

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:248186-2016:TEXT:EN:HTML>

**United Kingdom-Runcorn: Pharmaceutical products
2016/S 137-248186**

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

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

The Secretary of State for Health acting as part of the Crown through the Commercial Medicines Unit (part of the Department of Health)
2nd Floor, Rutland House
For the attention of: Blackman Sarah
WA7 2ES Runcorn
United Kingdom
E-mail: sarah.blackman@dh.gsi.gov.uk

Internet address(es):

General address of the contracting authority: <https://cmu.bravosolution.co.uk>
Electronic access to information: <https://cmu.bravosolution.co.uk>
Electronic submission of tenders and requests to participate: <https://cmu.bravosolution.co.uk>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local sub-divisions

I.3) Main activity

Health
Other: public procurement

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

The contracting authority is purchasing on behalf of other contracting authorities: yes
Information is contained within the Invitation To Offer

Section II: Object of the contract

II.1) Description

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

NHS Pharmaceuticals 2016_2
Offer reference number: CM/PHG/12/5379
Period of framework agreement: Dates detailed below with options to extend up to a maximum period of 36 months
Potential periods of call-offs under the framework agreement:
North West & Eastern & North London: 1.1.2017 to 31.1.2018 (13 months)

South East & South London & North East & Yorkshire: 1.1.2017 to 30.6.2018 (18 months)
Central & South West: 1.1.2017 to 30.6.2017 (6 months).

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: Main site or location of works, place of delivery or of performance: The framework agreement is intended for use by the Department of Health, Public Health England and the NHS in England. The framework may also be used by private sector contractors and agents working on behalf of the above. Please refer to Document 10 in the Invitation To Offer Documents for the list of Purchasing Points.

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

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

Estimated value excluding VAT:

Range: between 210 000 000 and 230 000 000 GBP

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

NHS Pharmaceuticals 2016_2

Offer reference number: CM/PHG/12/5379

Period of framework agreement: Dates detailed below with options to extend up to a maximum period of 36 months

Potential periods of call-offs under the framework agreement:

North West & Eastern & North London: 1.1.2017 to 31.1.2018 (13 months)

South East & South London & North East & Yorkshire: 1.1.2017 to 30.6.2018 (18 months)

Central & South West: 1.1.2017 to 30.6.2017 (6 months).

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

33600000, 33690000

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**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

Information regarding lots is contained within the Invitation To Offer — please refer to Document No. 02.

Estimated value excluding VAT:

Range: between 210 000 000 and 230 000 000 GBP

II.2.2) **Information about options**

Options: yes

Description of these options: This framework agreement has the option to extend for a period of up to 36 months.

II.2.3) **Information about renewals**

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

Starting 1.1.2017. Completion 31.12.2019

Information about lots

Lot No: 1

Lot title: NHS Pharmaceuticals 2016_2

1) **Short description**

Dates detailed below with options to extend up to a maximum period of 36 months:

North West & Eastern & North London: 1.1.2017 to 31.1.2018 (13 months)

South East & South London & North East & Yorkshire: 1.1.2017 to 30.6.2018 (18 months)

Central & South West: 1.1.2017 to 30.6.2017 (6 months).

Requirement And Lot Structure

The procurement is sub-divided into Lots. For this procurement process there are three Lots made up of the following geographic buying groups:

Lot description

CESW — Central, South Central and South West

LSNE — South East, South London, North East and Yorkshire

LNNW — Eastern, North London and North West

(as more particularly described in Document No. 10 (Participating Authorities))

A detailed description of the goods and/or services that an Offeror will be required to supply for a Lot in which it has been successful is set out in the Offer Schedule (Document 06a(ii)) and the Specification (Document No. 05).

Each National Product Code product Description listed in the Offer Schedule (Document No.06a(ii)), shall be a 'Product' for the purposes of this Invitation to Offer.

The tender comprises of the following offer schedule:

CM/PHG/12/5379/00

For each Product comprised in this offer schedule Offerors have the opportunity to bid for all (or any) of the three (3) Lots specified in paragraph 8.1 of Document No. 02 of the Invitation to Offer.

To ensure a diverse range of suppliers, in respect of each Product listed in the CM/PHG/12/5379/00 — Offer Schedule (Document No 06a(ii)) there is a restriction on the number of Lots that an Offeror can be awarded as follows:

Where 3 or more compliant offers that meet the qualitative criteria are received, a maximum of 1 Lot may be awarded to 1 supplier;

Where only 2 compliant offers that meet the qualitative criteria are received, a maximum of 2 Lots may be awarded to 1 supplier;

Where only 1 compliant offer that meets the qualitative criteria is received, a maximum of all 3 Lots may be awarded to 1 supplier.

In respect of each Product in each Lot, unless otherwise notified, this procurement will establish a single supplier framework arrangement.

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

33600000, 33690000

3) **Quantity or scope**

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

Starting 1.1.2017. Completion 31.12.2019

5) **Additional information about lots**

Information regarding lots is contained within the Invitation to Offer.

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.

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

Refer to the Price and Payment clauses contained within the Invitation To Offer, Document no.3, Conditions of Contract.

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

No special legal form is required but, if a contract is awarded to a consortium of economic operators, the members of that consortium may be required to form a legal entity before entering into a Framework Agreement and may be required to provide parent company or directors' guarantees or, if not required to form a legal entity, members of a consortium may be required to accept joint and several liability both to the Contracting Authority under the Framework Agreement and to other contracting authorities awarding contracts under the Framework Agreement.

III.1.4) **Other particular conditions**

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

Description of particular conditions: Refer to the Invitation To Offer, Document no.3, Conditions of Contract.

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: Responding To This Notice; Any supplier may be disqualified who does not respond to the following in the requisite manner:

1) Submission of expression of interest and procurement specific information

This procurement exercise will be conducted on the eTendering portal at www.cmu.bravosolution.co.uk.

Candidates wishing to be considered for this procurement exercise must register, and provide additional procurement specific information (if requested), through the eTendering portal as follows:

1.1) If not already registered, Candidates should register on the eTendering portal at <https://www.cmu.bravosolution.co.uk> and click the link to register:

— accept the terms and conditions and click continue,

— enter your correct business and user details,

— note the username you chose and click 'Save' when complete,

— you will shortly receive an email with your unique password (please keep this secure).

1.2) Once registered, candidates must express interest as follows:

a. login to the eTendering portal;

b. select 'Response to ITT';

c. select 'ITTs Open To All Suppliers';

d. access listing related to this procurement NHS Pharmaceuticals 2016_2 and view details;

e. click on 'Express interest' button at the top of the page.

f. Once you have expressed interest, the ITT will move to 'My ITTs', where you can download additional documentation (if required), and construct your reply as instructed. You must then publish your reply using the 'Publish' button.

1.3) For any support in registering on the portal or submitting your expression of interest please contact the eTendering Help-desk at +44 800 368 4850 or help@bravosolution.co.uk.

2) General supplier information.

To manage and assess supplier information the Contracting Authority requests candidates provide their company profile in the Governments supplier information database, sid4gov, as follows:

2.1) If not already registered, Candidates must go to the following web page <https://sid4gov.cabinetoffice.gov.uk/> and select 'Register for sid4gov' at the bottom of the page. Key in details as requested to search for your company. If you do not have a D-U-N-S® Number, click on the link at the right of the page to obtain a number from D&B. Candidates must obtain a Dun & Bradstreet (D&B) D-U-N-S® Number to enable registration on sid4gov.

2.2) Once registration is complete you are able to create and update your sid4gov company profile. Candidates should ensure all the mandatory fields of their sid4gov profile are completed and up to date for each procurement exercise. D&B data will be supplied automatically by D&B.

2.3) For further help or information concerning sid4gov, please contact the sid4gov Helpdesk at: support@nqc.com or telephone +44 (0) 845 299 2994.

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: no

IV.3) **Administrative information**

IV.3.1) **File reference number attributed by the contracting authority:**

CM/PHG/12/5379

IV.3.2) **Previous publication(s) concerning the same contract**

no

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**
17.8.2016 - 13:00
- 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: 90 (from the date stated for receipt of tender)
- IV.3.8) **Conditions for opening of tenders**
Persons authorised to be present at the opening of tenders: yes
Additional information about authorised persons and opening procedure: Commercial Medicine Unit Employee.

Section VI: Complementary information

- VI.1) **Information about recurrence**
- VI.2) **Information about European Union funds**
The contract is related to a project and/or programme financed by European Union funds: no
- VI.3) **Additional information**
Other Contracting Authorities
The framework agreement is for the benefit of other participating NHS bodies (whether acting individually, or on behalf of, or together as members of any consortia) along with any other non-NHS bodies which the participants deem necessary for the delivery of services or goods to NHS bodies, local authorities, other government departments or non-departmental public bodies charged with the delivery of healthcare or health related services.
Where a framework agreement is concluded with a single economic operator, contracts based on that agreement shall be awarded within the limits of the terms laid down in the framework agreement.
For the award of those contracts, contracting authorities may consult the economic operator party to the framework agreement in writing, requesting it to supplement its tender as necessary.
Where a framework agreement is concluded with more than one economic operator, that framework agreement shall be performed by following the terms and conditions of the framework agreement, without reopening competition, where it sets out all the terms governing the provision of the works, services and supplies concerned and the objective conditions for determining which of the economic operators, party to the framework agreement, shall perform them; the latter conditions shall be indicated in the procurement documents for the framework agreement.
Electronic Ordering, Invoicing And/or Payment
a. Electronic Submission of Tenders or requests to participate will be required.
b. Some participating authorities may use electronic ordering. Some participating authorities may accept electronic invoicing.
Some participating authorities may use electronic payment
Transparency
Potential suppliers should note that, in accordance with the Government's policies on transparency, the Contracting Authority intends to publish the OJEU, ITO and the text of final contracts / framework agreements, subject to possible redactions at the discretion of the CMU (part of the Department of Health). Further information on transparency can be found at: <https://www.gov.uk/government/policies/buying-and-managing-government-goods-and-services-more-efficiently-and-effectively>.
Lot Description

CESW — Central, South Central and South West
LSNE — South East, South London, North East and Yorkshire
NWLN — Eastern, North London and North West
(as described in Doc 10 of the ITO)

A detailed description of the goods and/or services that an Offeror will be required to supply for a Lot in which it has been successful is set out in the Offer Schedule (Doc 06a(ii)) and the Specification (Doc 05).

Each National Product Code product Description listed in the Offer Schedule (Doc 06a(ii)), shall be a 'Product' for the purposes of this ITO

The tender comprises of the following offer schedule:

CM/PHG/12/5379/00

For each Product comprised in this offer schedule Offerors have the opportunity to bid for all (or any) of the 3 Lots specified in para 8.1 of Doc 02 of the ITO

To ensure a diverse range of suppliers, in respect of each Product listed in the Offer Schedule (Doc 06a(ii)) there is a restriction on the number of Lots that an Offeror can be awarded as follows:

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VI.4) **Procedures for appeal**

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

VI.4.2) **Lodging of appeals**

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

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

13.7.2016