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Award

School of Physics & Astronomy: C-Trap Confocal Microscope

University of St Andrews

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-018412

Procurement identifier (OCID): ocids-h6vhtk-03dd36

Published 28 June 2023, 2:22pm

Section I: Contracting authority/entity

I.1) Name and addresses

University of St Andrews

Walter Bower House, Eden Campus

Guardbridge

KY16 0US

Contact

Adrian Wood

Email

procurement@st-andrews.ac.uk

Telephone

+44 1334462523

Country

United Kingdom

NUTS code

UKM72 - Clackmannanshire and Fife

Internet address(es)

Main address

<http://www.st-andrews.ac.uk/procurement/>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00111

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

School of Physics & Astronomy: C-Trap Confocal Microscope

Reference number

PHA/270623/JP/SL

II.1.2) Main CPV code

- 38510000 - Microscopes

II.1.3) Type of contract

Supplies

II.1.4) Short description

C-Trap Confocal Microscope.

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: £714,299.80

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKM72 - Clackmannanshire and Fife

Main site or place of performance

UK-St Andrews

II.2.4) Description of the procurement

C-Trap 3 Colour Confocal Microscope with 2 optical traps, 2 force detectors, automated microfluidics, temperature control optical table, workstation rack with 3 screens.

Nanostage with active calibration, active trap stabilization, short tether piezo tracking, baseline correction.

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

All tenders for the University of St Andrews are administered through our eTendering System (InTend). To Express an Interest please go to our tender website at <https://intendhost.co.uk/universityofstandrews>

Please note that 'Notes of Interest' placed via PCS (Public Contracts Scotland) are not automatically accepted

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 procurement falls outside the scope of application of the regulations

Explanation:

The technical characteristics of the equipment are such that these cannot be met by another supplier/piece of equipment.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

Contract No

PHA/270623/JP/SL

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

27 June 2023

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

LUMICKS B.V.

Paalbergweg 3

Amsterdam

1105AG

Telephone

+31 643216589

Country

Netherlands

NUTS code

- NL1 - North Netherlands

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £714,299.80

Section VI. Complementary information

VI.3) Additional information

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=736757.

(SC Ref:736757)

VI.4) Procedures for review

VI.4.1) Review body

Dundee Sheriff Court

6 West Bell Street

Dundee

DD1 9AD

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The University of St Andrews will incorporate a minimum of 10 calendar day standstill period at the point of information on the award of the contract being communicated to tenderers. This period allows unsuccessful tenderers to seek further debriefing from the contracting authority before the contract is entered into. Applicants have 2 working days from the notification of the award decision to request additional debriefing and that information has to be provided a minimum of 3 working days before the expiry of the standstill period. Such additional information should be requested from The University of St Andrews.

If an appeal regarding the award of contract has not been successfully resolved The

Public Contracts (Scotland) Regulations 2012 provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rule to take action in the Sheriff Court or Court of Session.

The anticipated review body in such cases would be:

Dundee Sheriff Court

6 West Bell Street

Dundee

DD1 9AD

Telephone: +44 1382 229 961

Anyone bringing court proceedings against the University of St Andrews must inform the University of St Andrews in advance of the alleged breach and its intention to bring proceedings. Any such action must be brought within 15 days of the date on which a decision is sent to them or published to challenge that decision.

Proceedings seeking an ineffectiveness order must be brought within 30 days of the publication of the contract award notice in the OJEU, or 30 days from the date of a decision letter to all tenderers concerned, and any candidates concerned, containing a summary of the reason for the recipient being unsuccessful, otherwise 6 months from the date of entering into the contract or concluding the framework agreement.

Where a contract has not been entered into the Court may, by interim order, suspend the procurement procedure. The court may also set aside a decision or actions taken by the University or order it to amend and document; and/or award damages. However, by express requirement the court may decide not to grant an interim order when the negative consequences of such an order are likely to outweigh the benefits, having regard to a number of considerations.

If the contract has been entered into the Court may, depending on the nature of the breach: make an ineffectiveness order; impose a financial penalty; shorten the duration of the contract; make any other order considered appropriate to address the consequences of ineffectiveness or shortening the duration of the contract; award damages.