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**United Kingdom-Normanton: Thermometers
2017/S 094-183450**

Contract notice

Supplies

Directive 2014/24/EU

Section I: Contracting authority

I.1) Name and addresses

NHS Supply Chain acting as agent for NHS Business Services Authority
NHS Supply Chain, Foxbridge Way
Normanton
WF6 1TL
United Kingdom
Contact person: Natasha Peacock
Telephone: +44 7540127398
E-mail: natasha.peacock@supplychain.nhs.uk
Fax: +44 1924328744
NUTS code: UKE4

Internet address(es):

Main address: www.supplychain.nhs.uk

I.2) Joint procurement

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 the abovementioned address
Tenders or requests to participate must be submitted electronically via: <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:

Thermometer Devices and Support Products.

II.1.2) Main CPV code

38412000

II.1.3) Type of contract

Supplies

II.1.4) Short description:

For the supply of Thermometer Devices and Support Products including Phase Change Thermometers, Electronic and Tympanic Devices for temperature measurement along with Associated Covers, Contact and Non-contact Temporal Artery Devices, and Rigid Digital Reusable Thermometers with Associated Covers. This Framework Agreement is for 12 months with the option to extend in incremental stages for up to a total period of 48 months.

II.1.5) **Estimated total value**

Value excluding VAT: 38 643 329.00 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:**

Phase Change Thermometers
Lot No: 1

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

33190000
33195000

II.2.3) **Place of performance**

NUTS code: 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 in the first 12 months of the Framework Agreement the value of purchases for this Lot will be in the region of £559 919 however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing the 3 highest ranking Applicants (if there are 3 eligible bids), who meet the minimum requirements which are set out in these tender documents after a price only eAuction to this Lot of the Framework Agreement. NHS Supply Chain will only trade with the 1st ranked Applicant. In the event that the 1st ranked Applicant is unable (for any reason) to supply, then NHS Supply Chain reserves the right to procure the Goods from the 2nd and/or 3rd ranked Applicant(s) or re-open competition.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 2 239 676.00 GBP

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

Duration in months: 12

This contract is subject to renewal: yes

Description of renewals:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

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**

This Lot includes Devices which use samples of inert chemicals which melt at progressively higher temperatures. These chemicals are mounted as small dots in a matrix on a Device which can be used to take an oral and/or axillary measurement to produce a temperature reading that is taken from the last dot to melt.

II.2) **Description**

II.2.1) **Title:**

Electronic Thermometer Devices and Associated Covers
Lot No: 2

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

33190000
33195000

II.2.3) **Place of performance**

NUTS code: 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 in the first 12 months of the Framework Agreement the value of purchases for this Lot will be in the region of GBP 1 000 213 however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing all Applicants who meet the minimum requirements which are set out in these tender documents and whose total score for the Product Line meets or exceeds a hurdle of 40 % when rounded up or down (as the case may be) to the nearest whole number from four decimal places at tender evaluation stage to the relevant Product Line of the Framework Agreement.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 4 422 432.00 GBP

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

Duration in months: 12

This contract is subject to renewal: yes

Description of renewals:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

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**

This Lot includes Products which measure temperature either orally, axillary or rectally by use of a Probe and/or Flexible Tip. These Devices identify the temperature in a numerical reading, and can also be referred to as Digital Thermometers. These Devices require Probe Covers which assist with Infection Control, and are also included within this Lot.

II.2) **Description**

II.2.1) **Title:**

Tympanic Thermometer Devices and Associated Covers
Lot No: 3

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

33190000
33195000

II.2.3) **Place of performance**

NUTS code: 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 in the first 12 months of the Framework Agreement the value of purchases for this Lot will be in the region of GBP 7 654 737 however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing all Applicants who meet the minimum requirements which are set out in these tender documents and whose total score for the Product Line meets or exceeds a hurdle of at least 40 % when rounded up or down (as the case may be) to the nearest whole number from four decimal places at tender evaluation stage to the relevant Product Line of the Framework Agreement.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 31 446 015.00 GBP

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

Duration in months: 12

This contract is subject to renewal: yes

Description of renewals:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

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**

This Lot includes Products which measure temperature within the ear cavity by taking a non-invasive reading from the tympanic membrane. These Devices identify the temperature in a numerical reading, and require Probe Covers to assist with Infection Control which are also included in this Lot.

II.2) **Description**

II.2.1) **Title:**

Temporal Artery Thermometers
Lot No: 4

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

33190000
33195000

II.2.3) **Place of performance**

NUTS code: 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 in the first 12 months of the Framework Agreement the value of purchases for this Lot will be in the region of GBP 56 647 however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

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 at least 40 % when rounded up or down (as the case may be) to the nearest whole number from four decimal places at tender evaluation stage to the relevant Product Line of the Framework Agreement.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 270 142.00 GBP

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

Duration in months: 12

This contract is subject to renewal: yes

Description of renewals:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

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**

This Lot includes Devices which are used to generate a temperature reading from the forehead to measure the heat emitted from the skin above the temporal artery and includes two different types of Device — one measures using direct contact (often referred to as 'Contact') with the forehead and the other that can be held away from the patient, often referred to as 'Non-contact'.

II.2) **Description**

II.2.1) **Title:**

Rigid Digital Thermometers and Associated Covers
Lot No: 5

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

33190000
33195000

II.2.3) **Place of performance**

NUTS code: 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 in the first 12 months of the Framework Agreement the value of purchases for this Lot will be in the region of GBP 66,266 however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

NHS Supply Chain anticipates appointing the 3 highest ranking Applicants (with the lowest priced basket(s)) from the eAuction (if there are 3 eligible bids), who meet the minimum requirements which are set out in these tender documents after a price only eAuction to this Lot of the Framework Agreement. NHS Supply Chain will only trade with the 1st Ranked Applicant. In the event that the 1st ranked Applicant is unable (for any reason) to supply, then NHS Supply Chain reserves the right to procure the Goods from the 2nd and/or 3rd ranked Applicant(s) or re-open competition.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: 265 064.00 GBP

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

Duration in months: 12

This contract is subject to renewal: yes

Description of renewals:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

This Framework Agreement will have the option to extend incrementally for a further period of up to 36 months in addition to the initial 12 month period as set out in the Framework Agreement.

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**

This Lot includes Products which measure temperature either orally, axillary or rectally by use of a Rigid Probe. These Devices identify the temperature in a numerical reading. These Devices require Probe Covers which assist with Infection Control, and are also included within this 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:

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

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.

— Applicants are required to upload the documents requested using the 'Supplier Header Documents' button, which is located in the 'Select Framework' 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.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 14

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:

An electronic auction (eAuction) will be used to award all or part of the requirements of the Framework Agreement. The use of eAuctions may also 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: [2016/S 071-123848](#)

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

Date: 12/06/2017

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: 13/06/2017

Local time: 09:00

Place:

As in abovementioned I.1.

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**

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:**

Please note that the maximum number of suppliers as set out in II.1.4 is an estimate only. Applicants should refer to the Invitation to Tender 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 14 reach the minimum requirements for appointment which is set out in the Invitation to Tender.

Applicants should refer to Annex B 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.

NHS Supply Chain reserves the right to purchase supplies from the Framework Agreement resulting from this procurement process for the stockpile that NHS Supply Chain holds for the Pandemic Influenza Preparedness Programme ('PIPP'). In such case, the PIPP stock is held in deep storage meaning the products will be held

palletised in standard racking for the duration of their shelf life and the products will only be issued in the event of a flu pandemic.

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 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.

Non-Direct Contract Products — As set out in the tender documents

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.

VI.4) **Procedures for review**

VI.4.1) **Review body**

Not applicable

Not applicable

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 lodged 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:**

12/05/2017