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Award

## **NP14220 Neonatal and Paediatric Tracheostomy Tubes**

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

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-002403

Procurement identifier (OCID): ocds-h6vhtk-0290ca

Published 5 February 2021, 5:16pm

### **Section I: Contracting authority/entity**

#### **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**

[john.gavin@nhs.scot](mailto:john.gavin@nhs.scot)

#### **Telephone**

+44 1698794410

#### **Country**

United Kingdom

**NUTS code**

UKM - SCOTLAND

**Internet address(es)**

Main address

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

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.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**

NP14220 Neonatal and Paediatric Tracheostomy Tubes

Reference number

NP14220

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

- 33140000 - Medical consumables

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

Supplies

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

The supply and delivery of Silicone Tracheostomy Tubes for use in Neonatal and Paediatric patients to all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. All NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisation established pursuant to the NHS (Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

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

This contract is divided into lots: No

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

Value excluding VAT: £300,000

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

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

- 33140000 - Medical consumables

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

NUTS codes

- UKM - SCOTLAND

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

Supply and delivery of Silicone Tracheostomy Tubes for Neonatal and Paediatric groups of patients, including but not limited to, Cuffed, Un-Cuffed, Adjustable flange, etc. to all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. All NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisation established pursuant to the NHS (Scotland)

Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014). Full details available in ITT Documents.

#### **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**

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

There is no generic competition in the market place due to the difficulties in replicating the manufacturing process.

#### **IV.1.3) Information about a framework agreement**

The procurement involves the establishment of a framework agreement

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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

### **Contract No**

NP14220

A contract/lot is awarded: Yes

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

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

27 January 2021

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

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

#### **V.2.3) Name and address of the contractor/concessionaire**

Smiths Medical International Ltd

1500 Eureka Park, Lower Pemberton

Ashford

TN25 4BF

Telephone

+44 1233722182

Fax

+44 1233722153

Country

United Kingdom

NUTS code

- UKJ4 - Kent

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £300,000

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## **Section VI. Complementary information**

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

The total value in Section II.1.7 and V.2.4 refers to the full 48 month duration of the framework agreement.

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=642361](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=642361).

(SC Ref:642361)

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

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

Sherriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

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

Telephone

+44 1312252525

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

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 VEAT notice and the date on which the Authority proposes to conclude the relevant framework agreement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the framework agreement 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 framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer. 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.

