

This notice in TED website: <https://ted.europa.eu/udl?uri=TED:NOTICE:354007-2019:TEXT:EN:HTML>

**United Kingdom-London: Oxygen-therapy services
2019/S 144-354007**

Contract notice

Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1) Name and addresses

NHS Supply Chain Operated by DHL Supply Chain Ltd acting as agent of Supply Chain Coordination Ltd (SCCL)

C/o Skipton House, 80 London Road

London

SE1 6LH

United Kingdom

Contact person: Paul Foley

E-mail: paul.foley@supplychain.nhs.uk

NUTS code: UKE4

Internet address(es):

Main address: <https://www.gov.uk/government/organisations/department-of-health>

Address of the buyer profile: <https://www.gov.uk/government/organisations/department-of-health/about/>

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://procurement.supplychain.nhs.uk/ISS/>

Additional information can be obtained from another address:

DHL Supply Chain Ltd

Foxbridge Way

Normanton

WF6 1TL

United Kingdom

Contact person: Paul Foley

E-mail: paul.foley@supplychain.nhs.uk

NUTS code: UKE4

Internet address(es):

Main address: <https://www.gov.uk/government/organisations/department-of-health>

Tenders or requests to participate must be submitted electronically via: <http://procurement.supplychain.nhs.uk/ISS/>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <http://procurement.supplychain.nhs.uk/ISS/>

I.4) **Type of the contracting authority**

National or federal agency/office

I.5) **Main activity**

Health

Section II: Object

II.1) **Scope of the procurement**

II.1.1) **Title:**

Framework Agreement for Oxygen Therapy Products for the Pandemic Influenza Preparedness Programme ('PIPP')

II.1.2) **Main CPV code**

85111700

II.1.3) **Type of contract**

Supplies

II.1.4) **Short description:**

SCCL wishes to procure for the benefit of Public Health England and the UK Devolved Administrations (Scotland Wales and Northern Ireland) oxygen therapy products to be distributed in the event of a pandemic influenza outbreak or any other health related emergency across the UK. These products form part of a suite of products for the treatment of patients within healthcare settings in the event of such a pandemic or health related emergency Influenza Pandemic. The approximate volumes required in the Movianto (or other nominated) depots during a Pandemic (defined below) outbreak are as follows:

Lot 1: Oxygen Masks and Tubing — overall UK volume requirement — 118 200 units;

Lot 2: Nasal Cannula — overall UK volume requirement — 236 400 units.

Please note the unit figures are + or – 10 % and may be subject to change.

II.1.5) **Estimated total value**

Value excluding VAT: 126 119.00 GBP

II.1.6) **Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

II.2) **Description**

II.2.1) **Title:**

Oxygen Masks and Tubing

Lot No: 1

II.2.2) **Additional CPV code(s)**

33157110

II.2.3) **Place of performance**

NUTS code: UK

Main site or place of performance:

Various locations in the UK.

II.2.4) **Description of the procurement:**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that quantities will be in the region of 118 200 and that expenditure will be in the region of 48 462 GBP to 53 308 GBP for this lot. However this is approximate only and the values and/or volumes may vary depending on the requirements of those bodies purchasing under the framework agreement. The figure below at II.2.6) for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing the top 5 scoring applicants who have met the minimum requirements which are set out in the invitation to tender to each line within the lot.

II.2.5) **Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 20

Quality criterion - Name: Delivery / Weighting: 30

Price - Weighting: 50

II.2.6) **Estimated value**

Value excluding VAT: 53 308.00 GBP

II.2.7) **Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: no

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: no

II.2.12) **Information about electronic catalogues**

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.2.14) **Additional information**

It is anticipated that quantities will be in the region 118 200 eaches, however this is approximate only and the volumes may vary.

NHS Supply Chain anticipates appointing the top 5 scoring applicants who have met the minimum requirements which are set out in the invitation to tender to each line within the lot.

II.2) **Description**

II.2.1) **Title:**

Nasal Cannula

Lot No: 2

II.2.2) **Additional CPV code(s)**

85111700

33141220

II.2.3) **Place of performance**

NUTS code: UK

Main site or place of performance:

Various Locations in the UK.

II.2.4) **Description of the procurement:**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that quantities will be in the region of 236 400 and that expenditure will be in the region of 66 192 GBP to 72 811 GBP for this

lot. However this is approximate only and the values and/or volumes may vary depending on the requirements of those bodies purchasing under the framework agreement. The figure below at II.2.6) for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing the top 5 scoring applicants who have met the minimum requirements which are set out in the invitation to tender to each line within the lot.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 20

Quality criterion - Name: Delivery / Weighting: 30

Price - Weighting: 50

II.2.6) Estimated value

Value excluding VAT: 72 811.00 GBP

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: no

II.2.11) Information about options

Options: no

II.2.12) Information about electronic catalogues

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.2.14) Additional information

It is anticipated that quantities will be in the region 236 400 eaches, however this is approximate only and the volumes may vary.

NHS Supply Chain anticipates appointing the top 5 scoring applicants who have met the minimum requirements which are set out in the invitation to tender to each line within the lot.

Section III: Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

Applicants should refer to each II.2.14 of this Contract Notice for further details in respect of appointment to the individual lots across the framework agreement.

Applicants may bid for one or both of the Lots and Applicants should refer to the invitation to tender for more information in respect of this.

The term of contracts formed under the framework agreement may continue beyond the end of the term of the framework agreement itself.

Successful applicants will be required to supply the goods on a 'Just In Time' basis, in the event of an Influenza pandemic or any other health related emergency across the UK ('Pandemic'). This framework agreement is for a period of 48 months.

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.

Electronic ordering will be used and electronic invoicing will be accepted and electronic payment will be used. For the avoidance of doubt, and notwithstanding the estimate indicated at II.1.5), NHS Supply Chain does not guarantee any level of purchase through the framework and advises applicants that the framework shall be established on a non-exclusive basis. 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 (including any third party costs fees or expenses incurred by those expressing an interest, participating or 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.

Please note that the maximum number of suppliers as set out in each II.2.4) is an estimate only.

III.1.2) Economic and financial standing

Minimum level(s) of standards possibly required:

Parent company or other guarantees may be required in certain circumstances.

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required:

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.1.5) Information about reserved contracts

III.2) Conditions related to the contract

III.2.2) Contract performance 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.2.3) Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.1.6) Information about electronic auction

An electronic auction will be used

Additional information about electronic auction:

Although an electronic auction will not be used to award all or part of the requirements of the framework agreement the use of eAuctions may be an option as part of any contracts awarded under the 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**

IV.2.2) **Time limit for receipt of tenders or requests to participate**

Date: 27/08/2019

Local time: 15:00

IV.2.3) **Estimated date of dispatch of invitations to tender or to participate to selected candidates**

IV.2.4) **Languages in which tenders or requests to participate may be submitted:**

English

IV.2.6) **Minimum time frame during which the tenderer must maintain the tender**

IV.2.7) **Conditions for opening of tenders**

Date: 28/08/2019

Local time: 09:00

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) **Additional information:**

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.

Header level requirements:

- applicants are required to read all framework header documents which can be accessed using the 'NHSSC Header Documents' button, which is located in the 'Select Framework' tab,
- applicants are required to upload the mandatory documents requested using the 'Supplier Header Documents' button, which is located in the 'Select Framework' tab,
- applicants are required to complete all mandatory questions which can be accessed using the 'Framework Questionnaire' tab.

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,
- 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,
- applicants are required to answer all mandatory lot specific questions found in the 'Lot Evaluation Criteria' tab,
- 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,
- 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.

Please refer to Section III.1.1) for additional information.

VI.4) **Procedures for review**

VI.4.1) **Review body**

N/a

N/a

United Kingdom

VI.4.2) **Body responsible for mediation procedures**

VI.4.3) **Review procedure**

Precise information on deadline(s) for review procedures:

Appeals to be logged in accordance with the Public Contracts Regulations 2015 (as amended).

VI.4.4) **Service from which information about the review procedure may be obtained**

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

24/07/2019