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Tender

MEDICAL TECHNOLOGY (MEDTECH) INNOVATION DPS

NHS Supply Chain

F02: Contract notice

Notice identifier: 2024/S 000-000095

Procurement identifier (OCID): ocds-h6vhtk-042a6d

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Section I: Contracting authority

I.1) Name and addresses

NHS Supply Chain

Wellington House, 133-155 Waterloo Road

London

SE1 8UG

Email

Kayla.Richardson@supplychain.nhs.uk

Country

United Kingdom

Region code

UKI4 - Inner London – East

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-of-health>

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

<https://nhssupplychain.app.jaggaer.com//>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://nhssupplychain.app.jaggaer.com//>

Tenders or requests to participate must be submitted to the above-mentioned address

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

MEDICAL TECHNOLOGY (MEDTECH) INNOVATION DPS

II.1.2) Main CPV code

- 33100000 - Medical equipments

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply Chain Coordination Ltd (the “authority or NHS Supply Chain”) is issuing this Invitation to Tender (“ITT”) in to establishing Dynamic Purchasing System (DPS).

Offer a route to market for Innovative products (Novel or iterative and meets an unmet need or provides improvements upon existing models of care with the end-goal of benefiting the system, patients and/or care providers)

The objectives of this contract are to:

Enable customer access to Medical Technology (MedTech) products and associated services that would not normally be available and that are of an innovative nature that they cannot be range extended on to a traditional Framework Agreements.

Provide a compliant route to the NHS market for innovative and game changing MedTech products, reducing the barriers to entry and the time to market. Whilst still maintaining patient safety and improving patient care.

Enable early access to innovative technology and regulatory approved products which enhance treatment solution for NHS patients.

Maintain a compliant route to market for the Trusts bringing innovation products to the market sooner.

Improve patient outcomes.

Category area covered by this DPS:

- Orthopaedics, Trauma and Spine
- Ophthalmology
- Audiology
- Cardiology
- Endourology
- Endoscopy
- Neuromodulation
- Oncology Ablation
- Minimally Invasive Surgery
- IVDR products/ tests (Pathology and Point of Care)

II.1.5) Estimated total value

Value excluding VAT: £500,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 31711140 - Electrodes
- 33100000 - Medical equipments
- 33124131 - Reagent strips
- 33124200 - Radiodiagnostic devices
- 33127000 - Immuno-analysis devices

- 33140000 - Medical consumables
- 33141700 - Orthopaedic supplies
- 33160000 - Operating techniques
- 33168000 - Endoscopy, endosurgery devices
- 33182000 - Cardiac support devices
- 33183100 - Orthopaedic implants
- 33183200 - Orthopaedic prostheses
- 33184100 - Surgical implants
- 33185000 - Hearing aids
- 33190000 - Miscellaneous medical devices and products
- 33694000 - Diagnostic agents
- 33696500 - Laboratory reagents
- 33698000 - Clinical products
- 33731110 - Intraocular lenses
- 38000000 - Laboratory, optical and precision equipments (excl. glasses)
- 42122410 - Pumps for medical use

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

Various Locations in the UK

II.2.4) Description of the procurement

There are criteria detailed within the tenders documentation around Compliance/Validation stage that is required to participate within this Innovation MedTech DPs that are a Pass/Fail Requirements.

- URN Reference number provided by NHS Innovation service portal, HIN health innovation network or NHS SC Innovation Team where applicable for the following:

- Innovation Service OR
- National policy from NHSE or DHSC OR
- NICE Guidance

AND

- MHRA Product Registration

The following certification will be a requirement of the upcoming tender exercise and Applicants will be required to include evidence of this within their tender submission.

- ISO 9001:2015 or equivalent externally accredited and up-to-date quality standard certificate(s) to cover all segments of the Applicant's (and the product's) supply chain. This should include but not be limited to manufacturing, storage, distribution and customer service. Further information in respect of certification requirements will be set out in the notice for the forthcoming procurement. If such certificates are not in the name of the Applicant then the Applicant must supply a copy of agreements setting out the authority and responsibilities of all parties in the supply chain and provide evidence of ISO9001:2015 or equivalent for all relevant parties in the supply chain.

- Employers Liability Insurance cover of £5m per claim in the name of the Applicant
- Public Liability Insurance cover of £5m per claim in the name of the Applicant
- Product Liability Insurance cover in the name of the Applicant of £5m per claim or £5m in the annual aggregate
- Declaration of Conformity and UKCA Certification to demonstrate compliance to UK Medical Device

Regulations 2002 or Declaration of Conformity and CE Certification to d-Declaration of Conformity and UKCA Certification to demonstrate compliance to UK Medical Device Regulations 2002 or Declaration of Conformity and CE Certification to demonstrate compliance to Medical Devices Directive 93/42/EEC or Medical Device Regulation

2017/745 (where applicable).

The NHS has adopted PPN 06/20 (taking account of Social Value), and therefore this future DPS Agreement will include some qualitative evaluation questions on Social Value with a pass/Fail requirement. For more information please see:

<https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts>. In addition, from April 2023: the NHS adopted the Government's 'Taking Account of Carbon Reduction Plans' (PPN 06/21) requiring all suppliers with new contracts for goods, services, and/or works with an anticipated contract value above £5 million per annum, to publish a carbon reduction plan for their direct emissions. From April 2024, the NHS will expand this requirement for all new contracts, irrespective of value. Suppliers bidding on NHS Supply Chain tenders will also be required to submit an Evergreen Assessment, please see <https://www.england.nhs.uk/nhs-commercial/central-commercial-function-ccf/evergreen/>. PPN02/23 "Tackling Modern Slavery in Government Supply Chains" will also apply.

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: £500,000,000

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

Start date

3 January 2024

End date

2 January 2031

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

The DPS Agreement will have an initial term of 12 months, Following the initial term of 12 months NHS Supply chain has the option to extend for a further 6 years, subject to the needs of business (and its customers) or until the published value has been exceeded of approximate spend of £500,000,000. You should note that any values which are listed in this Invitation to Participate are indicative only.

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

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

The DPS Agreement will be between NHS Supply Chain and the Supplier.

Under the DPS Agreement call off Contracts there will be two different methods of supply - one for Non-Direct Contract Products and one for Direct Contract Products.

NHS Supply Chain will be entitled to purchase the supplies and/or services identified [below] [in the tender documents as Non-Direct Contract Products which it will then make available for purchase by 1) any NHS Trust; 2) any other NHS entity; 3) any government department, agency or other statutory body and/or 4) any private sector entity active in the UK healthcare sector.

For the supplies and/or services identified as Direct Contract Products in the tender documents 1) NHS Supply Chain; 2) any NHS Trust; 3) any other NHS entity; 4) any government department, agency or other statutory body 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.

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 <https://nhssupplychain.app.jaggaer.com//> using the Message Centre facility linked to this particular contract notice.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement 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 DPS 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

Restricted procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the setting up of a dynamic purchasing system

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

Date

2 January 2031

IV.2.4) Languages in which tenders or requests to participate may be submitted

Basque

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.4) Procedures for review

VI.4.1) Review body

Not Applicable

Not Applicable

Country

United Kingdom