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**United Kingdom-Normanton: Dental consumables
2015/S 165-301330**

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
For the attention of: Sarah Bailey NUTS UK
WF6 1TL Normanton
UNITED KINGDOM
Telephone: +44 1924328700
E-mail: sarah.bailey@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
All communications must be made through NHSSC's eTendering portal at <http://procurement.supplychain.nhs.uk/ISS/> using the Message Centre facility
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
All communications must be made through NHSSC's eTendering portal at <http://procurement.supplychain.nhs.uk/ISS/> using the Message Centre facility
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
All communications must be made through NHSSC's eTendering portal at <http://procurement.supplychain.nhs.uk/ISS/> using the Message Centre facility
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:**

Dental consumables & orthodontics (Including local anaesthetics & pharmaceuticals rotary instruments consumables hand instruments endodontics restoratives general hygiene impression materials finishing & polishing materials linings & cements matrix systems practice building prevention surgical products pins & posts temporary crowns & materials X-Ray consumables small equipment & handpieces toothbrushes toothpaste and mouthwash).

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 the 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**

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:

Range: between 27 280 000 and 31 700 000 GBP

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

The scope of the framework is to cover all dental consumables and related products used within the NHS (including local anaesthetics & pharmaceuticals rotary instruments consumables hand instruments endodontics restoratives general hygiene impression materials finishing & polishing materials linings & cements matrix systems practice building prevention surgical products pins & posts temporary crowns & materials X-Ray consumables small equipment & handpieces toothbrushes toothpastes and mouthwashes).

This Framework Agreement is for 2 years with the option to extend for 24 months.

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

33141800, 33141820, 24952100, 33110000, 33111500, 33133000, 33130000, 33134000, 33131000, 33135000, 33132000, 33136000, 33131110, 33131140, 33137000, 33131111, 33131141, 33131100, 33131112, 33131142, 33131153, 33131113, 33131122, 33131150, 33131160, 33131114, 33131123, 33131151, 33131161, 33131120, 33131124, 33131152, 33131162, 33131121, 33131130, 33131170, 33131173, 33131131, 33131171, 33131200, 33131132, 33131172, 33131300, 33131173, 33131400, 33131200, 33131500, 33131300, 33131510, 33131400, 33131500, 33131510

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 as precise quantities are unknown. It is anticipated that in the 1st year of the Framework Agreement the value of purchases will be in the region of 6 820 000 GBP however this is approximate only. The figure below for the total estimated value are based on that initial expenditure and anticipated growth if the term of the Framework Agreement is extended to 4 years.

Estimated value excluding VAT:

Range: between 27 280 000 and 31 700 000 GBP

II.2.2) **Information about options**

Options: yes

Description of these options: This Framework Agreement will have the option to extend for a maximum of 24 months in addition to the initial two 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: Dental Consumables Branded Products

1) **Short description**

Dental consumables which contain manufacturer branding and are sold to multiple distributors.

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

33141800, 33141820, 24952100, 33110000, 33111500, 33130000, 33131000, 33132000, 33131140, 33131141, 33131142, 33131150, 33131151, 33131152, 33133000, 33134000, 33135000, 33136000, 33137000, 33131100, 33131153, 33131160, 33131161, 33131162, 33131170, 33131171, 33131172, 33131110, 33131111, 33131112, 33131113, 33131114, 33131120, 33131121, 33131173, 33131200, 33131300, 33131400, 33131500, 33131510, 33131122, 33131123, 33131124, 33131130, 33131131, 33131132, 33131600, 33138000, 33138100, 33711710, 33711720, 33711740, 33135000

3) **Quantity or scope**

This is an estimate as precise quantities are unknown. It is anticipated that in the 1st year of the Framework Agreement the value of purchases will be in the region of 4 900 000 GBP however this is approximate only. The figure below for the total estimated value are based on that initial expenditure and anticipated growth if the term of the Framework Agreement is extended to 4 years.

Estimated value excluding VAT:

Range: between 19 600 000 and 22 400 000 GBP

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

5) **Additional information about lots**

LOT 1 comprises of 447 product lines. It is a mandatory requirement that Applicants can supply all 447 product lines as detailed in the tender documents. NHS Supply Chain anticipates appointing all Applicant who achieve the hurdle rate of 50 % or greater. Upon award and prior to the launch of the Framework Agreement NHSSC anticipates re-opening competition by means of an e-auction to establish the price at which the Goods may be purchased under the terms of the FAG for the sole supply of the 447 product lines and additional product lines (as detailed within Appendix 5a) for a committed period of time which is currently anticipated to be 2 years. Should the option to extend the Framework Agreement be exercised NHSSC anticipates re-opening competition to all successfully awarded suppliers for the sole supply of the 447 product lines and additional product lines (as detailed within Appendix 5a) for a further period of 2 years.

Lot No: 2

Lot title: Dental Consumables Own Label

1) **Short description**

Dental Consumables which are supplied as 'manufacturer own label products' or supplied as a brand but with a distribution agreement (can be referred to as 'house preferred brands'). Products manufactured for or distributed by a distributor.

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

33141800, 33141820, 24952100, 33110000, 33111500, 33130000, 33131000, 33132000, 33131140, 33131141, 33131142, 33131150, 33131151, 33131152, 33133000, 33134000, 33135000, 33136000, 33137000, 33131100, 33131153, 33131160, 33131161, 33131162, 33131170, 33131171, 33131172, 33131110, 33131111, 33131112, 33131113, 33131114, 33131120, 33131121, 33131173, 33131200, 33131300, 33131400, 33131500, 33131510, 33131122, 33131123, 33131124, 33131130, 33131131, 33131132, 33131600, 33138000, 33138100, 33711710, 33711720, 33711740, 33135000

3) **Quantity or scope**

This is an estimate as precise quantities are unknown. It is anticipated that in the 1st year of the Framework Agreement the value of purchases will be in the region of 1 600 000 GBP however this is approximate only. The figure below for the total estimated value are based on that initial expenditure and anticipated growth if the term of the Framework Agreement is extended to 4 years.

Estimated value excluding VAT:

Range: between 6 400 000 and 7 300 000 GBP

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

5) **Additional information about lots**

LOT 2 comprises of 12 product lines. It is a mandatory requirement that Applicants can supply all 12 product lines as detailed in the tender documents. NHS Supply Chain anticipates appointing all Applicant who achieve the hurdle rate of 50 % or greater.

Lot No: 3

Lot title: Dental Handpieces and Accessories

1) **Short description**

Hand pieces for Dental procedures (including but not limited to turbine, saw, straight and contra angle heads). Accessories including air and electric motors, couplings and bulbs.

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

33131000, 33131100, 33131510

3) **Quantity or scope**

This is an estimate as precise quantities are unknown. It is anticipated that in the 1st year of the Framework Agreement the value of purchases will be in the region of 150 000 GBP however this is approximate only. The figure below for the total estimated value are based on that initial expenditure and anticipated growth if the term of the Framework Agreement is extended to 4 years.

Estimated value excluding VAT:

Range: between 600 000 and 800 000 GBP

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

5) **Additional information about lots**

LOT 3 comprises of 2 product lines. It is a mandatory requirement that Applicants can supply both product lines as detailed in the tender documents. It is anticipated that 6 suppliers will be appointed to this Lot.

Lot No: 4

Lot title: Toothpaste

1) **Short description**

Toothpaste — 50ml Mint Toothpaste with 1450 ppm Fluoride.

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

33711720

3) **Quantity or scope**

This is an estimate as precise quantities are unknown. It is anticipated that in the 1st year of the Framework Agreement the value of purchases will be in the region of 170 000 GBP however this is approximate only. The figure below for the total estimated value are based on that initial expenditure and anticipated growth if the term of the Framework Agreement is extended to 4 years.

Estimated value excluding VAT:

Range: between 680 000 and 1 200 000 GBP

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

5) **Additional information about lots**

LOT 4 comprises of 1 product line. It is anticipated that this Lot will be awarded to 1 supplier only.

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 one 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

The system tasks required to complete the tender are:

Header level

- Read Framework header documents: Access these by clicking on the 'NHS SC HEADER DOCUMENTS' button found in the 'Select Framework' tab.
- Upload header documents: Access this area using the 'SUPPLIER HEADER DOCUMENTS'
- Complete the Framework level questions: These questions are found in the 'Framework Questionnaire' tab.

Lot level

1. Lot header selection:

- Select the LOT LINE INFORMATION button to view the lot detail to determine whether the Supplier wishes to respond to this lot.
- Select the 'EXPRESS INTENT' button after the required lot has been highlighted to be able to respond to the lot.

2. Read NHS Lot Documents: Access these by clicking on the 'NHS SC LOT DOCUMENTS' button found in the 'Lot Header' tab.

3. Complete price offers per line for the Lot: Use the 'Lot Line Detail' tab to access.

4. Applicants are required to answer all mandatory Lot specific questions found in the 'LOT EVALUATION CRITERIA' tab.

5. Applicants are required to answer all mandatory Lot specific questions found in the 'LOT QUESTIONNAIRE' tab for Lot 1 and Lot 4.

6. The 'LOT QUESTIONNAIRE' tab has no requirement for completion for Lot 2 and Lot 3.

7. Accept the ISS Terms and Conditions: Use the 'TERMS AND CONDITIONS' button to access this function.

7. Submit Lot Response by clicking on the 'SUBMIT RESPONSE TO SELECTED LOT' button in the 'SUBMIT INDIVIDUAL LOT RESPONSES(S)' tab to submit your response for the Lot. Each Lot must be submitted independently.

8. Applicants are able to view their submission using the 'SUPPLIER SUBMISSION REPORT' button found in the SUBMIT INDIVIDUAL LOT RESPONSE(S)' tab.

- 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 may also be an option as part of any mini competition process.
- 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: [2014/S 227-400527](#) of 25.11.2014
- 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**
24.9.2015 - 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: 25.9.2015 - 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 number of suppliers as set out in II.1.4 is an estimate only. Tenderers should refer to section 9 of the ITT for details of the scoring process to be used to assess the suppliers to be appointed to the Framework Agreement (FAG). The term of contracts formed under the FAG may continue beyond the end of the term of the FAG itself. NHSSC 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.

NHSSC may (but shall not be required to) re-open competition at any time during the term of the FAG and may evaluate bids submitted pursuant to such competition on the basis of price only (eg. by e-auction). Such e-auction may be used (1) to re-establish the prices at which Goods may be purchased under the FAG (i.e. with no commitment by NHSSC or its customers to purchase any volume or value of Goods) and/or (2) to establish pricing in respect of a commitment by NHSSC to purchase a specified volume or value of Goods. A single or multiple suppliers may be awarded following such re-opening of competition. NHSSC will share savings information in order to assist its customers with making informed procurement decisions. Further details are set out in the ITT.

The FAG will be between NHSSC and the Supplier and consists of 2 methods of supply; 1 for Non-Direct Contract Products and 1 for Direct Contract Products. NHSSC will be entitled to purchase the supplies and/or services identified 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; 4) All HSCNI Trusts and Agencies/Organisations as listed in schedule 1 Central Government Agencies of the Public Contracts Regulations 2015 and/or 5) any private sector entity active in the UK healthcare sector. For Non-Direct Contract Products the Supplier will be required to report to and pay a 2 % annual rebate on all sales through the FAG to NHSSC as detailed in the tender documents. For the supplies and/or services identified as Direct Contract Products 1) NHSSC; 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 NHSSC as detailed in the tender documents.

LOT 1 comprises of 447 product lines. LOT 2 comprises of 12 product lines. For Lot 1&2 NHSSC will appoint all suppliers who achieve the hurdle rate of 50 % or greater. LOT 3 comprises of 2 product lines. It is anticipated that 6 suppliers will be appointed to Lot 3. LOT 4 comprises of 1 product line. It is anticipated that this Lot will be awarded to 1 supplier only.

Electronic ordering and 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. NHSSC is not liable for any costs incurred by those expressing an interest in tendering for this contract opportunity. NHSSC 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**

Refer to point VI.4.2

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:**

24.8.2015