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Tender

## **NHS Tayside Replacement Linac and Record and Verify 2023**

NHS Tayside

F02: Contract notice

Notice identifier: 2023/S 000-019224

Procurement identifier (OCID): ocds-h6vhtk-03df2f

Published 6 July 2023, 8:52am

The closing date and time has been changed to:

**18 August 2023, 10:00am**

See the [change notice](#).

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

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

NHS Tayside

Ninewells Hospital

Dundee

DD1 9SY

#### **Contact**

James Lennon

#### **Email**

[james.lennon@nhs.scot](mailto:james.lennon@nhs.scot)

**Telephone**

+44 7929866732

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00154](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00154)

**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

<https://www.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**

NHS Tayside Replacement Linac and Record and Verify 2023

Reference number

SLC818/2023

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

- 33150000 - Radiotherapy, mechanotherapy, electrotherapy and physical therapy devices

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

Supplies

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

NHS Tayside Radiotherapy department is looking to replace one of its current Linacs and their Record and Verify system, which have both come to the end of their product life cycles.

The Radiotherapy department is based at the Tayside Cancer Centre on the Ninewells Hospital Campus site.

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

Value excluding VAT: £2,881,667

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

This contract is divided into lots: Yes

Tenders may be submitted for maximum number of lots

2

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

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

Lot 2 - Record and Verify

Lot No

2

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

- 33151000 - Radiotherapy devices and supplies

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

NUTS codes

- UKM71 - Angus and Dundee City

Main site or place of performance

Tayside Cancer Centre (TCC), located at Ninewells Hospital & Medical School in Dundee, DD2 1UB

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

The Board intends to award a contract to one successful Contractor for the supply of:

Lot 2 - one Record and Verify System (R&V) (DD9)

The Board will accept the highest ranked offer for the chosen Lot, unless the Board considers that no offer adequately meets its requirements. If the Board considers that no offer adequately meets the requirements specified herein, then the Board may decline to accept any offer.

In the case that a contract is awarded, the successful Contractor will act in the role of Prime Contractor for supply of all Products and associated services to the Board. This means that the successful Contractor shall assume full responsibility for supply of all Products and associated services. The successful Contractor shall be solely responsible for effecting any sub-contracting or collaborative arrangements required with other suppliers in order to allow the successful Contractor to meet this commitment.

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

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

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

Value excluding VAT: £425,833

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

Duration in months

24

This contract is subject to renewal

No

### **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) Description**

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

Lot 1 - Linac

Lot No

1

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

- 33151000 - Radiotherapy devices and supplies

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

NUTS codes

- UKM71 - Angus and Dundee City

Main site or place of performance

Tayside Cancer Centre (TCC), located at Ninewells Hospital & Medical School in Dundee, DD2 1UB.

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

The Board intends to award a contract to one successful Contractor for the supply of:

Lot 1 - one Linear Accelerator (Linac) (DD1)

The Board will accept the highest ranked offer for the chosen Lot, unless the Board considers that no offer adequately meets its requirements. If the Board considers that no offer adequately meets the requirements specified herein, then the Board may decline to accept any offer.

In the case that a contract is awarded, the successful Contractor will act in the role of Prime Contractor for supply of all Products and associated services to the Board. This means that the successful Contractor shall assume full responsibility for supply of all Products and associated services. The successful Contractor shall be solely responsible for effecting any sub-contracting or collaborative arrangements required with other suppliers in order to allow the successful Contractor to meet this commitment.

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

Quality criterion - Name: NHS Requirement / Weighting: 70

Cost criterion - Name: Cost / Weighting: 30

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

Value excluding VAT: £2,455,834

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

Duration in months

24

This contract is subject to renewal

No

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

#### **III.1.2) Economic and financial standing**

Minimum level(s) of standards possibly required

4B.1.1 Bidders will be required to have a minimum “general” yearly turnover of GBP5.8m for the last 3 years.

4B.2.1 Bidders will be required to have a minimum yearly turnover of GBP5.8m for the last 3 years in the business area covered by the contract.

4B.5 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:

Employer’s (Compulsory) Liability Insurance = GBP5m

Public Liability Insurance = GBP10m

Product Liability Insurance = GBP5m

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

Minimum level(s) of standards possibly required

— All tendered products must fully comply with the NHS Requirement included within the tender documents;

- 4.C.1.2 Bidders will be required to provide examples that demonstrate that they have the relevant experience to deliver the services/supplies as described in part II.2.4 of the FTS/OJEU Contract Notice.

— 4C.12 If awarded to the Contract Potential Contractors must provide evidence that tendered products are CE/ UKCA marked. Evidence should be in the form of certification issued by a notified body.

- 4D.1 Quality Management Procedures

1. The bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent),

OR

2. The bidder must have the following:

a. A documented policy regarding quality management. The policy must set out responsibilities for quality management demonstrating that the bidder has and continues to implement a quality management policy that is authorised by their Chief Executive, or equivalent, and is periodically reviewed at a senior management level. The policy must be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organisation.

b. Documented procedures for periodically reviewing, correcting and improving quality performance including processes for ensuring that the bidder's quality management is effective in reducing/preventing incidents of sub-standard delivery, this must include the quality of output and general performance.

c. A documented process for ensuring that quality management is effective in reducing/preventing incidents of sub-standard delivery, this must include the quality of output and general performance. The bidder must be able to provide copies of their organisation's documentation procedures, that meet current agreed good practice. These must include the arrangements for quality management throughout the bidder's organisation. They must set out how the bidder's organisation will carry out its policy, with a clear indication of how the arrangements are communicated to the workforce.

d. Documented arrangements for providing the bidder's workforce with quality related training and information appropriate to the type of work for which this organisation is likely to bid. This will demonstrate that the organisation has in place and implements training arrangements to ensure that its workforce has sufficient skills and understanding to discharge their various responsibilities. These must include a programme of training that will keep the workforce up to date with required knowledge about quality related issues, including

copies of job profiles; training manuals and records.

e. Documented arrangements that your organisation has a system for monitoring quality management procedures on an on-going basis. The bidder's organisation must be able to provide evidence of systematic, periodic review and improvement of quality in respect of output and general performance.

f. Documented arrangements for ensuring that the bidders apply quality management measures that are appropriate to the work for which they are being engaged.

g. A documented process demonstrating how the bidder deals with complaints. The bidder must be able to provide details of how their organisation maintains records of any complaints received and how corrective measures are carried out to prevent reoccurrence.

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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

10 August 2023

Local time

10:00am

Changed to:

Date

18 August 2023

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

10 August 2023

Local time

10:00am

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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 estimated values referred to in Section II.1.5 and II.2.6 covers the 24 months contract duration.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24546. For more information see:

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

(SC Ref:736526)

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

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

Dundee Sheriff Court and Justice of the Peace Court

Sheriff Court House, 6 West Bell Street, Dundee

Dundee

DD1 9AD

Email

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

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