

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:194912-2016:TEXT:EN:HTML>

**United Kingdom-Normanton: Medical consumables
2016/S 109-194912**

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

NHS Supply Chain acting as agent for NHS Business Services Authority
NHS Supply Chain, Foxbridge Way
Contact point(s): NUTS Code UKE4
For the attention of: Tracy Precious
WF6 1TL Normanton
UNITED KINGDOM
Telephone: +44 7714043290
E-mail: tracy.precious@supplychain.nhs.uk
Fax: +44 1924328744

Internet address(es):

General address of the contracting authority: www.supplychain.nhs.uk

Further information can be obtained from:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

Tenders or requests to participate must be sent to:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

I.2) Type of the contracting authority

National or federal agency/office

I.3) Main activity

Health

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: yes

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

'Advanced Wound Care.'

II.1.2) Type of contract and location of works, place of delivery or of performance

Supplies

Purchase

Main site or location of works, place of delivery or of performance: 'Various locations in UK.'

NUTS code UK

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves the establishment of a framework agreement

II.1.4) Information on framework agreement

Framework agreement with several operators

Number of participants to the framework agreement envisaged: 60

Duration of the framework agreement

Duration in months: 12

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT:

Range: between 166 992 000 and 178 680 000 GBP

II.1.5) Short description of the contract or purchase(s)

Range of products to help influence ideal wound healing environments. The products are used to provide pathogen-free protected and moist areas for healing of wounds to occur.

This Framework is for 12 months with the option to extend in incremental stages for up to a total period of 48 months.

NHS Supply Chain reserves the right to appoint more Suppliers to the Framework Agreement in the event that more than 60 reach the minimum score for appointment which is set out in the ITT.

Some of the product lines will be identified as 'Threshold Priced Lines'. All Applicants' threshold priced line submissions which pass the 'Threshold Pricing Compliance' and which subsequently meet or exceed the threshold will be awarded to the Framework Agreement. All other evaluated lines that meet or exceed the overall 50 % threshold will be awarded to the Framework Agreement.

II.1.6) Common procurement vocabulary (CPV)

33140000, 33141110, 33141111, 33141114

II.1.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) Lots

II.1.9) Information about variants

Variants will be accepted: yes

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope:

'This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the 12 months of the Framework Agreement the value of purchases will be in the range of between 41 748 000 GBP and 44 670 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure and include a forecast in growth.

The estimated value of the purchases throughout the term (including the extension option described at Section II.2.2)) of the framework agreement will be in the range of between 166 992 000 GBP and 178 670 000 GBP.

The actual value of the framework agreement may be less than or exceed the estimated value dependent upon the requirements of those bodies eligible to purchase from the framework throughout the duration. These values are approximate only and are based on the most recent historical usage information with a forecasted level of growth. The values provided are for guidance only and are not a guarantee of business.'

Estimated value excluding VAT:
Range: between 166 992 000 and 178 680 000 GBP

II.2.2) Information about options

Options: yes

Description of these options: 'This Framework Agreement will have the option to extend for up to a maximum of 36 months in addition to the initial 12 month period as set out in the Framework Agreement.'

II.2.3) Information about renewals

II.3) Duration of the contract or time limit for completion

Duration in months: 12 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1) Conditions relating to the contract

III.1.1) Deposits and guarantees required:

'Parent company or other guarantees may be required in certain circumstances. Further details will be in the tender documents.'

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:

'Please see tender documents.'

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

'The Contracting Authority reserves the right to require groupings of entities to take a particular form or to require 1 party to undertake primary legal liability or to require that each party undertakes joint and several liability.'

III.1.4) Other particular conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: 'The Framework Agreement includes obligations with respect to environmental issues and a requirement for successful Suppliers to comply with the NHS Supply Chain Code of Conduct.'

III.2) Conditions for participation

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if the requirements are met: 'Submission of Expression of Interest and Procurement Specific Information:

This procurement exercise will be conducted on the NHS Supply Chain eTendering portal at: <http://procurement.supplychain.nhs.uk/ISS/>

Candidates wishing to be considered for this contract must register their expression of interest and provide additional procurement-specific information (if required) through the NHS Supply Chain eTendering portal as follows:

Registration:

1. Use URL: <http://procurement.supplychain.nhs.uk/ISS/> to access the NHS Supply Chain Procurement portal.

2. If not yet registered:

— Click on the "Not Registered Yet" link to access the registration page.

— Complete the registration pages as guided by the mini guide found on the landing page.

Portal Access:

If registration has been completed:

- Login with URL: <http://procurement.supplychain.nhs.uk/ISS/>
- Click on the “Supplier Dashboard” icon to open the list of new procurement events.

Expression of Interest:

- View Contract Notice content by clicking on the “View Notice” button for the procurement event. This opens a PDF document.
- Express an interest by clicking on the “Express Interest” button.
- To start the response process after the expression of interest has been done select the “My Active Opportunities” option and click on the “Apply” button.
- Select the procurement event from the list by clicking on the description.
- In the detail view click on the orange coloured “Framework Agreement” button to start responding to the tender.

Tender Response:

Tasks to complete on system:

Header Level:

3. Read Framework Header documents. These are the documents provided by NHS Supply Chain that must be read by all Applicants. Access these by clicking on the “NHS SC Header Documents” button found in the “Select Framework” tab.

4. Upload Header documents. These are the documents the Applicant must provide as instructed by NHS Supply Chain. Access these by clicking on “Supplier Header Documents” button found in the “Select Framework” tab.

Lot Level:

Lot header selection. In the “Lot Header” tab the Applicant can select the Lot(s) they wish to respond to:

a. Select the “Lot Line Information” button to view the Lot detail to determine whether the Applicant wishes to respond to this Lot;

b. Select the “Express Intent” button after the required Lot has been highlighted to be able to respond to the Lot.

Note: This expression of intent does not place an obligation on the Applicant to respond the action unlocks the ability to respond.

5. Complete price offers per line for the Lot. Complete the required fields for the lines the Applicant wants to include in the bid using the “Lot Line Detail” tab.

Applicants are able to submit alternative offers against each Line in the “Lot Line Detail” tab by using the “Alternative Offer” tab once an offer has been input and saved against the Line within the ISS System.

6. Answer the Non-Financial Lot questions. The questions are found in the “Lot Evaluation” tab.

7. The “Lot Questionnaire” tab has no requirement for completion in this tender.

— Accept the ISS “Terms and Conditions” button to access this function;

— Submit Lot response by clicking on the “Submit Response to Selected Lot” button in the “Submit Individual Lot Response(s)” tab to submit response for the Lot. Each Lot must be submitted independently;

— Applicants are able to view their submission using the “Supplier Submission Report” button found in the “Submit Individual Lot Response(s)” tab.

All communications must be made through NHS Supply Chain's eTendering portal at: <http://procurement.supplychain.nhs.uk/ISS/> using the Message Centre facility linked to this particular contract notice.'

III.2.2) **Economic and financial ability**

III.2.3) **Technical capacity**

III.2.4) **Information about reserved contracts**

- III.3) **Conditions specific to services contracts**
- III.3.1) **Information about a particular profession**
- III.3.2) **Staff responsible for the execution of the service**

Section IV: Procedure

- IV.1) **Type of procedure**
- IV.1.1) **Type of procedure**
Open
- IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**
- IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**
- IV.2) **Award criteria**
- IV.2.1) **Award criteria**
- IV.2.2) **Information about electronic auction**
An electronic auction will be used: yes
Additional information about electronic auction: 'Although an electronic auction will not be used to award all or part of the requirement of the Framework Agreement the use of an eAuction may be an option and part of any contracts awarded under the Framework Agreement.'
- IV.3) **Administrative information**
- IV.3.1) **File reference number attributed by the contracting authority:**
- IV.3.2) **Previous publication(s) concerning the same contract**
Prior information notice
Notice number in the OJEU: [2015/S 030-050150](#) of 12.2.2015
Other previous publications
Notice number in the OJEU: [2016/S 058-097359](#) of 18.3.2016
- IV.3.3) **Conditions for obtaining specifications and additional documents or descriptive document**
- IV.3.4) **Time limit for receipt of tenders or requests to participate**
6.7.2016 - 15:00
- IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**
- IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**
English.
- IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**
in days: 200 (from the date stated for receipt of tender)
- IV.3.8) **Conditions for opening of tenders**
Date: 7.7.2016 - 9:00
Place:
As in above mentioned I.1)
Persons authorised to be present at the opening of tenders: yes
Additional information about authorised persons and opening procedure: 'Only the NHS Supply Chain contract owner or delegate.'

Section VI: Complementary information

- VI.1) **Information about recurrence**
- VI.2) **Information about European Union funds**

VI.3) **Additional information**

'Please note that the maximum number of Suppliers as set out in II.1.4) is an estimate only. Applicants should refer to section 12 of the Invitation to Tender for details of the evaluation and scoring process to be used to assess the Suppliers to be appointed to the Framework Agreement.

The term of contracts formed under the Framework Agreement may continue beyond the end of the term of the Framework Agreement itself. NHS Supply Chain expects to provide successful Suppliers with the opportunity to offer additional savings to Customers through the provision of discounted pricing value added offerings and commitment/bulk buy initiatives. NHS Supply Chain will share savings information with its Customers in order to assist its Customers with making informed procurement decisions.

NHS Supply Chain anticipates appointing all Applicants whose threshold priced line submissions pass the "Threshold Pricing Compliance" (Step 2 of the evaluation discussed in the ITT) and who subsequently meet or exceed the per product line score of 50 %. NHS Supply Chain anticipates appointing on a product line by product line basis. Consequently Applicants will be appointed to each line of the Framework Agreement to supply a product line included in their Tender response where their total score for that product line meets or exceeds the required hurdle specified when rounded off (either up or down) to the nearest whole number) as more specifically detailed at Section 12.5 of the ITT. For example this could result in an Applicant being both successful and unsuccessful on the framework agreement depending on the differing product lines.

NHS Supply Chain intends to enter into arrangements under which it will be entitled to purchase supplies and/or services which it will make available for purchase by: 1) any NHS Trust; 2) any other NHS entity; 3) any government department agency or other statutory body (for the avoidance of doubt including local authorities); and/or 4) any private sector entity active in the UK healthcare sector. Only NHS Supply Chain can order from the Framework Agreement and enter into contracts under it.

Non-Direct Contract Products;

Adhesive Removers;

Alginate Dressings;

Burns Management Products;

Capillary Action Dressings;

Foam Dressings;

Gelling Fibre Dressings;

Hydrocolloid Dressings;

Hydrogel Products;

Odour Control Dressings;

Protease Modulator Products;

Skin Management Products;

Specialist Wound Care Products;

Wound Contact Layer Dressings.

NHS Supply Chain is not liable for any costs (including any third party costs fees or expenses) incurred by those expressing an interest in participating or tendering for this framework.

For the avoidance of doubt and notwithstanding the estimate indicated at II.2.1) NHS Supply Chain does not guarantee any level of purchase through the framework and advises Applicants that the Framework Agreement shall be established on a non-exclusive basis.

Electronic ordering will be used and electronic invoicing will be accepted and electronic payment will be used. Tenders and all supporting documentation for the Framework Agreement must be priced in sterling and written in English. Any agreement entered into will be considered a contract made in England according to English law and will be subject to the exclusive jurisdiction of the English Courts. NHS Supply Chain is not liable for

any costs incurred by those expressing an interest in tendering for this contract opportunity. NHS Supply Chain reserves the right to terminate the procurement process (or part of it) to change the basis of and the procedures for the procurement process at any time or to procure the subject matter of the contract by alternative means if it appears that it can be more advantageously procured by alternative means. The most economically advantageous or any tender will not automatically be accepted.'

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

Not applicable

Body responsible for mediation procedures

Not applicable

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: 'Appeals to be lodged in accordance with the Public Contracts Regulations 2015 (as amended).'

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

VI.5) **Date of dispatch of this notice:**

6.6.2016