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**United Kingdom-London: Electrosurgical unit
2020/S 098-236112**

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

Postal code: SE1 6LH

Country: United Kingdom

Contact person: Thomas Mathers

E-mail: Thomas.Mathers2@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

Postal code: WF6 1TL

Country: United Kingdom

Contact person: Thomas Mathers

E-mail: Thomas.Mathers2@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>

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:**

Electrosurgical Equipment, Smoke Evacuators, Related Products and Accessories

Reference number: FAG000017254

II.1.2) **Main CPV code**

33161000

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 the NHS Supply Chain customer base via the direct route of supply of electrosurgical equipment (for further information regarding the types of equipment includes please see section II.2.4)). It is anticipated that the initial term of 36 months of the framework agreement the value of purchases will be in the region of GBP 15 000 000. This is approximate and the figures for the total estimated value are based on that initial expenditure and include a forecast for growth.

II.1.5) **Estimated total value**

Value excluding VAT: 20 000 000.00 GBP

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.1) **Title:**

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

33162000

33162100

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:**

NHS Supply Chain seeks to establish a non-exclusive framework agreement for the supply to the NHS Supply Chain customer base via the direct route of supply of electrosurgical equipment, smoke evacuators, related products and accessories, including, but not limited to:

- electrosurgical (Diathermy) machines,
- vessel sealing units,
- smoke evacuators,
- Any related software,
- point of sale maintenance, and
- any related options or accessories.

The scope of the framework agreement does not include the supply of consumables.

The framework agreement will have an initial term of 36 months with an option to extend incrementally for up to a total period of 48 months.

It is anticipated that in the first 36 months of the framework agreement the value of purchases will be in the region of GBP 15 000 000. For the full 48 month term (if extended) the anticipated value is between GBP 20 000 000. These values are approximate only and are based on the most recent historical usage information, with a forecasted level of growth. The values provided are for guidance only and are not a guarantee of business. 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 50 % at tender evaluation stage to the framework agreement.

II.2.5) **Award criteria**

Criteria below

Quality criterion - Name: Supply / Weighting: 5

Quality criterion - Name: Support / Weighting: 20

Quality criterion - Name: Training / Weighting: 20

Quality criterion - Name: Warranty and repairs / Weighting: 15

Price - Weighting: 40

II.2.6) **Estimated value**

Value excluding VAT: 20 000 000.00 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 maximum of 48 months.

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**

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.2.4) of this contract notice for further details in respect of appointment to the framework agreement.

The successful applicant(s) will be required to report all direct sales via the framework agreement and pay a direct management fee to NHS Supply Chain of 5 % of the order value excluding VAT.

Although there are no lots in respect of this tender, the system requirement dictates that Applicants must tender for the one lot that appears within the NHS Supply Chain's procurement portal and applicants should refer to the invitation to tender for more information in respect of the process.

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. The framework agreement will be between NHS Supply Chain acting as an agent of the Supply Chain Coordination Ltd and the applicant, however:

- 1) NHS Supply Chain;
- 2) any NHS Trust;
- 3) any other NHS entity;
- 4) any government department, agency or other statutory body (for the avoidance of doubt including local authorities); and/or
- 5) any private sector entity active in the UK healthcare sector will be able to enter into a direct contract with the applicant for any of the goods under the framework.

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), 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/or 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.

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.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

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**

Notice number in the OJ S: [2019/S 175-425699](#)

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

Date: 15/06/2020

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: 16/06/2020

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 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:

Please note, whilst there are no lots in this framework agreement, 'Lot' references are still used within the ISS System.

- 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, applicants must select 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.
- Applicants are required to upload the documents at Lot level using the 'Supplier Lot Documents' button after selecting the Lot in the 'Lot Header' tab.
- Complete price offer for the single product line for the Lot by completing the required fields for the single product line using the 'Lot Line Detail' tab. There are a number of mandatory fields to complete on a line basis, these are highlighted in yellow in the 'Lot Line Detail' tab.

- Applicants are required to answer all mandatory 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 response, by clicking on the 'Submit Response to Selected Lot' button in the 'Submit Individual lot Response(s)' tab to submit response.
 - 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.4.2) **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:**

15/05/2020