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Contract

## **NHS Tayside Replacement Linac and Record and Verify 2023**

NHS Tayside

F03: Contract award notice

Notice identifier: 2024/S 000-000200

Procurement identifier (OCID): ocds-h6vhtk-03df2f

Published 4 January 2024, 11:41am

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NHS Tayside

Ninewells Hospital

Dundee

DD1 9SY

#### **Contact**

James Lennon

#### **Email**

[james.lennon@nhs.scot](mailto:james.lennon@nhs.scot)

#### **Telephone**

+44 7929866732

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nhstayside.scot.nhs.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00154](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00154)

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Health

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

NHS Tayside Replacement Linac and Record and Verify 2023

Reference number

SLC818/2023

**II.1.2) Main CPV code**

- 33150000 - Radiotherapy, mechanotherapy, electrotherapy and physical therapy devices

**II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

NHS Tayside Radiotherapy department was looking to replace one of its current Linac and their Record and Verify system, which both came to the end of their product life cycles.

The Radiotherapy department is based at the Tayside Cancer Centre on the Ninewells Hospital Campus site.

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £3,139,406

### **II.2) Description**

#### **II.2.1) Title**

Lot 1 - Linac

Lot No

1

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

- 33151000 - Radiotherapy devices and supplies

#### **II.2.3) Place of performance**

NUTS codes

- UKM71 - Angus and Dundee City

Main site or place of performance

Tayside Cancer Centre (TCC), located at Ninewells Hospital & Medical School in Dundee, DD2 1UB.

#### **II.2.4) Description of the procurement**

The Board intended to award a contract to one successful Contractor for the supply of:

## Lot 1 - one Linear Accelerator (Linac) (DD1)

The Board has accepted the highest ranked offer for the chosen Lot, unless the Board considered that no offer adequately met its requirements. If the Board considered that no offer adequately met the requirements specified herein, then the Board may decline to accept any offer.

In the case that the contract was awarded, the successful Contractor will act in the role of Prime Contractor for supply of all Products and associated services to the Board. This means that the successful Contractor shall assume full responsibility for supply of all Products and associated services. The successful Contractor shall be solely responsible for effecting any sub-contracting or collaborative arrangements required with other suppliers in order to allow the successful Contractor to meet this commitment.

### **II.2.5) Award criteria**

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

### **II.2.11) Information about options**

Options: No

### **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) Description**

### **II.2.1) Title**

Lot 2 - Record and Verify

Lot No

2

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

- 33151000 - Radiotherapy devices and supplies

### **II.2.3) Place of performance**

NUTS codes

- UKM71 - Angus and Dundee City

Main site or place of performance

Tayside Cancer Centre (TCC), located at Ninewells Hospital & Medical School in Dundee, DD2 1UB

#### **II.2.4) Description of the procurement**

The Board intended to award a contract to one successful Contractor for the supply of:

Lot 2 - one Record and Verify System (R&V) (DD9)

The Board has accepted the highest ranked offer for the chosen Lot, unless the Board considered that no offer adequately met its requirements. If the Board considered that no offer adequately met the requirements specified herein, then the Board may decline to accept any offer.

In the case that the contract was awarded, the successful Contractor will act in the role of Prime Contractor for supply of all Products and associated services to the Board. This means that the successful Contractor shall assume full responsibility for supply of all Products and associated services. The successful Contractor shall be solely responsible for effecting any sub-contracting or collaborative arrangements required with other suppliers in order to allow the successful Contractor to meet this commitment.

#### **II.2.5) Award criteria**

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

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

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Open procedure

#### **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: [2023/S 000-019224](#)

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## **Section V. Award of contract**

### **Lot No**

1

### **Title**

Lot 1 - Linac

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

21 December 2023

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

The contract has been awarded to a group of economic operators: No

**V.2.3) Name and address of the contractor**

Varian Medical Systems UK Ltd

Gatwick Road

Crawley

RH10 9RG

Telephone

+44 1293601324

Country

United Kingdom

NUTS code

- UKJ28 - West Sussex (North East)

The contractor is an SME

Yes

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £2,760,000

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## **Section V. Award of contract**

### **Lot No**

2

### **Title**

Lot 2 - Record and Verify

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

21 December 2023

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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Country

United Kingdom

NUTS code

- UKJ28 - West Sussex (North East)

The contractor is an SME

Yes

#### **V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £379,406

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## **Section VI. Complementary information**

### **VI.3) Additional information**

The estimated values referred to in Section II.1.7 and V.2.4 covers the 24 months contract duration.

(SC Ref:754402)

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Dundee Sheriff Court and Justice of the Peace Court

Sheriff Court House, 6 West Bell Street, Dundee

Dundee

DD1 9AD

Email

[dundee@scotcourts.gov.uk](mailto:dundee@scotcourts.gov.uk)

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts:

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session.

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.