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Contract

## Negative Pressure Wound Therapy

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

F03: Contract award notice

Notice identifier: 2023/S 000-013595

Procurement identifier (OCID): ocds-h6vhtk-03a23b

Published 12 May 2023, 1:20pm

### 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

[gordon.ralph@nhs.scot](mailto:gordon.ralph@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**

Negative Pressure Wound Therapy

Reference number

NP51522

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

- 44113810 - Surface dressing

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

Supplies

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

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of Negative Pressure Wound Therapy ('Products') as outlined further below 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').

#### **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: £7,330,000

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

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

Devices - Purchase / Rental with dual interface (Foam / Gauze) & Consumables

Lot No

1

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

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

We require a range of dual interface (Foam / Gauze (various sizes)) & Consumables to be used in conjunction with rental / purchase pumps to be delivered to NDC or direct to NHS Scotland Health Boards.

We envisage awarding 6 suppliers on this lot.

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

Quality criterion - Name: Training & Support / Weighting: 30

Price - Weighting: 70

### **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**

Single use device: Powered portable pump / With exudate stored in the Dressing

Lot No

2

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

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

We require a range of Powered portable pump / With exudate stored in the Dressing to be used in conjunction with rental / purchase pumps to be delivered to NDC or direct to NHS Scotland Health Boards.

We envisage awarding 6 suppliers on this lot.

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

Quality criterion - Name: Training & Support / Weighting: 30

Price - Weighting: 70

### **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**

Single use device: Powered portable pump / With exudate stored in the Canister

Lot No

3

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

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

We require a range of Single use device: Powered portable pump with exudate stored in the Canister to be delivered to NDC or direct to NHS Scotland Health Boards.

We envisage awarding 6 suppliers on this lot.

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

Quality criterion - Name: Training & Support / Weighting: 30

Price - Weighting: 70

## **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**

Devices - FREE OF CHARGE (FOC) with dual interface (Foam / Gauze) & Consumables

Lot No

6

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

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

Devices - FREE OF CHARGE (FOC) with dual interface (Foam / Gauze) & Consumables

Suppliers awarded to lot 1 will be awarded to lot 6.

We envisage awarding 6 suppliers on this lot.

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

Quality criterion - Name: Training and Support / Weighting: 30

Price - Weighting: 70

### **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**

Single use device: NON Powered portable pump / With exudate stored in the Canister

Lot No

5

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

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

We require a range of Single use device Non Powered portable pump with exudate stored in the Canister to be delivered to NDC or direct to NHS Scotland Health Boards.

We envisage awarding 6 suppliers on this lot.

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

Quality criterion - Name: Training and Support / Weighting: 30

Price - Weighting: 70

### **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.1.3) 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

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2023/S 000-003213](#)

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

### **Lot No**

1

### **Title**

Devices - Purchase / Rental with dual interface (Foam / Gauze) & Consumables

A contract/lot is awarded: Yes

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

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

13 April 2023

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

Number of tenders received: 4

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 4

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

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: Yes

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

KCI Medical Ltd

2050 Orchard Avenue, Citywest Business Park

Citywest

Dublin 24

Country

Ireland

NUTS code

- IE061 - Dublin

The contractor is an SME

No

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

TJ Smith and Nephew Ltd (Trading as Smith & Nephew)

Building 5, Croxley Green Business Park, Hatters Lane

Watford Hertfordshire

WD18 8YE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Creed Medical Limited

Unit 2 Hamilton Court, Oakham Business Park

Mansfield

NG18 5FB

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Direct Healthcare Services

Unit 6-10 Withey Court , Western Industrial Estate

Caerphilly

CF83 1BF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £3,765,000

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

### **Lot No**

2

### **Title**

Single use device: Powered portable pump / With exudate stored in the Dressing

A contract/lot is awarded: Yes

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

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

13 April 2023

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

Number of tenders received: 3

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 3

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

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

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

TJ Smith and Nephew Ltd (Trading as Smith & Nephew)

Building 5, Croxley Green Business Park, Hatters Lane

Watford Hertfordshire

WD18 8YE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Molnlycke Health Care

Unity House, Medlock Street

Oldham

OL1 3HS

Country

United Kingdom

NUTS code

- UKD4 - Lancashire

The contractor is an SME

No

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

ConvaTec Limited

GDC First Avenue, Deeside Industrial Park

Deeside, Flintshire

CH5 2NU

Country

United Kingdom

NUTS code

- UKL23 - Flintshire and Wrexham

The contractor is an SME

No

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

Total value of the contract/lot: £3,465,000

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

### **Lot No**

3

### **Title**

Single use device: Powered portable pump / With exudate stored in the Canister

A contract/lot is awarded: Yes

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

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

13 April 2023

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

Number of tenders received: 2

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 2

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

Number of tenders received by electronic means: 2

The contract has been awarded to a group of economic operators: Yes

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

KCI Medical Ltd

2050 Orchard Avenue, Citywest Business Park

Citywest

Dublin 24

Country

Ireland

NUTS code

- IE061 - Dublin

The contractor is an SME

No

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

Molnlycke Health Care

Unity House, Medlock Street

Oldham

OL1 3HS

Country

United Kingdom

NUTS code

- UKD4 - Lancashire

The contractor is an SME

No

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

Total value of the contract/lot: £50,000

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

### **Lot No**

6

### **Title**

Devices - FREE OF CHARGE (FOC) with dual interface (Foam / Gauze) & Consumables

A contract/lot is awarded: Yes

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

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

13 April 2023

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

Number of tenders received: 4

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 4

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

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: Yes

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

KCI Medical Ltd

2050 Orchard Avenue, Citywest Business Park

Citywest

Dublin 24

Country

Ireland

NUTS code

- IE061 - Dublin

The contractor is an SME

No

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

TJ Smith and Nephew Ltd (Trading as Smith & Nephew)

Building 5, Croxley Green Business Park, Hatters Lane

Watford Hertfordshire

WD18 8YE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Creed Medical Limited

Unit 2 Hamilton Court, Oakham Business Park

Mansfield

NG18 5FB

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Direct Healthcare Services

Unit 6-10 Withey Court , Western Industrial Estate

Caerphilly

CF83 1BF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £10,000

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

### **Lot No**

5

### **Title**

Single use device: NON Powered portable pump / With exudate stored in the Canister

A contract/lot is awarded: Yes

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

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

13 April 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**

KCI Medical Ltd

2050 Orchard Avenue, Citywest Business Park

Citywest

Dublin 24

Country

Ireland

NUTS code

- IE061 - Dublin

The contractor is an SME

No

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

Total value of the contract/lot: £50,000

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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 Wound Closure Products('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 Page 78 to 78 to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'Participating Authorities'), where applicable and Scottish Hospices. The estimated values referred to in Section II.1.5 and 11.2.6 covers the 5 years contract duration plus the 2 x 12 months extension period of the framework agreement.

(SC Ref:731928)

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

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

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

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.