

26 November 2024

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

Haleon PLC

The Heights Building 5 First Floor, The Heights Weybridge

Surrey

KT13 0NY

Telephone

+44 1932959500

Country

United Kingdom

NUTS code

- UKJ - South East (England)

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: £102,012

Section V. Award of contract/concession

Lot No

1

Title

Nicotine Replacement Therapy Patches

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

25 November 2024

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

Haleon PLC

The Heights Building 5 First Floor, The Heights Weybridge

Surrey

KT13 0NY

Telephone

+44 1932959500

Country

United Kingdom

NUTS code

- UKJ - South East (England)

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: £893,544

Section VI. Complementary information

VI.3) Additional information

The estimated values of the Framework Agreement referred to in Section V.2.4 comprising three (3) Lots covers the twelve (12) month duration of the proposed modification period of the Framework Agreement.

(SC Ref:784065)

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 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 VEAT notice 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.

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.