

This notice in TED website: <https://ted.europa.eu/udl?uri=TED:NOTICE:541839-2020:TEXT:EN:HTML>

**United Kingdom-London: Operating theatre devices and instruments
2020/S 220-541839**

Contract notice

Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1) Name and addresses

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

Postal address: c/o Skipton House, 80 London Road

Town: London

NUTS code: UKI4 Inner London – East

Postal code: SE1 6LH

Country: United Kingdom

Contact person: Lydia Hall

E-mail: Lydia.Hall@supplychain.nhs.uk

Fax: +44 1924328744

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/procurement>

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:

Official name: DHL Supply Chain Ltd

Postal address: Foxbridge Way

Town: Normanton

NUTS code: UKE4 West Yorkshire

Postal code: WF6 1TL

Country: United Kingdom

Contact person: Lydia Hall

E-mail: Lydia.Hall@supplychain.nhs.uk

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/procurement>

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:**

Diathermy Consumables and Related Accessories

II.1.2) **Main CPV code**

33162000 Operating theatre devices and instruments

II.1.3) **Type of contract**

Supplies

II.1.4) **Short description:**

NHS Supply Chain seeks to establish a non-exclusive framework agreement for the supply to NHS Supply Chain depots via the Stock and Blue Diamond routes and to the NHS Supply Chain customer base via the e-Direct Route.

The framework agreement is for the supply of diathermy consumables and related accessories. This includes but is not limited to diathermy plates, diathermy pencils, diathermy smoke evacuation products, argon diathermy pencils, diathermy suction coagulators, diathermy forceps and related consumables.

It is anticipated that in the first 36 months of the framework agreement the value of purchases will be circa GBP 25 507 000. The figures for the full 48 months term (if extended) is circa GBP 36 830 000. These values are approximate only and are based on the most recent historical usage information. The values provided are for guidance only and are not a guarantee of business.

II.1.5) **Estimated total value**

Value excluding VAT: 36 830 000.00 GBP

II.1.6) **Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for maximum number of lots: 6

II.2) **Description**

II.2.1) **Title:**

Diathermy Plates, Pads and Associated Accessories

Lot No: 1

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

33162000 Operating theatre devices and instruments

33161000 Electrosurgical unit

31711140 Electrodes

33162100 Operating-theatre devices

II.2.3) **Place of performance**

NUTS code: UK UNITED KINGDOM

Main site or place of performance:
Various locations in the UK.

II.2.4) Description of the procurement:

Diathermy plates remove current from the patient safely.

This lot includes diathermy plates, compatible cables and leads and other associated accessories.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to the relevant line of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 9

Quality criterion - Name: Sales service quality / Weighting: 27

Quality criterion - Name: Training / Weighting: 18

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 10 977 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

II.2) Description

II.2.1) Title:

Diathermy Pencils, Electrode Attachments and Associated Products

Lot No: 2

II.2.2) Additional CPV code(s)

33162000 Operating theatre devices and instruments

33162200 Operating-theatre instruments

33161000 Electrosurgical unit

31711140 Electrodes

33162100 Operating-theatre devices

II.2.3) Place of performance

NUTS code: UK UNITED KINGDOM

Main site or place of performance:

Various locations in the UK.

II.2.4) Description of the procurement:

Diathermy pencils are used during surgical procedures to cut both tissue and produce coagulation via electrocautery.

This lot includes diathermy pencils, electrode attachments, tip cleaners and other associated accessories.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to the relevant line of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 15

Quality criterion - Name: Sales services quality / Weighting: 18

Quality criterion - Name: Training / Weighting: 15

Quality criterion - Name: Conversion assistance / Weighting: 6

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 11 757 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

II.2) Description

II.2.1) Title:

Smoke Evacuation Diathermy Products including Pencils, Filters, Tips, Smoke Evacuation Machines and Associated Products

Lot No: 3

II.2.2) Additional CPV code(s)

33162000 Operating theatre devices and instruments

33162200 Operating-theatre instruments

33161000 Electrosurgical unit

31711140 Electrodes

33162100 Operating-theatre devices

II.2.3) Place of performance

NUTS code: UK UNITED KINGDOM

Main site or place of performance:

Various locations in the UK.

II.2.4) Description of the procurement:

Smoke evacuation products actively remove potentially harmful plumes of smoke containing odours, particulates and other by-products, at the surgical site during electrosurgical procedures.

This lot includes diathermy smoke evacuation pencils, standalone smoke evacuation machine and associated accessories.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to this lot (3) of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 9

Quality criterion - Name: Sales services quality / Weighting: 15

Quality criterion - Name: Training / Weighting: 15

Quality criterion - Name: Innovation / Weighting: 9

Quality criterion - Name: Conversion assistance / Weighting: 6

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 8 492 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

II.2) Description

II.2.1) Title:

Argon Diathermy Pencils including Electrodes, Probes and Adaptors

Lot No: 4

II.2.2) Additional CPV code(s)

33162000 Operating theatre devices and instruments

33162200 Operating-theatre instruments

33161000 Electrosurgical unit

31711140 Electrodes

33162100 Operating-theatre devices

II.2.3) Place of performance

NUTS code: UK UNITED KINGDOM

Main site or place of performance:

Various locations in the UK.

II.2.4) Description of the procurement:

Argon diathermy pencils incorporate a stream of argon gas delivered at the tip of the pencil to provide enhanced electrosurgery.

This lot includes diathermy argon pencils, electrodes, probes, adaptors and associated accessories.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to the relevant line of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 9

Quality criterion - Name: Sales services quality / Weighting: 21

Quality criterion - Name: Training / Weighting: 15

Quality criterion - Name: Innovation / Weighting: 6

Quality criterion - Name: Conversion assistance / Weighting: 3

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 480 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

II.2) Description

II.2.1) Title:

Diathermy Suction Coagulators

Lot No: 5

II.2.2) Additional CPV code(s)

33162000 Operating theatre devices and instruments

33162200 Operating-theatre instruments

33161000 Electrosurgical unit

33162100 Operating-theatre devices

II.2.3) Place of performance

NUTS code: UK UNITED KINGDOM

Main site or place of performance:

Various locations in the UK.

II.2.4) Description of the procurement:

Suction coagulators are used during open surgical procedures to aspirate blood and small tissue, whilst controlling bleeding.

This lot includes diathermy suction coagulators.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to the relevant line of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 18

Quality criterion - Name: Sales services quality / Weighting: 30

Quality criterion - Name: Training / Weighting: 6

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 98 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

II.2) Description

II.2.1) Title:

Diathermy Forceps

Lot No: 6

II.2.2) Additional CPV code(s)

33162000 Operating theatre devices and instruments

33162200 Operating-theatre instruments

33161000 Electrosurgical unit

33162100 Operating-theatre devices

II.2.3) Place of performance

NUTS code: UK UNITED KINGDOM

Main site or place of performance:

Various locations in the UK.

II.2.4) Description of the procurement:

Diathermy forceps are pincer type hand held electrosurgical instruments to coagulate tissue during surgical procedures.

This lot includes diathermy forceps mono-polar and bi-polar formats.

NHS Supply Chain anticipates appointing all applicants who meet the minimum requirements which are set out in these tender documents and whose total score meets or exceeds a hurdle of 50 % at tender evaluation stage to the relevant line of the framework agreement.

II.2.5) Award criteria

Criteria below

Quality criterion - Name: Supply chain assessment / Weighting: 12

Quality criterion - Name: Sales services quality / Weighting: 27

Quality criterion - Name: Training / Weighting: 9

Quality criterion - Name: Conversion assistance / Weighting: 6

Quality criterion - Name: Sustainability, due diligence and reducing environmental impact / Weighting: 6

Cost criterion - Name: Financial / Weighting: 40

II.2.6) Estimated value

Value excluding VAT: 5 026 000.00 GBP

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

Duration in months: 36

This contract is subject to renewal: no

II.2.10) Information about variants

Variants will be accepted: yes

II.2.11) Information about options

Options: yes

Description of options:

This framework agreement will have the option to extend incrementally for up to a total of 48 months.

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

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 II.2) of this contract notice for further details in respect of appointment to the individual lots across the framework agreement.

Applicants may bid for one, more than one or all 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.

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 initiatives. NHS Supply Chain will share savings information in order to assist its customers with making informed procurement decisions. 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.2.1), 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 IV.1.3) 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. Further details will be in the tender documents.

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.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.

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 40

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

Notice number in the OJ S: [2019/S 206-501376](#)

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

Date: 07/12/2020

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

Duration in months: 7 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date: 08/12/2020

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 'NHS Sheader Documents' button, which is located in the 'Select Framework' tab;
- applicants are required to upload the 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:

- applicants are required to upload the documents requested using the 'Supplier Lot Documents' button, which can be located after selecting the relevant lot in the 'Lot Header' tab;
- 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**

Official name: Not applicable

Town: Not applicable

Country: United Kingdom

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

06/11/2020