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Tender

## **NP37324 Bulk Medical Liquid Oxygen and Associated Equipment and Services**

NHS National Services Scotland

F02: Contract notice

Notice identifier: 2024/S 000-018608

Procurement identifier (OCID): ocds-h6vhtk-047070

Published 17 June 2024, 1:29pm

The closing date and time has been changed to:

**24 July 2024, 12:00pm**

See the [change notice](#).

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NHS National Services Scotland

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

Edinburgh

EH12 9EB

#### **Contact**

Zenab Ghazali

#### **Email**

[zenab.ghazali@nhs.scot](mailto:zenab.ghazali@nhs.scot)

**Telephone**

+44 7977806098

**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/web/login.html>

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/web/login.html>

**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**

NP37324 Bulk Medical Liquid Oxygen and Associated Equipment and Services

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

- 24111500 - Medical gases

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

Supplies

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

Supply of Bulk Medical Liquid Oxygen and Associated Equipment and Services to NHS Scotland.

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

Value excluding VAT: £19,370,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

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

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

- 33600000 - Pharmaceutical products

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All entities constituted pursuant to the National Health Service (Scotland) Act 1978, and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

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

This contract agreement is for the supply of Bulk Medical Liquid Oxygen and Associated Equipment and Services to NHS Scotland.

This will be the direct supply of Bulk Medical Liquid Oxygen in VIEs to hospitals as directed by the Participating Authorities and includes the rental and refilling of VIEs.

The total requirement will be awarded as a single supplier contract agreement.

The total requirement, including product specification and annual volumes, are detailed within the tender documentation.

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

Quality criterion - Name: Supply Management / Weighting: 15

Quality criterion - Name: Quality of Service / Weighting: 10

Quality criterion - Name: Continuous Improvement / Weighting: 5

Quality criterion - Name: Contingency Supply / Weighting: 5

Quality criterion - Name: Sustainability - Energy / Weighting: 5

Quality criterion - Name: Sustainability - Road Freight / Weighting: 5

Price - Weighting: 55

#### **II.2.6) Estimated value**

Value excluding VAT: £19,370,000

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

Duration in months

This contract is subject to renewal

Yes

Description of renewals

This contract includes the option to extend for any number of periods, up to a maximum overall period of twenty four (24) months upon giving not less than three (3) months written notice, such notice to expire no later than the date the Contract Agreement is due to expire.

#### **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

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### **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 situation referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015.

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

List and brief description of selection criteria

(a) Potential Contract Participants must be able to demonstrate the existence of a valid and current UK Marketing Authorisation that has been approved by the MHRA for the Goods tendered at the date of submission of the tender.

(b) All liquid oxygen containers and ancillary equipment and the equipment used for

storage and supply during transport and the ancillary equipment therein used must comply with BS1319 or the equivalents ISO 32-1977/ISO 407 and SHTM 02-01 and the standards referenced therein.

(c) The supply of medical gases and piped medical gas systems must comply with Scottish Health Technical Memorandum (SHTM) 02-01 Parts 1 and 2 guidelines.

(d) Potential Contract Participants and any sub-contractor(s) must possess valid certification of BS EN ISO 9001 or equivalent.

(e) Potential Contract Participants are required to provide evidence that their organisation has taken steps to build their awareness of the climate change emergency and how they will respond.

Minimum level(s) of standards possibly required

(a) Confirmation of existence of a valid and current UK Marketing Authorisation that has been approved by the MHRA for the Goods tendered at the date of submission of the tender should be included in the Qualification Envelope of the ITT under the Technical and Professional ability: Quality Control.

(b) Confirmation that all liquid oxygen containers and ancillary equipment and the equipment used for storage and supply during transport and the ancillary equipment therein used comply with BS1319 or the equivalents ISO 32-1977/ISO 407 and SHTM 02-01 and the standards referenced therein should be included in the Qualification Envelope of the ITT under the Technical and Professional ability: Quality Control.

(c) Confirmation that the supply of medical gases and piped medical gas systems comply with Scottish Health Technical Memorandum (SHTM) 02-01 Parts 1 and 2 guidelines should be included in the Qualification Envelope of the ITT under the Technical and Professional ability: Quality Control.

(d) Confirmation of the existence of valid certification of BS EN ISO 9001 or equivalent. Confirmation of such certification should be included in the Qualification Envelope of the ITT under the Quality Assurance Schemes.

(e) A completed copy of the Bidder Climate Change Plan Template, including planned projects and actions to reduce the bidder's carbon emissions should be provided in the Qualification Envelope of the ITT under Environmental Management Criteria. This does not need to contain calculated carbon emissions.

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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

17 July 2024

Local time

12:00pm

Changed to:

Date

24 July 2024

Local time

12:00pm

See the [change notice](#).

#### **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 July 2024

Local time

12:00pm

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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 estimated value(s) referred to in Sections II.1.5 cover(s) the ninety six (96) month contract duration and the twenty four (24) month extension period of the contract agreement.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 26869. 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:



It is a mandatory requirement that potential contractor(s) agree to support the concept, provision, and ongoing development of community benefits provision in relation to this framework/contract.

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

Potential contractor(s) are required to summarise any proposed community benefits that will be developed and delivered as part of this contract if successful or, alternatively, potential contractor(s) 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 Community Benefit Gateway (<https://www.nss.nhs.scot/procurement-and-logistics/sustainability/access-our-community-benefit-gateway/>).

(SC Ref:768119)

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

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

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

[edinburgh@scotcourts.gov.uk](mailto:edinburgh@scotcourts.gov.uk)

Telephone

+44 01312252525

Country

United Kingdom

Internet address

<https://scotcourts.gov.uk/the-courts/sheriff-court/about-sheriff-courts>

### **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 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 contract agreement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the contract 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 contract agreement has been entered into include the setting aside of the decision to award the contract agreement to the winning tenderer(s). The bringing of court proceedings against the Authority after the contract agreement has been entered into will not affect the contract 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 contract agreement has been entered into are limited to the award of damages.