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**United Kingdom-Normanton: Incubators  
2017/S 042-077558**

**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  
For the attention of: Lee Hopkins NUTS Code UKE4  
WF6 1TL Normanton  
United Kingdom  
Telephone: +44 7730205815  
E-mail: [lee.hopkins@supplychain.nhs.uk](mailto:lee.hopkins@supplychain.nhs.uk)  
Fax: +44 1924328744

**Internet address(es):**

General address of the contracting authority: [www.supplychain.nhs.uk](http://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:**

Neonatal Incubators Jaundice Management and Related Products

**II.1.2) Type of contract and location of works, place of delivery or of performance**

Supplies

Purchase  
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

maximum number of participants to the framework agreement envisaged: 13

**Duration of the framework agreement**

Duration in months: 36

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

Estimated value excluding VAT:

Range: between 8 000 000 and 16 000 000 GBP

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

NHS Supply Chain seeks to establish a non-exclusive Framework Agreement for supply to the NHS Supply Chain customer base via the Direct Route of supply of Neonatal Incubators Jaundice Management and Related Products including but not limited to:

Closed Incubator; Radiant Warmers with and without Beds; Combined Incubators and Warmer Systems; Warmers with Integrated Resuscitation Systems; Transport Incubators with and without Ventilators; Jaundice Meters and Phototherapy Devices.

Related products within this Framework include but shall not be limited to cables trolleys software and any option or accessory used to configure a device within the Framework.

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

The Framework also includes installation maintenance and servicing where applicable of the goods bought through the Framework Agreement.

There are a total of 9 product lines within the Basket which are set out in the 'Lot Line Detail' tab.

Applicants should note that in order to be able to provide (and therefore submit a bid for) the Jaundice Meter and/or the Phototherapy Device Applicants must be able to provide (and therefore submit a bid for) at least one of the following: Closed Incubator; Radiant Warmer with Bed; Radiant Warmer without Bed; Combined Incubator and Warmer System; Warmer with Integrated Resuscitation System; Transport Incubator without Ventilator; Transport Incubator with Ventilator.

If Applicants are unable to meet the above requirement (to submit 1 of the 7 lines stated) and instead submit a response for either just the Jaundice Meter and/or the Phototherapy Device then NHS Supply Chain reserves the right to exclude the Applicant from the procurement process and not to consider the tender response for this Framework Agreement any further.

NHS Supply Chain anticipates awarding all Applicants who meet the minimum requirements which are set out in these tender documents and whose Average Basket Score (based on the methodology and definition as stated within Sections 8.3 — 8.5 of the Invitation to Tender document) meets or exceeds a hurdle of at least 55 % (when rounded up or down from four decimal places (as the case may be) to the nearest whole number) at tender evaluation stage the whole basket of product lines. This means that those applicants whose Average Basket Score meets or exceeds the hurdle of 55 % will be awarded all of the product lines submitted for evaluation and should these applicants be able over the lifetime of the Framework Agreement to supply any of the other product lines in the basket such applicants will be offered the opportunity to do so.

Please note that Applicants must submit a bid against all evaluated product lines which they propose to supply under the Framework Agreement if successfully awarded. If pricing has not been submitted for a particular

product line and an applicant is able to supply that particular product line at the time of the Tender submission then NHS Supply Chain reserves the right not to allow the Applicant (if successful) to supply that particular product line over the lifetime of the Framework Agreement.

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

33152000, 33172200, 33100000, 33124100

II.1.7) **Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) **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 36 months of the Framework Agreement the value of purchases will be in the region of 6 000 000 to 12 000 000 GBP however this is approximate only. The figures below for the total estimated value are based on that initial expenditure and include a forecast for growth.

Estimated value excluding VAT:

Range: between 8 000 000 and 16 000 000 GBP

II.2.2) **Information about options**

Options: yes

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

II.2.3) **Information about renewals**

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

Duration in months: 36 (from the award of the contract)

**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 liability.

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: 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.
- Applicants are able to view their submission using the “Supplier Submission Report” button found in the “Submit Individual Lot Response(s)” tab.

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:**

"FAG000016481"

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

**Prior information notice**

Notice number in the OJEU: [2016/S 101-180359](#) of 27.5.2016

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**

27.3.2017 - 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: 180 (from the date stated for receipt of tender)

IV.3.8) **Conditions for opening of tenders**

Date: 28.3.2017 - 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.

NHS Supply Chain reserves the right to appoint more suppliers to the Framework Agreement in the event that more than 13 reach the minimum score for appointment which is set out in the Invitation to Tender.

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/bulk buy 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 and the Supplier 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 Supplier for any of the supplies and/or services under the Framework.

The Supplier will be required to report to and pay a direct contract management fee to NHS Supply Chain as detailed in the tender documents.

The participating contracting authorities reserve the right to finance the purchase of the supplies through a lease transaction using a third party lessor. Any such financial services will be obtained by the participating contracting authorities through a separate procurement exercise and not as part of this procurement. The financial services may be sourced from the NHS Supply Chain leasing Framework Agreement.

In this event the supplier appointed to the Framework Agreement may receive from a third party lessor appointed by the participating contracting authority a purchase order for delivery to the participating contracting authority. The supplier appointed to the Framework Agreement will then be required to supply in accordance with the terms and conditions of the Framework Agreement.

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 appeal**

VI.4.1) **Body responsible for appeal procedures**

Not applicable

**Body responsible for mediation procedures**

Not applicable

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: Appeals to be lodged in accordance with the Public Contracts Regulations 2015 (as amended).

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

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

28.2.2017