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Tender

## **PACS Reprovisioning**

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

F02: Contract notice

Notice identifier: 2022/S 000-001230

Procurement identifier (OCID): ocds-h6vhtk-030b67

Published 14 January 2022, 4:55pm

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

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

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

#### **Email**

[jim.binnie@nhs.scot](mailto:jim.binnie@nhs.scot)

#### **Country**

United Kingdom

#### **NUTS code**

UKM - Scotland

**National registration number**

NP 5062/21

**Internet address(es)**

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

**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://www.publiccontractsscotland.gov.uk/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publiccontractsscotland.gov.uk/>

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

Body governed by public law

**I.5) Main activity**

Health

## **Section II: Object**

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

#### **II.1.1) Title**

PACS Reprovisioning

Reference number

NP506221

#### **II.1.2) Main CPV code**

- 72000000 - IT services: consulting, software development, Internet and support

#### **II.1.3) Type of contract**

Services

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

The existing NHS Scotland Picture Archiving and Communication System (PACS) contract is coming to an end and National Services Scotland (NSS) is managing a procurement exercise on behalf of NHS Scotland to procure a new PACS solution.

#### **II.1.5) Estimated total value**

Value excluding VAT: £137,000,000

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

This contract is divided into lots: No

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

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

- 48329000 - Imaging and archiving system
- 72000000 - IT services: consulting, software development, Internet and support

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

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

The existing NHS Scotland Picture Archiving and Communication System (PACS) contract is coming to an end and National Services Scotland (NSS) is managing a procurement exercise on behalf of NHS Scotland to procure a new PACS solution.

The objective of this programme is to undertake a PACS Re-procurement exercise to establish a replacement national contractual arrangement that is sustainable and can evolve over time at a pace that is acceptable to the NHS in Scotland. To achieve a more effective and joined up imaging environment that supports changes to the clinical workflows required to implement the new Scotland Radiology Model.

As a minimum, the new contract for the PACS service aims to:

- Provide a modern, secure PACS system which will support the evolving models of care;
- Support the Scottish Government's Digital Health and Care Strategy 2021;
- Enable evolving Scottish Government strategies related to integration, cyber security, digital imaging, Radiology transformation, Artificial Intelligence (AI) and person-centred care.

The current PACS IT Solution for Acute services comprises a fully replicated central national PACS, which captures radiological images and reports from 22 (by Summer 2022) local PACS instances across 15 NHS Boards. A separate PACS solution for the Scottish Breast Screening Programme (SBSP) consists of six local PACS instances and a separate central archive.

The contract will deliver services to entities constituted pursuant to the National Health Service (Scotland) Act

1978 as amended.

#### **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: £137,000,000

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

Duration in months

120

This contract is subject to renewal

Yes

Description of renewals

Two optional three year extensions.

**II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 3

Objective criteria for choosing the limited number of candidates:

PACS RP SPD Instruction to Bidders document attached to this notice outlines the SPD evaluation criteria.

**II.2.10) Information about variants**

Variants will be accepted: No

**II.2.11) Information about options**

Options: Yes

Description of options

There are a number of additional services which will be included in a contract catalogue which may be utilised throughout the contract term. These will be described in the procurement documentation at the Initial Bid stage.

**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**

Contract Value Assumptions are included in the Additional Information document as attached to this contract notice.

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### **Section III. Legal, economic, financial and technical information**

#### **III.1) Conditions for participation**

##### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

PACS RP SPD Instruction to Bidders document attached to this notice outlines the SPD evaluation criteria.

##### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

PACS RP SPD Instruction to Bidders document attached to this notice outlines the SPD evaluation criteria.

#### **III.2) Conditions related to the contract**

##### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

## **Section IV. Procedure**

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

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

Competitive procedure with negotiation

#### **IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

#### **IV.1.5) Information about negotiation**

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

#### **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

14 February 2022

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

28 February 2022

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

English

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

Economic operators may be excluded from this competition if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015.

The Public Sector in Scotland is committed to the delivery of high quality public services, and recognises that this is critically dependent on a workforce that is well-rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development, diverse and engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service.

Public Bodies in Scotland are adopting fair work practices, which include:

— a fair and equal pay policy that includes a commitment to supporting the living wage, including, for example being a living wage

accredited employer;

— clear managerial responsibility to nurture talent and help individuals fulfil their potential, including for example, a strong commitment

to modern apprenticeships and the development of Scotland's young workforce;

— promoting equality of opportunity and developing a workforce which reflects the population of Scotland in terms of characteristics such

as age, gender, religion or belief, race, sexual orientation and disability;

— support for learning and development;

— stability of employment and hours of work, and avoiding exploitative employment practices, including for example no inappropriate use of zero-hours contracts;

— flexible working (including for example practices such as flexi-time and career breaks) and support for family friendly working and

wider work life balance;

— support progressive workforce engagement, for example Trade Union recognition and representation where possible, otherwise

alternative arrangements to give staff an effective voice.

In order to ensure the highest standards of service quality in this contract we expect contractors to take a similarly positive approach to fair work practices as part of a fair and equitable employment and reward package.

Bidders who are invited to submit an initial bid will need to describe how they will commit to fair work practices for workers (including any agency or subcontractor workers) engaged in the delivery of this contract.

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

[https://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=677889](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=677889).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

[https://www.publiccontractsscotland.gov.uk/sitehelp/help\\_guides.aspx](https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx).

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

Yes as per contract.

(SC Ref:677889)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Email

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

Telephone

+44 131225252

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the contract which notification will contain among other information, a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which the authority despatches the notice(s) and the date on which the authority proposes to conclude the relevant contract. The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering into the contract until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the contract has been entered into include the setting aside of the decision to award the contract to the winning tenderer(s). The bringing of court proceedings against the authority after the contract has been entered into will not affect the contract 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 contract has been entered into are limited to the award of damages. Economic operators are entitled to write to the authority after receipt of the notification should they require further clarification. The authority will respond within 15 days of such a written request, but it should be noted that receipt by the authority of such request during the standstill period may not prevent the authority from awarding the contract following the expiry of the standstill period. 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.

#### **VI.4.4) Service from which information about the review procedure may be obtained**

Court of Session

Parliament House, Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom