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Contract

## **NP60923 Thermometer Probe Covers (Cardinal Health)**

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

F03: Contract award notice

Notice identifier: 2023/S 000-009437

Procurement identifier (OCID): ocds-h6vhtk-03b7a9

Published 31 March 2023, 11:58am

### **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**

[nss.pcfndccategory@nhs.scot](mailto:nss.pcfndccategory@nhs.scot)

#### **Telephone**

+44 1312757454

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**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.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**

NP60923 Thermometer Probe Covers (Cardinal Health)

Reference number

NP60923

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

- 38412000 - Thermometers

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

Supplies

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

Single Use Disposable thermometer probe covers used exclusively with the Cardinal Health Genius tympanic thermometer.

#### **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: £514,000

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

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

- 38412000 - Thermometers

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

NUTS codes

- UKM - Scotland

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

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division Procurement, Commissioning and Facilities is undertaking this procurement for supply of Tympanic Thermometer Probe Covers for exclusive use in conjunction with Cardinal Health Genius Tympanic Thermometers to the National Distribution Centre, Larkhall ML9 2QX on behalf of 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), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities') where applicable.

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

Price

### **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 services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The award of the contract without prior publication is justified because the thermometer probe covers in this contract are dedicated consumables for tympanic thermometers that are in use within NHS Scotland health boards. To ensure appropriate warranty cover and performance the products are supplied from the equipment provider which is single source. As a result the opportunity to publish a call for competition does not apply.

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

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**

### **Contract No**

NP60923

A contract/lot is awarded: Yes

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

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

24 March 2023

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

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 0

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**

Cardinal Health UK 432 Limited

Princes Exchange, Princes Square Leeds

west yorkshire

LS1 4HY

Telephone

+44 1494616309

Country

United Kingdom

NUTS code

- UKE4 - West Yorkshire

The contractor is an SME

No

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

Total value of the contract/lot: £514,000

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## **Section VI. Complementary information**

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

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of Single Use Thermometer Probe covers for use with Genius Tympanic Thermometer ('Products') on behalf of 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), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities'), where applicable, i.e. Scottish Hospices, Northern Ireland trusts etc..

The estimated values referred to in Section II.1.5 and II.2.6 covers the 12 months contract duration and the 12 month extension period of the framework agreement.

(SC Ref:727528)

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

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

Sherriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Telephone

+44 1312252525

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

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.