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Tender

NP57421 Condoms and related Products

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

F02: Contract notice

Notice identifier: 2021/S 000-014782

Procurement identifier (OCID): ocds-h6vhtk-02c131

Published 29 June 2021, 9:45am

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

david.bryce@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

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

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

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

NP57421 Condoms and related Products

II.1.2) Main CPV code

- 33712000 - Condoms

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 Condoms and Related Products including delivery (“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”).

II.1.5) Estimated total value

Value excluding VAT: £2,370,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 33712000 - Condoms

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

The provision of Condoms and Related Products for Healthcare Providers in NHS Scotland.
The scope for this contract is as follows:

Male Condoms

Female Condoms

Lubricants

Associated Marketing Material

Service and Delivery of Product

II.2.5) Award criteria

Quality criterion - Name: Implementation & Roll out / Weighting: 30

Quality criterion - Name: Change Management Process / Weighting: 10

Price - Weighting: 60

II.2.6) Estimated value

Value excluding VAT: £2,370,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Authority at its discretion, can utilise 2 optional extension periods of 12 months.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

The Authority envisages that three (3) Potential Framework Participants will be awarded (subject to submission of admissible Tenders as determined in accordance with the provisions of the ITT). Suppliers will be awarded on a ranked basis.

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

(1) Potential Framework Participants will be required to provide a statement covering the 3 years previous financial years including the

overall turnover of the Potential Framework Participants in respect of the activities which are of a similar type to the subject matter of this

notice.

(2) Potential Framework Participants will be required to provide statements of account or extracts relating to their business.

(3) Please attach your bankers statement outlining the current cash and credit facility position and confirming the Contractor's economic

and financial standing.

(4) see contract/tender documentation which incorporates the requirements of the ESPD (Scotland) and the financial period of reporting is

the previous 3 financial years.

(5) Potential Framework Participants will be required to provide confirmation of Employers Liability, Public Liability and any other

relevant insurances.

Minimum level(s) of standards possibly required

Potential Framework Participants must confirm the limits of indemnity per occurrence and aggregate for Public Liability, and any other

relevant insurances are above the minimum of 2 million UKGBP for any one incident in any one year. Potential framework participants

must confirm Employer liability of 5 million UKGBP.

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

Bidders must possess the following certification/accreditations-

UKCA Marking of tendered Products and compliance to relevant Medical Device Directive regulations 2002

Bidders must possess the following ISO accreditations relevant to specific tendered products-

ISO4074

ISO23409

ISO25841

Minimum shelf life of 12 months for lubricant Products, 36 months for condom Products.

Potential Framework Participants must submit with their tenders at least two (current) references from NHS bodies or registered healthcare

providers attesting to the appropriate nature, quality and effectiveness of services provided by the potential Framework Participant.

UKCA / CE Marking and Expiry date must be visible on individual units of tendered Products

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

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 3

In the case of framework agreements, provide justification for any duration exceeding 4 years:

Implementation of this framework is time consuming due to the supply and delivery implications from potential migration.

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

13 August 2021

Local time

12:00pm

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

Tender must be valid until: 15 December 2021

IV.2.7) Conditions for opening of tenders

Date

13 August 2021

Local time

12:00pm

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 value in Section II.1.5 of this tender covers the full duration of the framework including any optional extensions.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is

For more information see:

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

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18137. For more information see:

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

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:

Potential Framework Participants must provide Community Benefits for health boards who spend a minimum of 75k GBP per annum.

These can include, but not limited to,

- support of identified charitable organisations through volunteering, service, equipment and other resource donation

- allocation of work experience, internship, student places in line with local education strategies
- support to environmental and rejuvenation projects
- support of bringing long term unemployed back into the jobs market
- support and working with 3rd sector and supported businesses within the geographical area

(SC Ref:602517)

(SC Ref:634269)

(SC Ref:648656)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

Country

United Kingdom

Internet address

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

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 process 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 as to why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a

minimum of 10 (ten) clear calendar days (or a minimum of 15 (fifteen) if the communication method used is not electronic) between the

date on which the Authority despatches 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.