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Tender

## **Intraocular Lenses, Viscoelastics & Phaco machines**

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

F02: Contract notice

Notice identifier: 2022/S 000-025953

Procurement identifier (OCID): ocds-h6vhtk-0368d4

Published 15 September 2022, 3:19pm

### **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 1312757454

#### **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**

Intraocular Lenses, Viscoelastics & Phaco machines

Reference number

NP50422

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

- 33731110 - Intraocular lenses

#### **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 Intraocular Lenses, Viscoelastics, Phacoemulsification machines, service for phacoemulsification machines and associated cassette packs 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 or 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: £13,000,000

### **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**

Monofocal Non-Toric Lenses

Lot No

1

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

- 33731110 - Intraocular lenses
- 33730000 - Eye care products and corrective lenses

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

NUTS codes

- UKM - Scotland

Main site or place of performance

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

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

This requirement is for Monofocal Non-Toric intraocular lenses implanted in the eye as part of a treatment for cataracts or myopia.

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

Quality criterion - Name: Functionality / Weighting: 35

Quality criterion - Name: Education, Training & Provision / Weighting: 5

Quality criterion - Name: Implementation / Weighting: 10

Price - 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

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**

Monofocal Toric Lenses

Lot No

2

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

- 33731110 - Intraocular lenses
- 33730000 - Eye care products and corrective lenses

### **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 requirement is for Monofocal Toric intraocular lenses implanted in the eye as part of a treatment for cataracts or myopia.

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

Quality criterion - Name: Functionality / Weighting: 35

Quality criterion - Name: Education, Training & Provision / Weighting: 5

Quality criterion - Name: Implementation / Weighting: 10

Price - 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

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**

Viscoelastics / OVD

Lot No

3

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

- 33730000 - Eye care products and corrective lenses
- 33731110 - Intraocular lenses

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

NUTS codes

- UKM - Scotland

Main site or place of performance

To 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 requirement is for Viscoelastics, also referred to as ophthalmic viscosurgical devices,

or OVDs, used during eye surgery making phacoemulsification easier and safer.

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

Quality criterion - Name: Functionality / Weighting: 35

Quality criterion - Name: Education, Training & Provision / Weighting: 5

Quality criterion - Name: Implementation / Weighting: 10

Price - 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

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)**

- 33731110 - Intraocular lenses
- 33730000 - Eye care products and corrective lenses

### **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**

For Lot Five (5) Bidders are requested to submit bids for combinations of volume commitments on Intraocular Lenses, Viscoelastics & phacoemulsification machines, service and cassette packs products, as previously tendered in Lots 1-4, detailing additional discounts in return for defined combined volume commitments from the Health Boards, or from a collaboration of Health Boards.

Bidders are invited to put forward your suggestions for bandings and percentage discount from Non-Commitment Contract Price. In order to be awarded to Lot Five (5), bidders are required to be awarded to one or more of the lots (1-4) on this tender.

PLEASE NOTE: Lot Five (5) is an Unscored Lot. Boards will use the information provided here by all awarded suppliers to assess their local clinical requirements. Bidders may submit any number of combinations up to 100% of all Intraocular Lenses, Viscoelastics & phacoemulsification machines, service and cassette packs Market Share for 1 health board, and/or multiple boards. (Current spend circa 2.6Mpa GBP).

Bidders are required to confirm they are happy to consider Health Board collaborations for commitment volume discounts at higher bandings.

Lot Five (5) has been awarded as an unranked Multi Supplier Framework to a maximum of twenty (20) suppliers.

### **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.2.13) 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**

Phacoemulsification machine, service and associated cassette packs (unscored)

Lot No

4

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

- 33731110 - Intraocular lenses
- 33730000 - Eye care products and corrective lenses

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

NUTS codes

- UKM - Scotland

Main site or place of performance

To 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**

The requirement is for phacoemulsification machines, service and associated cassette packs specification and option of capital purchase and/or cassette supply with capital payback. Service provision will be defined at the mini-competition. No Evaluation of responses will occur, and specifications will not be included, but will be shared directly with boards, to be tied down post award by board specific requirements.

PLEASE NOTE: Lot Four (4) is an Unscored Lot. Boards will use the information provided here by all awarded suppliers to assess their local clinical requirements.

Lot Four(4) has been awarded as an unranked Multi Supplier Framework to a maximum of Twenty (20) suppliers.

## **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**

Minimum level(s) of standards possibly required

(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.

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

Minimum level(s) of standards possibly required

Mandatory requirements for all lots

All products tendered are CE/UKCA/CE UKNI Marked in accordance with MDD 93/42/EEC.

All products tendered for are Latex Free (Inclusive of Packaging).

Confirmation that organisation/ manufacturer is ISO13485:2016 certified, or equivalent.

All contract pricing must be fixed for the main term of the contract (3 years). Prices must include all applicable duties paid.

Tendered pricing shall be inclusive of standard p&p.

Compliance in principle with NHSS Standard Consignment Agreement.

Packaging must be GS1 compliant.

Mandatory requirements for Lot 1, 2 & 3

All products tendered are single use, sterile packed.

All products tendered contain batch/lot codes and expiry dates on the lowest sales unit configuration (e.g. Case, box, pack).

Samples are to be provided at the supplier's expense to the nominated participating site — any supplier who fails to deliver product as previously agreed deadlines may be disqualified from the process.

Confirmation that organisation can provide three clinical references, for each lot tendered, from three separate acute sites testifying to usage, within the last 12 months, for each named brand tendered.

The supplier must maintain 30 days stock holding at all times. This shall be based on NHS Scotland recurring demand

Delivery must be made within 5 working days of order placement

Mandatory requirements for Lot 4

Suppliers will have to be awarded to at least one of the scored consumables lots (lots, 1, 2 or 3) to be awarded to lot 4. The offer will then be shared with the health boards. Note: If the health board decides to go ahead to purchase equipment, this will then be mandated through a mini-competition with specifications and tailor-made requirements.

## **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: 20

#### **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

17 October 2022

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

17 October 2022

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 values in Section II.1.5, reflects the full duration of the framework including any extension options.

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-](https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/)

[benefits-in-procurement/](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' in this context are contractual requirements which

deliver a wider social benefit in addition to the core purpose of the contract. Examples of Community Benefits

- Community activity – investment in buildings, resources, facilities, (new or repair), human resources
- Supporting education, learning, schools – school visits, presentations, providing resources, factory / site visits, education, training and learning
- Employment – supporting via apprentices, employing unemployed, training, skills development, supporting return to work
- Economic – support SMEs, 3rd sector / supported business indirectly, directly or via sub-contracting
- In particular, requirements which the authority is particularly interested in for this framework relate to targeted training and recruitment. The Authority is interested in opportunities for the long term unemployed, those not in education, employment or training employment, addressing barriers to employment and personal development through vocational qualifications.
- National Services Scotland and Public Health Scotland have launched NHS Scotland's Community Benefits Gateway.

Access the portal: [https://nhsnss.service-now.com/community\\_benefit](https://nhsnss.service-now.com/community_benefit) Find out more: Access our Community Benefit Gateway | National Services Scotland (nhs.scot) <https://www.publichealthscotland.scot/our-organisation/procurement/community-benefits-gateway/Requirement>

- Suppliers are asked to support the concept, provision and ongoing development of community benefits provision in relation to this contract.
- Suppliers are asked to provide a brief summary of the community benefits you already deliver in your business, where these are delivered and what they have achieved in outcomes.
- Suppliers are asked to summarise what additional community benefits you propose to develop and deliver as part of this contract if successful.
- Suppliers are asked to confirm that you agree to participate in and support a process of ongoing contract and supplier development in this area including the tracking and reporting of community benefits delivered as part of this contract.

(SC Ref:701630)

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22227. 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

in addition to the supply and services of the products detailed. Where Health boards commit to volume above the 0-1999 band, bidders should refer to the Community Benefit Marketplace Portal for NHS Scotland for additional detail. Provision of Community Benefits is an Unscored requirement in this tender.

(SC Ref:704312)

## **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 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 amend 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 maybe awarded by the courts where the Framework Agreement has been entered into are limited to the award of damages.