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Tender

## **Breathing Circuits and Associated Consumables**

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

F02: Contract notice

Notice identifier: 2024/S 000-014365

Procurement identifier (OCID): ocds-h6vhtk-04573d

Published 3 May 2024, 2:14pm

The closing date and time has been changed to:

**7 June 2024, 10:00am**

See the [change notice](#).

### **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**

[daniel.holmes2@nhs.scot](mailto:daniel.holmes2@nhs.scot)

#### **Telephone**

+44 1698794410

**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.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

<http://publictendersscotland.publiccontractsscotland.gov.uk>

**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**

Breathing Circuits and Associated Consumables

Reference number

NP154/24

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

- 33661100 - Anaesthetics

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

Supplies

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

The supply of breathing circuit products and associated accessories used in both critical care and theatre environments 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).

The buyer is using PCS-Tender to conduct this PQQ/ITT exercise. The Project code is 26604. For more information see:

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

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

Value excluding VAT: £5,000,000

#### **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**

Theatres

Lot No

1

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

- 33157400 - Medical breathing devices
- 33172100 - Anaesthesia devices

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

NUTS codes

- UKM - Scotland

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

This lot is for single use breathing circuits and associated consumables for use within a theatre setting to deliver medical gases.

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

Quality criterion - Name: Quality / Weighting: 30

Quality criterion - Name: Support & Service / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 55

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

#### **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**

Lot 1 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot.

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

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

Critical Care Heated Circuits

Lot No

2

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

- 33157400 - Medical breathing devices
- 33172100 - Anaesthesia devices

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

NUTS codes

- UKM - Scotland

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

Heated breathing circuits and associated accessories for use in critical care.

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

Quality criterion - Name: Quality / Weighting: 30

Quality criterion - Name: Support & Service / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 55

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

#### **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**

Lot 2 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot.

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

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

Critical Care Standard Circuits

Lot No

3

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

- 33157400 - Medical breathing devices
- 33172100 - Anaesthesia devices

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

NUTS codes

- UKM - Scotland

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

Supply of standard breathing circuits and associated accessories for use in critical care.

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

Quality criterion - Name: Quality / Weighting: 30

Quality criterion - Name: Support & Service / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 55

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

### **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**

Lot 3 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot.

## **II.2) Description**

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

Critical Care Interfaces

Lot No

4

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

- 33172100 - Anaesthesia devices

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

NUTS codes

- UKM - Scotland

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

Critical Care Interfaces for use in Critical Care

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

Quality criterion - Name: Quality / Weighting: 30



Quality criterion - Name: Support & Service / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 55

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

### **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**

Lot 4 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot

## **II.2) Description**

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

Gas Sampling

Lot No

5

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

- 33172100 - Anaesthesia devices
- 33157400 - Medical breathing devices

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

NUTS codes

- UKM - Scotland

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

Gas sampling lines for use in theatres.

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

Quality criterion - Name: Quality / Weighting: 30

Quality criterion - Name: Support & Service / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 55

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

### **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**

Lot 5 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot.

## **II.2) Description**

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

CO2 Absorbent (Sodalime or equivalent)

Lot No

6

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

- 33157400 - Medical breathing devices
- 33172100 - Anaesthesia devices

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

NUTS codes

- UKM - Scotland

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

CO2 absorbent

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

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Price / Weighting: 90

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

1 x 12 month extension available

### **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**

Lot 6 unranked multi supplier framework. It is proposed that up to eight suppliers will be awarded to this lot.

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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

Economic and Financial Standing - yearly turnover

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

Minimum level(s) of standards possibly required

The Bidder should provide its (“general”) yearly turnover for the last 3 years

The Bidder should provide its yearly (“specific”) turnover in the business area(s) covered by the contract for the last 3 years

Employers (Compulsory) Liability Insurance GBP 5,000,000 minimum

Public Liability Insurance GBP 5,000,000 minimum

Product Liability Insurance GBP 5,000,000 minimum

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

List and brief description of selection criteria

- All tendered products must fully comply with the Requirement Documents included within the tender.

Minimum level(s) of standards possibly required

- If awarded to the Framework Potential Framework Participants must provide evidence that tendered products are CE marked, or will have obtained a CE mark prior to the products being available for purchase, complying with Medical Device Directive 93/42/EEC. Evidence should be in form of a certificate of compliance issued by a UKAS (or equivalent) accredited independent third party.

- If awarded to the Framework Potential Framework Participants must prove that they hold ISO 13485 certification or equivalent or are in the process of obtaining certification.

- All tendered pricing must be inclusive of delivery.

- Potential Framework Participants must confirm they are able to meet all mandatory requirements as detailed within the ITT.

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## **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**

Originally published as:

Date

3 June 2024

Local time

9:00am

Changed to:

Date

7 June 2024

Local time

10:00am

See the [change notice](#).

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

English

##### **IV.2.7) Conditions for opening of tenders**

Date

3 June 2024

Local time

9:00am

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## **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 Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division National Procurement, is undertaking this procurement of Breathing circuits, patient interfaces and associated consumables ('Products' 'services') 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 Partnership (collectively hereafter referred to as 'Participating Authorities').

NOTE: The buyer is using PCS-Tender to carry out this procurement process. Please note this is a separate website and if you are not already registered, registration will be required.

To access PCS-Tender, record your interest in this notice and access the tender documentation please visit

<https://www.publictendersscotland.publiccontractsscotland.gov.uk> and search for project Code 26604 under ITTs Open to All Suppliers. Please use the Search/Filter function, then select Project Code from the dropdown. Please note that once you have expressed interest in the ITT it will move to your My ITTs area.

The Contracting Authority does not intend to include a sub-contract clause in this contract.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 26604. For more information see:

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

(SC Ref:583808)

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 26604. For more information see:

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

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:

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

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

It is a mandatory requirement that potential framework participants agree to support the concept, provision and ongoing development of

community benefits provision in relation to this framework. Potential framework participants are required to agree to this mandatory

requirement, provide a brief summary of the community benefits you already deliver in your business, where these are delivered and what

they have achieved in outcomes. Potential framework participants are required to summarise what community benefits you propose to

develop and deliver as part of this contract if successful. Community benefits potential framework participants are required to confirm that

if successful you agree to participate in and support a process of ongoing contract and supplier development in this area including the

tracking and reporting of community benefits delivered as part of this framework.

(SC Ref:765657)

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



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

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

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

Edinburgh

EH12 9EB

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

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 framework agreement 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 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(s). 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.