

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:125610-2016:TEXT:EN:HTML>

**United Kingdom-Normanton: Medical equipments, pharmaceuticals and personal care products  
2016/S 072-125610**

**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): Paul Craven, NUTS Code UKE4  
WF6 1TL Normanton  
UNITED KINGDOM  
Telephone: +44 771043555  
E-mail: [Paul.craven@supplychain.nhs.uk](mailto:Paul.craven@supplychain.nhs.uk)  
Fax: +44 1924328744

**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:**

'Surgical Instruments ITT 2016'.

**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

maximum number of participants to the framework agreement envisaged: 683

**Duration of the framework agreement**

Duration in years: 2

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

Estimated value excluding VAT: 38 340 000 GBP

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

The requirement is for the supply of the following types of Surgical Instruments products.

— Single Use Surgical Instruments and Single Use Surgical Instrument Packs.

— Reusable Surgical Instruments.

— Scalpel Blades Scalpel Handles and Disposable Scalpels.

— Single Use Suction Tubes.

— Self-Retaining Retraction Systems.

— Sterile Single Use Plastic Forceps.

In respect of the tender evaluation process and specifically in respect of Lot 1 and Lot 6 there is a requirement for a number of product samples to be evaluated by an independent testing house and all Applicants must present payment for this service by the tender closing date. Full details can be found in the Invitation to Tender documents that can be found on the NHS Supply Chain's procurement portal.

**II.1.6) Common procurement vocabulary (CPV)**

33000000, 33130000, 33131000, 33131100, 33131114, 33131113, 33131132, 33131123, 33131500, 33140000, 33131160, 33141000, 33162100, 33131161, 33141100, 33162200, 33131110, 33141120, 33169000, 33141411, 33169200, 33911000, 33141620, 33169300, 39241000, 33141641, 33169400, 39241200, 33713000, 33742100, 33910000

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

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

**II.1.8) Lots**

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

**II.1.9) Information about variants**

**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 first year of the Framework Agreement the value of purchases will be in the region of 8 490 000 GBP. However this is approximate only. The figures below for the total estimated value are based on the initial expenditure and include a level of forecasted growth'.

Estimated value excluding VAT: 38 340 000 GBP

**II.2.2) Information about options**

Options: yes

Description of these options: 'This Framework Agreement will have the option to extend incrementally for a maximum of 24 months in addition to the initial 2 year period upon review '.

II.2.3) **Information about renewals**

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

Duration in months: 24 (from the award of the contract)

**Information about lots**

Lot No: 1

Lot title: Single Use Surgical Instruments and Single Use Surgical Instrument Packs

1) **Short description**

The requirement for products within this lot is for Single Use Surgical Instruments (including some dental surgical instruments) and Single Use Surgical Instrument Packs that includes, but that may not be limited to: Single use Stainless steel (artery and dissecting) Forceps (for a wide range of medical procedures, including dental, e.g. Spencer Wells, Halstead, Adsons and McIndoe) Single use extracting forceps (Dental) Single use scissors Single use speculums Single use punch biopsy Single use scalpel handles Single use Nail Nippers Single use Retractors Single use Needle Holders Single use Towel Clips Single use Dissectors Single use Mirror — for a wide range of medical procedures, including dental Single use Probe Single use Elevator Single use Burnisher Single use Filed/Foot Dresser Single use Burrs Single use Surgical Instruments Packs (for example, Podiatry, Dental, Foot Dressing and Single Suture Packs).

2) **Common procurement vocabulary (CPV)**

33000000, 33130000, 33131000, 33131100, 33131114, 33131132, 33131500, 33131160, 33131161, 33131110, 33131113, 33131123, 33140000, 33141000, 33141100, 33141120, 33141620, 33141641, 33162100, 33162200, 33169000, 33713000, 33742100, 33910000, 33911000, 39241200, 39241000

3) **Quantity or scope**

'This Lot contains a number of mandatory evaluated product lines and it is anticipated that the highest scoring 15 Applicants will be awarded to the Lot. Applicants are advised to refer to the Invitation to Tender (ITT) document for further details in respect of this.

This is an estimate only as precise quantities of likely purchases are unknown: it is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 5 200 000 GBP. However this is approximate only. The figure shown below is for the total estimated value based on the initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 23 800 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

'NUTS Code: UK'.

Lot No: 2

Lot title: Reusable Surgical Instruments

1) **Short description**

In addition to the types of surgical instruments as stated in Lot 01, except for the surgical instruments packs and dental surgical instruments (as stated in lot 01), the requirement in respect of this lot is for Reusable Surgical Instrument products including, but not limited to, the following types of reusable products. Sterilisation/autoclave trays, baskets and containers Intestinal Clamps Rongeurs Podiatry Instruments Suction tube Gags Tuning fork Hammer Mallets Rongeurs Ring cutters Wire Cutters Nail chisel Blacks file Rasps and raspatories Chisels, gouges and osteotomes Maxilla instruments Tonsillectomy instruments Skin hooks 'Patient Held Packs' Patient Held Packs means Podiatry Packs and are reusable single patient use products. They must contain 1 or more

of the instrument types that may be supplied under this lot. Packs are specified by customers (typically clinics) and are issued to and retained by patients. Packs must be capable of being used repeatedly over a period time and must be supplied in a reusable wallet, bag or pouch with full instructions for the care and storage of the contents.

2) **Common procurement vocabulary (CPV)**

33000000, 33140000, 33141100, 33141120, 33141620, 33141641, 33162100, 33162200, 33169000, 33169200, 33169300, 33169400, 33700000, 33713000, 33742100, 33910000, 33911000, 39241000, 39241200

3) **Quantity or scope**

'This Lot contains a number of mandatory evaluated product lines and it is anticipated that the highest scoring 15 Applicants will be appointed to supply all of the Product Lines within this Lot.

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 1 200 000 GBP however this is approximate only. The figures below for the total estimated value are based on the initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 4 900 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

'NUTS Code: UK'.

Lot No: 3

Lot title: Scalpel Blades, Scalpel Handles and Disposable Scalpels

1) **Short description**

The requirement for products within this lot includes, but may not be limited to: Scalpel Blades; Reusable Scalpel Handles to fit blades; and Disposable Scalpels with Plastic Handles.

2) **Common procurement vocabulary (CPV)**

33000000, 33141000, 33141411, 33162200, 33169000

3) **Quantity or scope**

'NHS Supply Chain anticipates appointing a maximum of 8 Applicants to each of the evaluated product lines within this Lot. Applicants should therefore note that they may be appointed to supply 1 or a number of these evaluated product lines within this Lot.

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 1 450 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 5 900 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

'NUTS Code: UK'.

Lot No: 4

Lot title: Single Use Suction Tubes

1) **Short description**

The type of products required in this lot are hand-held instruments intended for connection to a vacuum system in order to apply negative pressure, provide suction and to enable the removal of fluids within the body. The products must be suitable for use in a wide variety of adult and paediatric medical applications that includes

(but shall not be limited to): ear, nose and throat surgery, maxillofacial and neurosurgery. For the avoidance of doubt the requirement for products within this lot is not for plastic tubing that is used, typically, with catheters, probes and connectors (for suction procedures and waste collection). Products required include, but shall not be limited to, the following types of single use suction tube products: Brackmann; Zoellner; Belucci; Frazier; and Schuknecht.

- 2) **Common procurement vocabulary (CPV)**  
33000000, 33162100, 33162200, 33169000

3) **Quantity or scope**

'This Lot contains a number of mandatory evaluated product lines and it is anticipated that the highest scoring 6 Applicants will be appointed to supply all of the Product Lines within this Lot subject to Applicant's meeting (or exceeding) a 50 % threshold score.

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 300 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 1 900 000 GBP

- 4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

'NUTS Code: UK'.

Lot No: 5

Lot title: Self Retaining Retraction Systems

1) **Short description**

The requirement for products within this lot includes, but may not be limited to, sterile Disposable Retractor Frames and Elastic Hooks. Typically the type of self-retaining retraction products required are intended for use in the following types medical/surgical procedures. Gynaecology; Urology; Colon / Rectal; General Surgery; ENT Surgery; Podiatry; and Neurologic Surgery.

- 2) **Common procurement vocabulary (CPV)**  
33000000, 33162100, 33162200, 33169000, 33162000

3) **Quantity or scope**

'It is anticipated that 6 Applicants will be appointed to each of the evaluated product lines within this Lot. Applicants should therefore note that they may be appointed to 1 or across a number of product lines within this Lot subject to Applicant's meeting (or exceeding) a 50 % threshold score.

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 240 000 GBP however this is approximate only. The figures below for the total estimated value are based on the initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 1 200 000 GBP

- 4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

'NUTS Code: UK'.

Lot No: 6

Lot title: Sterile Single Use Plastic Forceps

1) **Short description**

The requirement for products within this lot is for Sterile Single Use Plastic Forceps, for use in a wide range of medical procedures. These forceps are distinct from the single use (artery and dissecting) forceps that are included in Lot 01 as the forcep product in Lot 01 must be made from stainless steel and the forceps required under this lot must be made from plastic.

- 2) **Common procurement vocabulary (CPV)**  
33000000, 33162100, 33162200, 33141000

- 3) **Quantity or scope**

'This Lot comprises of 1 evaluated product line and it is anticipated that 3 Applicants will be awarded to this Lot. Applicants are advised to refer to the Invitation to Tender (ITT) document for further details.

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 100 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure and takes into account forecasted growth'.

Estimated value excluding VAT: 640 000 GBP

- 4) **Indication about different date for duration of contract or starting/completion**

- 5) **Additional information about lots**

'NUTS Code: UK'.

### **Section III: Legal, economic, financial and technical information**

- III.1) **Conditions relating to the contract**

- III.1.1) **Deposits and guarantees required:**

- 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 Labour Standards and there is 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: '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

- 1.1. Header Level Requirements: Applicants are required to read all Framework Header Documents which can be accessed using the “NHS SC Header Documents” button which is located in the “Select Framework” tab.
- 1.2. Applicants are required to upload the documents detailed in Appendix 10 Tender Document Check-list by using the “Supplier Header Documents” button which is located in the “Select Framework” tab.
- 1.3. The “Framework Questionnaire” and the “Lot Questionnaire Criteria” tabs have no requirement for completion in this tender.
- 1.4. Lot Level Requirements: A preview of the Lot line details can be viewed using the “Lot Header” tab by selecting the Lot and using the “Lot Line Information” button. In order to respond to a Lot Applicants must select the relevant Lot and then use the “Express Intent” button. This expression of intent does not place any obligation on the Applicant to respond the action unlocks the ability to respond.
- 1.5. There are no documents in the “NHS SC Lot Documents” tab in the “Lot Header” tab for this tender.
- 1.6. The “Supplier Lot Documents” button in each of the “Lot Header” tabs has no requirement for completion in this tender.
- 1.7. Complete price offers per line for the Lot by completing the required fields for the lines the Applicant wants to include in the bid using the “Lot Line Detail” tab. There are a number of mandatory fields to complete on a product line basis these are highlighted in yellow in the “Lot Line Detail” tab.  
In addition to the Pricing information mandatory fields are:
- 1.8. Applicants are required to answer all mandatory Lot-specific questions in the “Lot Evaluation Criteria” tab.
- 1.9. Applicants are then required to click on the “Terms And Conditions” button in the “Submit Individual Lot Response(s)” tab to view and accept the ISS Terms and Conditions.
- 1.10. Finally Applicants are required to click on the “Submit Response To Selected Lot” button in the “Submit Individual Lot Response(s)” tab to submit their response for the Lot. Each Lot must be submitted independently meaning that the actions detailed above must be repeated for each individual Lot that an Applicant wishes to respond to.
- 1.11. Applicants are able to view their submission using the “Supplier Submission Report” button found in the “Submit Individual Lot Response(s)” tab. If the Applicant wishes to update their response before the Tender Closing Time is reached it can do so by amending the response and resubmitting. Only the latest submission will be available to NHS Supply Chain’.

- 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**  
The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document
- IV.2.2) **Information about electronic auction**  
An electronic auction will be used: yes  
Additional information about electronic auction: 'The use of eAuctions is an option that may be exercised as part of any further competition process following award of the Framework Agreement. Further details in respect of this are set out in the tender documents'.
- 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 202-365557](#) of 13.10.2015
- 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**  
4.5.2016 - 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: 125 (from the date stated for receipt of tender)
- IV.3.8) **Conditions for opening of tenders**  
Date: 5.5.2016 - 9:00  
Place:  
As in above-mentioned at 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. Tenderers should refer to section 2 of the Invitation to Tender (ITT) for details of the scoring process to be used to assess the suppliers to be appointed to the Framework Agreement.

NHS Supply Chain reserves the right to appoint more suppliers to the Framework Agreement in the event that more than 683 reach the minimum score for appointment as set out in the ITT.

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 in order to assist its customers with making informed procurement decisions.

In respect of all Lots trading commencement shall be subject to the awarded suppliers meeting the Labour Standards Assurance Scheme (LSAS) Level 2 requirements.

Please refer to Annex B of this notice for further award details per Lot.

The Framework Agreement will be between NHS Supply Chain and the Supplier. Under the Framework Agreement there will be 2 different methods of supply — 1 for Non-Direct Contract Products and 1 for Direct Contract Products.

NHS Supply Chain will be entitled to purchase the supplies and/or services identified in the tender documents as Non-Direct Contract Products which it will then 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.

For the supplies and/or services identified as Direct Contract Products in the tender documents 1) NHS Supply Chain; 2) any NHS Trust; 3) Any other NHS entity; 4) Any government department agency or other statutory body and/or 5) Any private sector entity active in the UK healthcare sector will be able to enter into a direct contract with the Supplier for any of the supplies and/or services under the Framework.

For Direct Contract Products the Supplier will be required to report to and pay a direct contract management fee to NHS Supply Chain as detailed in the tender documents.

Electronic ordering will be used and electronic invoicing will be accepted and electronic payment will be used.

Tenders and all supporting documentation for the contract 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.

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'.

### **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:**

8.4.2016