

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/012013-2022>

Tender

NHS Lothian and NHS Grampian Radiotherapy Linac Replacement

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

NHS Lothian

NHS Grampian

F02: Contract notice

Notice identifier: 2022/S 000-012013

Procurement identifier (OCID): ocds-h6vhtk-03358a

Published 9 May 2022, 3:02pm

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

Contact

James Lennon

Email

James.lennon@nhs.scot

Telephone

+44 7929866732

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

I.1) Name and addresses

NHS Lothian

Procurement Headquarters, Lothian Health Board Waverley Gate 2-4 Waterloo Place

Edinburgh

EH1 3EG

Contact

James Lennon

Email

James.lennon@nhs.scot

Telephone

+44 7929866732

Country

United Kingdom

NUTS code

UKM75 - Edinburgh, City of

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00326

I.1) Name and addresses

NHS Grampian

Summerfield House, 2 Eday Road

Aberdeen

AB15 6RE

Contact

James Lennon

Email

James.lennon@nhs.scot

Telephone

+44 7929866732

Country

United Kingdom

NUTS code

UKM50 - Aberdeen City and Aberdeenshire

Internet address(es)

Main address

<http://www.nhsgrampian.org>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00200

I.2) Information about joint procurement

The contract involves joint procurement

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.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.publictendersscotland.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

NHS Lothian and NHS Grampian Radiotherapy Linac Replacement

Reference number

SLC818/2022

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

National Services Scotland (NSS) acting through its division Procurement, Facilities and Commissioning (PCF) is undertaking this procurement on behalf of both Lothian Health Board (the "Board") and Grampian Health Board (the "Board") (and together the "Boards").

It is intended that an award will be made of a single lot for each Board to one successful Contractor who will act in the role of Prime Contractor for supply of all Products and associated services to each individual Board, including installation on a "turnkey basis". 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 to allow the successful Contractor to meet this commitment.

Grampian Health Board (the "Board") provides a comprehensive radiotherapy service based at the Aberdeen Royal Infirmary ("ARI"). The Board wishes to procure one Medical Linear Accelerator ("Linac") for the delivery of radiotherapy treatments, in order to replace an existing linac.

Lothian Health Board have a requirement for the supply and installation of a 6MV radiotherapy treatment machine together with all associated equipment supplied therewith ("the Product"). The Product will be operated by the Board in the Edinburgh Cancer Centre (ECC) at Western General Hospital (WGH).

Both Linacs are being procured under the NHS Scotland Capital Equipment Replacement Programme (CERP).

II.1.5) Estimated total value

Value excluding VAT: £5,369,167

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

NHS Grampian Radiotherapy Linac (Adaptive)

Lot No

1

II.2.2) Additional CPV code(s)

- 33151000 - Radiotherapy devices and supplies

II.2.3) Place of performance

NUTS codes

- UKM50 - Aberdeen City and Aberdeenshire

Main site or place of performance

Aberdeen Cancer Centre

Aberdeen Royal Infirmary

Forresterhill Campus

Aberdeen

II.2.4) Description of the procurement

National Services Scotland (NSS) acting through its division Procurement, Facilities and

Commissioning (PCF) is undertaking this procurement on behalf of Grampian Health Board (the "Board").

It is intended that an award will be made to one successful Contractor who will act in the role of Prime Contractor for supply of all Products and associated services, including installation on a "turnkey basis". 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 to allow the successful Contractor to meet this commitment.

The Grampian Health Board (the "Board") provides a comprehensive radiotherapy service based at the Aberdeen Royal Infirmary ("ARI"). The Board wishes to procure one Medical Linear Accelerator ("Linac") for the delivery of a Linac for the delivery of on-line adaptive radiotherapy treatments, in order to replace an existing linac.

II.2.5) Award criteria

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £2,619,167

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

Duration in months

24

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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.2.14) Additional information

For Lots 1 and 2, the Board intends to award a contract to one successful Contractor for the supply of either Lot 1 or Lot 2, but not both. The Board will accept the highest ranked offer for Lot 1, unless the quoted price exceeds the budget; or the Board considers that the offered products do not achieve a sufficient throughput; or the Board considers that no offer meets its requirements.

II.2) Description

II.2.1) Title

NHS Grampian Radiotherapy Linac (Standard)

Lot No

2

II.2.2) Additional CPV code(s)

- 33151000 - Radiotherapy devices and supplies

II.2.3) Place of performance

NUTS codes

- UKM50 - Aberdeen City and Aberdeenshire

Main site or place of performance

Aberdeen Cancer Centre

Aberdeen Royal Infirmary

Forresterhill Campus

Aberdeen

II.2.4) Description of the procurement

National Services Scotland (NSS) acting through its division Procurement, Facilities and Commissioning (PCF) is undertaking this procurement on behalf of Grampian Health

Board (the "Board").

It is intended that an award will be made to one successful Contractor who will act in the role of Prime Contractor for supply of all Products and associated services, including installation on a "turnkey basis". 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 to allow the successful Contractor to meet this commitment.

The Grampian Health Board (the "Board") provides a comprehensive radiotherapy service based at the Aberdeen Royal Infirmary ("ARI"). The Board wishes to procure one Medical Linear Accelerator ("Linac") for the delivery of a conventional multi-mode Linac for the delivery of radiotherapy treatments, in order to replace an existing linac.

II.2.5) Award criteria

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £2,619,167

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

Duration in months

24

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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.2.14) Additional information

For Lots 1 and 2, the Board intends to award a contract to one successful Contractor for the supply of either Lot 1 or Lot 2, but not both.

If the Board does not award a contract for Lot 1, then the Board will consider the highest ranked offer for Lot 2.

II.2) Description

II.2.1) Title

NHS Lothian Radiotherapy Linac (Standard)

Lot No

3

II.2.2) Additional CPV code(s)

- 33151000 - Radiotherapy devices and supplies

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

Edinburgh Cancer Centre

Western General Hospital

Crewe Road South

Edinburgh

EH4

II.2.4) Description of the procurement

National Services Scotland (NSS) acting through its division Procurement, Facilities and Commissioning (PCF) is undertaking this procurement on behalf of Lothian Health Board (the "Board").

It is intended that an award will be made of a single lot to one successful Contractor who will act in the role of Prime Contractor for supply of all Products and associated services, including installation on a "turnkey basis". 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 to allow the successful Contractor to meet this commitment.

Lothian Health Board have a requirement for the supply and installation of a 6MV radiotherapy treatment machine together with all associated equipment supplied therewith ("the Product"). The Product will be operated by the Board in the Edinburgh Cancer Centre (ECC) at Western General Hospital (WGH).

II.2.5) Award criteria

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £2,619,000

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

Duration in months

24

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

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.2.14) Additional information

For NHS Lothian (Lot 3), this will be awarded separately from Lot 1 or 2 for NHS Grampian and will be considered on the basis of the highest scoring tender that meets both the budgetary and performance requirements.

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

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

III.1.2) Economic and financial standing

Minimum level(s) of standards possibly required

Minimum level(s) of standards required:

4B.1.1 Bidders will be required to have a minimum “general” yearly turnover of GBP10m for the last 3 years.

4B.2.1 Bidders will be required to have a minimum yearly turnover of GBP10m for the last 3 years in the business area covered by the

contract.

4B.5 It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded

contract, the types and levels of insurance indicated below:

Employer’s (Compulsory) Liability Insurance = GBP5m

Public Liability Insurance = GBP10m

Product Liability Insurance = GBP5m

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

Minimum level(s) of standards required:

— All tendered products must fully comply with the NHS Requirement included within the tender documents;

- 4.C.1.2 Bidders will be required to provide examples that demonstrate that they have the relevant experience to deliver the

services/supplies as described in part II.2.4 of the FTS/OJEU Contract Notice.

— 4C.12 If awarded to the Contract Potential Contractors must provide evidence that tendered products are CE marked. Evidence should

be in the form of certification issued by a notified body.

- 4D.1 Quality Management Procedures

1. The bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN

ISO 9001 (or equivalent),

OR

2. The bidder must have the following:

a. A documented policy regarding quality management. The policy must set out responsibilities for quality management demonstrating that

the bidder has and continues to implement a quality management policy that is authorised by their Chief Executive, or equivalent, and is

periodically reviewed at a senior management level. The policy must be relevant to the nature and scale of the work to be undertaken and

set out responsibilities for quality management throughout the organisation.

b. Documented procedures for periodically reviewing, correcting and improving quality performance including processes for ensuring that

the bidder's quality management is effective in reducing/preventing incidents of sub-standard delivery, this must include the quality of

output and general performance.

c. A documented process for ensuring that quality management is effective in reducing/preventing incidents of sub-standard delivery, this

must include the quality of output and general performance. The bidder must be able to

provide copies of their organisation's

documentation procedures, that meet current agreed good practice. These must include the arrangements for quality management

throughout the bidder's organisation. They must set out how the bidder's organisation will carry out its policy, with a clear indication of

how the arrangements are communicated to the workforce.

d. Documented arrangements for providing the bidder's workforce with quality related training and information appropriate to the type of

work for which this organisation is likely to bid. This will demonstrate that the organisation has in place and implements training

arrangements to ensure that its workforce has sufficient skills and understanding to discharge their various responsibilities. These must

include a programme of training that will keep the workforce up to date with required knowledge about quality related issues, including

copies of job profiles; training manuals and records.

e. Documented arrangements that your organisation has a system for monitoring quality management procedures on an on-going basis. The

bidder's organisation must be able to provide evidence of systematic, periodic review and improvement of quality in respect of output and

general performance.

f. Documented arrangements for ensuring that the bidders apply quality management measures that are appropriate to the work for which

they are being engaged.

g. A documented process demonstrating how the bidder deals with complaints. The bidder must be able to provide details of how their

organisation maintains records of any complaints received and how corrective measures are carried out to prevent reoccurrence.

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

Date

17 June 2022

Local time

10:00am

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

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

17 June 2022

Local time

10:00am

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.3) Additional information

The estimated value referred to in section II.1.5 and section II.2.6 covers the contract duration of the agreement.

Grampian Health Board intends to award a contract to one successful Contractor for the supply of either Lot 1 or Lot 2, but not both. The Board will accept the highest ranked offer for Lot 1, unless: the quoted price exceeds the Board's budget of GBP2,619,167 (exclusive of VAT) for this procurement; or the Board considers that the offered products do not achieve a sufficient throughput for its patient load; or the Board considers that no offer adequately meets its requirements. If the Board does not award a contract for Lot 1, then the Board will consider the highest ranked offer for Lot 2. If no offers fall within the budget for this procurement or the Board considers that no offer adequately meets the requirements specified herein, then the Board may decline to accept any offer.

The Lothian Health Board will award lot 3 independently of lots 1 or 2.

Each Health Board will enter into a legal agreement with the successful bidder for their lot independently.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 21063. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

The contracts being awarded under this tender will be on the basis of prime contractor

only.

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:

It is a mandatory requirement that potential contract participants agree to support the concept, provision and ongoing development of community benefits provision in relation to this contract.

Potential contract participants are required to agree to this mandatory requirement. They are also requested to provide a brief summary of the community benefits that have recently been delivered within Scotland, if at all, and also what impact and outcomes these have achieved.

Potential contract participants are required to summarise any proposed community benefits that will be developed and delivered as part of this contract if successful or, alternatively, potential contract participants confirm that they will engage with the NHS Scotland's Community Benefits Gateway (CBG). This gateway, developed through requests from suppliers seeking opportunities to support the delivery of community benefits within the contracting region, provides information on community benefit opportunities. The CBG is a free and easy to use online service that connects NHS Scotland suppliers with third sector community organisations within Scotland and will be used for tracking and reporting and is an approved compliant route to the realisation of community benefits.

For further information please visit NHSS - www.nss.nhs.scot/procurement-and-logistics/sustainability/access-our-community-benefit-gateway/

(SC Ref:689202)

VI.4) Procedures for review

VI.4.1) Review body

Sherrif Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

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 operators 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 dispatches 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.