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Tender

## **Purchase of Arthroscopy Equipment, Implants & consumables**

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

F02: Contract notice

Notice identifier: 2023/S 000-022722

Procurement identifier (OCID): ocds-h6vhtk-03ed11

Published 4 August 2023, 11:59am

### **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**

[wouter.piessens@nhs.scot](mailto:wouter.piessens@nhs.scot)

#### **Telephone**

+44 7890966321

#### **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/>

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**

Purchase of Arthroscopy Equipment, Implants & consumables

Reference number

NP67423

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

- 33183100 - Orthopaedic implants

#### **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 Procurement, Commissioning and Facilities is undertaking this procurement of supply and delivery of Arthroscopic Equipment, Implants and Consumables 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 of 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: £18,000,000

#### **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**

## Fluid Management Equipment and consumables

Lot No

2

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

- 33161000 - Electrosurgical unit
- 33692510 - Intravenous fluids
- 44164200 - Tubing
- 33141220 - Cannulae

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

We require Fluid Management Equipment for use in a wide range of NHSS Arthroscopy/ sports medicine surgical procedures. Arthroscopic Fluid Management equipment should facilitate easy and safe exploration and treatment of the joints during minimally invasive surgical management of tissue, meniscus, cartilage and ligament damage procedures. Equipment should fit together intuitively via a common connection or adaptor, be leakage free, should be able to maintain set pressures, and be able to be used as part of an Arthroscopic system. These will be used in an acute setting across NHSS by suitably trained personnel.

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

Quality criterion - Name: Quality / Weighting: 8

Quality criterion - Name: Service and support / Weighting: 32

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Cost / Weighting: 50

### **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

Two optional extension periods both consisting of 12 months can be utilised by the Authority

### **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) Description**

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

Arthroscopic Equipment and consumables

Lot No

1

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

- 33183100 - Orthopaedic implants
- 33140000 - Medical consumables
- 33161000 - Electrosurgical unit
- 33190000 - Miscellaneous medical devices and products
- 33100000 - Medical equipments
- 33141411 - Scalpels and blades

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

NUTS codes

- UKM - Scotland

Main site or place of performance

All Locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

We require Arthroscopic Equipment, including resection sets Resection Equipment for use in a wide range of NHSS Arthroscopy / sports medicine surgical procedures. Arthroscopic Resection equipment Sets should allow easy and safe exploration and treatment of the joints during minimally invasive surgical management of tissue, meniscus, cartilage, and ligament damage procedures. Equipment should fit together intuitively via a common connection or adaptor, and be able to be used as part of an Arthroscopic system. These will be used in an acute setting across NHSS by suitably trained personnel.

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

Quality criterion - Name: Quality / Weighting: 8

Quality criterion - Name: Service and Support / Weighting: 32

Quality criterion - Name: Sustainability / Weighting: 10

Cost criterion - Name: Cost / Weighting: 50

### **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

Two (2) optional extension periods both consisting of 12 months can be utilised by the Authority.

### **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) Description**

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

Implants and supporting arthroscopic equipment

Lot No

3

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

- 33184100 - Surgical implants

- 33183100 - Orthopaedic implants
- 33141128 - Needles for sutures
- 33141121 - Surgical sutures
- 33168000 - Endoscopy, endosurgery devices

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

We require implantable Equipment for use in a wide range of NHSS Arthroscopy / sports medicine surgical procedures. Implantable equipment should allow easy and safe treatment of joints during minimally invasive surgical procedures on tissue, meniscus, cartilage and ligament damage. Where the implants are part of a set or sub assembly, they should fit together intuitively using standard and identified tools, and be able to be used as part of an Arthroscopic system. These will be used in an acute setting across NHSS by suitably trained personnel.

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

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: Service and support / Weighting: 32

Quality criterion - Name: Quality / Weighting: 8

Cost criterion - Name: Cost / Weighting: 55

### **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

2 optional extension periods both consisting of 12 months can be utilised by the Authority

### **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) Description**

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

Generic arthroscopic equipment and consumables (intended for suppliers who do not offer their own control equipment)

Lot No

4

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

- 33141411 - Scalpels and blades
- 42113172 - Blades
- 33141700 - Orthopaedic supplies
- 31214100 - Switches

- 33161000 - Electrosurgical unit
- 44512910 - Drill bits

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

This Lot is intended to allow access to the Framework to third (3rd) party consumable suppliers who do not manufacture their own control units, but whose products are compatible with that of those suppliers who do. We require single use, sterile, consumable equipment for use in a wide range of NHSS Arthroscopy/ sports medicine surgical procedures. Consumables shall facilitate easy and safe treatment of the points during minimally invasive surgical procedures on tissue, meniscus, cartilage and ligament damage. Where the consumables work as part of an Arthroscopy control unit and handpiece assembly, they should be compatible for use with a wide range of suppliers equipment as defined in Lots 1 & 2 and fit together intuitively using standard and identified tools, and be able to be used as part of an Arthroscopic system. These will be used in an acute setting across NHSS by suitably trained personnel.

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

Quality criterion - Name: Sustainability / Weighting: 5

Quality criterion - Name: service & support / Weighting: 32

Quality criterion - Name: Quality / Weighting: 8

Cost criterion - Name: Cost / Weighting: 55

### **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

2 optional extension periods both consisting of 12 months can be utilised by the Authority

### **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) Description**

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

Enhanced Services / Innovation Lot (Unscored)

Lot No

6

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

- 33161000 - Electrosurgical unit
- 33140000 - Medical consumables
- 33190000 - Miscellaneous medical devices and products
- 33100000 - Medical equipments
- 33141411 - Scalpels and blades

- 42113172 - Blades
- 33141700 - Orthopaedic supplies
- 31214100 - Switches
- 44512910 - Drill bits

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

Bidders are requested to submit details of any Enhanced Service they offer. Key deliverables will be decided on a case by case basis but may include, but not be limited to, such evidenced criteria as:

Reduced Waiting Times

Streamlined Patient Pathway

Innovative products related to the Framework

Reduced Readmission Rate

Lower Costs

Enhanced Data Quality & Reporting

Enhanced Inventory Management

Bidders should submit details of any service offered or innovation soon to be available, including unique selling points, for consideration, in 2,000 words or less. Responses should include relevant case studies, successes and details of how purchase of these services, in addition to commitment volumes on Lots 1-4 inclusive, will positively impact on patient care and/or (non-)commitment volume prices for Health boards.

PLEASE NOTE: In order to be awarded to this Lot, bidders are required to be awarded to

a minimum of one of the Scored Lots on this tender i.e. Lots 1-4.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **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

2 optional extension periods both consisting of 12 months can be utilised by the Authority

### **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) Description**

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

Combination lot (unscored)

Lot No

5

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

- 33183100 - Orthopaedic implants
- 33161000 - Electrosurgical unit
- 33140000 - Medical consumables
- 33190000 - Miscellaneous medical devices and products
- 33100000 - Medical equipments
- 33141411 - Scalpels and blades

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Any or all locations of NHS Scotland Health Boards, all NHS Scotland Special Boards and/or the Authority.

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

“We require a range of Arthroscopic Equipment and consumbles, Fluid Management Equipment, Implants and supporting arthroscopic equipment and generic arthroscopic equipment and consumables that can be used in a Procedure within an NHS Scotland Acute setting by appropriate trained personnel.

Bidders are requested to submit bids for combinations of volume commitments of applicable products, as previously tendered in Lots 1, 2, 3, or 4 detailing additional discounts in return for combined volume commitments from the Health Boards, or from a collaboration of Health Boards.

Bidders are invited to put forward suggestions for percentage discount from Non Commitment Contract Price and/or commitment band(s)

Bidders may submit any number of combinations up to 100 for Market Share for 1 health board, multiple boards and/or All of Scotland (Current spend circa GBP 3.6 Mpa)

PLEASE NOTE: In order to be awarded to this Lot, bidders are required to be awarded to a minimum of one of the Scored Lots on this tender i.e. Lots 1-4

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **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

2 optional extension periods both consisting of 12 months can be utilised by the Authority

### **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

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## **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) All candidates will be required to provide a statement, covering the 3 previous financial years including the overall turnover of the

candidate in respect of the activities which are similar type to the subject matter of the notice.

(2) All candidates will be required to provide statement of accounts or extracts relating to their business.

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

previous 3 financial years.

Minimum level(s) of standards possibly required

Minimum level(s) of standards required:

Employers (Compulsory) Liability Insurance GBP 5,000,000 minimum

Public Liability Insurance GBP 5,000,000 minimum

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

Selection criteria as stated in the procurement documents

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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: 15

**IV.1.6) Information about electronic auction**

An electronic auction will be used

**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 September 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: 10 (from the date stated for receipt of tender)

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

Date

13 September 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 value in Section II.1.5 (18,000,000 GBP) refers to the full value of the framework including any extension options.

The buyer is using PCS-Tender to conduct this ITT exercise. The project code is 24783.

For more information see:

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

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the

Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

The contractor shall ensure that all contracts with sub-contractors and suppliers which the Contractor intends to procure following the

Commencement Date, and which the Contractor has not, before the date of this Contract, already planned to award to a particular

Sub-contractor or supplier, are advertised through the Public Contracts Scotland procurement portal ([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk))

and awarded a fair, open transparent and competitive process proportionate to the nature and value of the contract.

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:

Employability / targeted recruitment & training

Supply chain initiatives

Workshops / Mentoring

Third sector engagement

Community consultation / engagement / events

Educational initiatives

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24783.  
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:

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24783.  
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:

Community benefits are included, but not mandatory, 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: In accordance with the Procurement Reform Act 2014, this

Framework invites consideration of Community Benefits.

Provision of Community Benefits is an

Unscored requirement in this tender.

(SC Ref:739611)

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

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

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

Internet address

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

##### **VI.4.2) Body responsible for mediation procedures**

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

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.