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Tender

## **NP48823 Homecare Delivery Service for NHS Commissioned Services**

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

F02: Contract notice

Notice identifier: 2023/S 000-020205

Procurement identifier (OCID): ocds-h6vhtk-03e1c8

Published 14 July 2023, 9:13am

### **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

#### **Contact**

Mairi Gibson

#### **Email**

[mairi.gibson@nhs.scot](mailto:mairi.gibson@nhs.scot)

#### **Telephone**

+44 1698794544

**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**

NP48823 Homecare Delivery Service for NHS Commissioned Services

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

- 85149000 - Pharmacy services

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

Services

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

A Framework Agreement for the supply and delivery of medications to patients in their own homes, or other designated delivery points on behalf of NHS Scotland.

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

Value excluding VAT: £27,600,000

#### **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**

Low Tech Service

Lot No

1

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

- 85149000 - Pharmacy services

- 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**

The provision of a Homecare Delivery Service to deliver a range of medications described as Low Tech and includes a number of / ranges of oral medicines (in particular, antivirals and medicines used to treat pulmonary arterial hypertension, as a minimum). This includes the dispensing and supply of the prescribed medicines and the delivery to patients in their homes or other agreed designated delivery points, as detailed within the specification contained within the tender documentation.

This Lot is for approximately 2,500 patients across NHS Scotland resulting in approximately 10,000 deliveries per annum. The number of patients and deliveries will vary throughout the duration of the framework agreement.

The framework agreement will be awarded as an unranked multi-supplier framework to a maximum of eight (8) suppliers.

Full details of the Service can be found within the ITT documents.

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

Quality criterion - Name: Delivery Service / Weighting: 15

Quality criterion - Name: Communication with the Participating Authorities / Weighting: 10

Quality criterion - Name: Account Management / Weighting: 10

Quality criterion - Name: Business Continuity Plans / Weighting: 10

Quality criterion - Name: Communication with the Patient / Weighting: 5

Quality criterion - Name: Carbon Reduction Plan / Weighting: 5

Quality criterion - Name: Packaging and Recycling / Weighting: 5

Price - Weighting: 40

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

Value excluding VAT: £3,000,000

#### **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

This framework 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 Framework 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

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

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

Mid Tech Service

Lot No

2

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

- 85149000 - Pharmacy services
- 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**

The provision of a Homecare Delivery Service to deliver a range for medicines described as Mid Tech and includes a number of injectable medications, mostly in the form of pre-filled syringes or pre-filled pens, and may include a number of the Anti- TNF inhibitors injections (i.e. biosimilars prescribed within gastro intestinal, rheumatology and dermatology therapies), as well as multiple sclerosis, erythropoietin, and osteoporosis, although not limited to just this range for patients in NHS Scotland.

Mid Tech also includes a range of oral cancer medicines where a more reactive service is a priority and requires a faster turnaround time after phlebotomy blood tests are confirmed. This includes the dispensing and supply of the prescribed medicines, ancillary products as required, the delivered to patients in their homes or other agreed designated delivery points, and the supply and removal of sharps containers as detailed within the specification contained within the tender documentation.

This tender is for approximately 22,500 patients resulting in approximately 70,000 deliveries per annum across NHS Scotland. The number of patients and deliveries will vary throughout the duration of the framework agreement.

The framework agreement will be awarded as an unranked multi-supplier framework to a maximum of eight (8) suppliers.

Full details of the Service can be found within the ITT documents.

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

Quality criterion - Name: Delivery Service / Weighting: 15

Quality criterion - Name: Communication with the Participating Authorities / Weighting: 10

Quality criterion - Name: Account Management / Weighting: 10

Quality criterion - Name: Business Continuity Plans / Weighting: 10

Quality criterion - Name: Communication with the Patient / Weighting: 5

Quality criterion - Name: Carbon Reduction Plan / Weighting: 5

Quality criterion - Name: Packaging and Recycling / Weighting: 5

Price - Weighting: 40

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

Value excluding VAT: £24,600,000

### **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

This framework 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 Framework 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.1.2) Economic and financial standing**

List and brief description of selection criteria

The turnover of the economic operator in respect of its most recent full financial year must have been equal to or more than 20000000

(GBP).

Minimum level(s) of standards possibly required

The economic operator must provide either:

(1) an extract from its audited accounts in respect of its most recent full financial year stating the turnover of the economic operator in

respect of such financial year, such extract certified on its face by a solicitor or a chartered accountant as being a true copy of the original

document, or

(2) a statement certified by the economic operator's auditors confirming the turnover of the economic operator in respect of its most recent

full financial year.



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

List and brief description of selection criteria

- (a) All of the dispensed Goods supplied under the Framework Agreement will be dispensed in a pharmacy which at the time of dispensing is registered with the General Pharmaceutical Council.
- (b) All of the Pharmacist and Pharmacy Technician staff used to service this Framework Agreement will be registered with the General Pharmaceutical Council.
- (c) The successful Framework Participant(s) and any sub-contractor(s) must possess valid certification of BS EN ISO9001 or equivalent.
- (d) All medical devices tendered and associated ancillaries supplied under this Framework Agreement will comply with Medical Devices Regulations 2002 (SI 2002 No 618, as amended) (UK MDR 2002), have an appropriate declaration of conformity and display a valid CE, CE UKNI or UKCA mark.
- (e) All staff in direct contact with patients, including sub-contractors and couriers, will be members of the relevant Protecting Vulnerable Groups Scheme at the point of service provision.
- (f) All nursing staff used to provide clinical services to patients under this Framework Agreement will be registered with the Nursing and Midwifery Council (NMC).
- (g) All nursing services provided under this Framework Agreement must be carried out by a company who is registered with the Care Inspectorate in Scotland.
- (h) All waste transported under this Framework Agreement must be carried out by a company who possess a waste carriers' licence.
- (i) All waste processed under this Framework Agreement must be carried out by a company who possess a waste management licence

Minimum level(s) of standards possibly required

- (a) Confirmation of the existence of a dispensing site(s)' General Pharmaceutical Council registration certificate must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Quality Control.
- (b) Confirmation of the existence of Work Instructions and processes that are in place to ensure all Pharmacists and Pharmacy Technicians employed to service this Framework Agreement are registered with the General Pharmaceutical Council at the time of service

provision must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Service Contracts.

(c) Confirmation of the existence of valid certification of BS EN ISO 9001 or equivalent must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Quality Assurance Schemes.

(d) Confirmation that all devices and associated ancillaries tendered, which are classed as medical devices, will carry the appropriate declaration of conformity for the UK market and display a valid CE, CE UKNI or UKCA mark must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Quality Control.

(e) Confirmation of the existence of Work Instructions and processes that are in place to ensure all staff in direct contact with patients under this Framework Agreement are members of the relevant Protecting Vulnerable Groups Scheme at the time of service provision, must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Service Contracts.

(f) Confirmation of the existence of Work Instructions and processes that are in place to ensure all nursing staff employed to provide clinical services to patients under this Framework Agreement are registered with the Nursing and Midwifery Council (NMC) at the time of service provision must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Service Contracts.

(g) Confirmation of the existence of registration with the Care Inspectorate in Scotland must be included in the Qualification Envelope of the ITT under Technical and Professional ability: Service Contracts.

(h) Confirmation of the existence of a waste carriers' license must be provided in the Qualification Envelope of the ITT under Technical and Professional ability: Quality Control.

(i) Confirmation of the existence of a waste management license must be provided in the Qualification Envelope of the ITT under Technical and Professional ability: Quality Control.

In the event that the economic operator sub-contracts any elements of the Service a "To Whom It May Concern" letter confirming the certificate holder(s) intention to be a party to a contract with the economic operator in terms of which the certificate holder may be required by the economic operator to perform the Service must be provided.

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## **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: 8

#### **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

16 August 2023

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**

Duration in months: 3 (from the date stated for receipt of tender)

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

Date

16 August 2023

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 Section II.1.5 and within all Lots cover(s) the forty eight (48) month contract duration and the twenty

four (24) month extension period of the framework agreement.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24554. 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 Framework Participants agree to support the concept, provision and ongoing development of community benefits provision in relation to this Framework Agreement.

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

Potential Framework Participants are required to summarise any proposed community benefits that will be developed and delivered as part of this Framework Agreement if successful or, alternatively, potential Framework Participants 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:737743)

## **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 1312252525

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>

### **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 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.