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**United Kingdom-Normanton: Endoscopy, endosurgery devices
2016/S 117-208722**

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

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

NHS Supply Chain acting as agent for NHS Business Services Authority
NHS Supply Chain, Foxbridge Way
Contact point(s): NUTS Code UKE4
For the attention of: Colette Kennedy
WF6 1TL Normanton
United Kingdom
Telephone: +44 7764973503
E-mail: Colette.Kennedy@supplychain.nhs.uk
Fax: +44 1924328744

Internet address(es):

General address of the contracting authority: www.supplychain.nhs.uk

Further information can be obtained from:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

Tenders or requests to participate must be sent to:

NHS Supply Chain acting as agent for NHS Business Services Authority
Internet address: <http://procurement.supplychain.nhs.uk/ISS/>

I.2) Type of the contracting authority

National or federal agency/office

I.3) Main activity

Health

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

The contracting authority is purchasing on behalf of other contracting authorities: yes

Section II: Object of the contract

II.1) Description

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

'Minimally Invasive Surgery Products'.

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: Various locations in UK.

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

Number of participants to the framework agreement envisaged: 45

Duration of the framework agreement

Duration in months: 12

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

Estimated value excluding VAT:

Range: between 90 000 000 and 120 000 000 GBP

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

Non-exclusive framework agreement for the supply to the NHS Supply Chain depots via the Stock and Blue Diamond routes and to the NHS Supply Chain Customer base via the E-Direct route of trocars; mechanical stapling products; energy products (used in open and laparoscopic surgery); ligation products; laparoscopic instruments and laparoscopic packs; and abnormal uterine bleeding products.

The estimated value of the purchases throughout the term (including the extension option described in II.2.2) of the framework agreement is between 90 000 000 and 120 000 000 GBP. The actual value of the framework agreement may be less than or exceed the estimated value dependent upon the requirements of those bodies eligible to purchase from the framework agreement throughout the duration.

This Framework Agreement is for 12 months with the option to extend in incremental stages for up to a total period of 36 months.

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

33168000, 33120000, 33140000, 33141120, 33141122, 33141126, 33161000, 33162100, 33162200, 33168100, 33641200

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**

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

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

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 will be in the region of 20 000 000 GBP to 24 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Estimated value excluding VAT:

Range: between 90 000 000 and 120 000 000 GBP

II.2.2) **Information about options**

Options: yes

Description of these options: NHS Supply Chain will have the option to extend for a maximum of up to 36 months in the initial 12 month term of this framework agreement on one or more occasions.

II.2.3) **Information about renewals**

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

Duration in months: 12 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Trocars

1) **Short description**

Trocars are instruments placed through the wall of the abdomen during a minimally invasive surgical procedure. The trocar must function as a portal for the subsequent placement of other instruments into the body cavity such as graspers, scissors and staplers.

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

33168000, 33162200, 33162100, 33140000

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 4 000 000 GBP to 4 500 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for 1 or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

Estimated value excluding VAT:

Range: between 15 000 000 and 22 000 000 GBP

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

5) **Additional information about lots**

Lot No: 2

Lot title: Mechanical Stapling

1) **Short description**

Mechanical internal stapling devices designed for open or laparoscopic surgery that can be used via a trocar or during an open procedure.

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

33168000, 33141122, 33162200, 33162100, 33120000

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 4 000 000 GBP to 4 500 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will

be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for 1 or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

Estimated value excluding VAT:

Range: between 20 000 000 and 26 000 000 GBP

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

5) **Additional information about lots**

Lot No: 3

Lot title: Energy Products (used in open and laparoscopic surgery)

1) **Short description**

Energy products must be designed to cut and seal blood vessels using ultra sound, bipolar electro-surgery or radio frequency in conjunction with a power source. Products can be used during open or laparoscopic procedures and must be able to cut and seal at the same time using the same technology.

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

33168000, 33140000, 33162200, 33162100, 33120000

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 4 500 000 GBP to 5 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for 1 or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

Estimated value excluding VAT:

Range: between 20 000 000 and 26 000 000 GBP

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

5) **Additional information about lots**

Lot No: 4

Lot title: Ligation

1) **Short description**

Ligation products must be designed for marking or ligating tissue structures or vessels during a minimally invasive procedure.

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

33168000, 33141126, 33141120, 33140000, 33162200, 33162100

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 3 000 000 GBP to 4 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will

be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for one or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

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

5) **Additional information about lots**

Lot No: 5

Lot title: Laparoscopic Instruments and Laparoscopic Packs

1) **Short description**

Instruments and accessories designed for and only used specifically for a minimally invasive laparoscopic procedure; instruments must be suitable for use through a port or trocar.

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

33168000, 33140000, 33141120, 33162200, 33162100, 33120000

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 4 000 000 GBP to 5 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for one or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

Estimated value excluding VAT:

Range: between 18 000 000 and 22 000 000 GBP

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

5) **Additional information about lots**

Lot No: 6

Lot title: Abnormal Uterine Bleeding Products

1) **Short description**

Products designed for and used to address conditions of the uterus and abnormal uterine bleeding.

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

33641200, 33162200, 33161000, 33162100, 33140000, 33168100, 33120000, 33168000

3) **Quantity or scope**

This is an estimate only as precise quantities of likely purchases are unknown. It is anticipated that in the first year of the Framework Agreement the value of purchases will be in the region of 500 000 GBP to 1 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure.

Appointment within the Lot will be made on a product line by product line basis and all Applicants who meet the minimum requirements which are set out in the Invitation to Tender and who reach over a score of 45 % will be appointed to that product line within the Lot. Applicants should note that they may therefore be appointed for one or a number of the product lines across this Lot and should refer to the Invitation to Tender for further information in respect of this.

Estimated value excluding VAT:

Range: between 4 000 000 and 8 000 000 GBP

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

5) **Additional information about lots**

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. Further details will be in the tender documents.

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

Please see tender documents.

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

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 liabilities.

III.1.4) **Other particular conditions**

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

Description of particular 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) **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: 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.2.2) **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: yes

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.3) Administrative information

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

"FAG16308"

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

Notice number in the OJEU: [2014/S 243-427569](#) of 17.12.2014

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

14.7.2016 - 15:00

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: 280 (from the date stated for receipt of tender)

IV.3.8) Conditions for opening of tenders

Date: 15.7.2016 - 9:00

Place:

As in abovementioned I.1

Persons authorised to be present at the opening of tenders: yes

Additional 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

VI.2) Information about European Union funds

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.

Tenderers should note that for all Lots it is anticipated that more than one supplier will be appointed to each of the product lines within each Lot. Suppliers should therefore note that they may be appointed across one or a number of these product lines within each Lot. All Lots will be evaluated on a product line by product line basis. All Applicants whose total score for a product line meets or exceeds the threshold of 45 % when rounded off to the nearest whole number will be awarded to the Framework Agreement for that product line.

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

Trocars

Mechanical Stapling

Energy Products (used in open and laparoscopic surgery)

Ligation

Laparoscopic Instruments and Laparoscopic Packs

Abnormal Uterine Bleeding Products

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 cost 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 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:**

14.6.2016