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Tender

Purchase of Electrosurgical Devices (Cut & Coagulation, Uterine Ablation)

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

F02: Contract notice

Notice identifier: 2023/S 000-028362

Procurement identifier (OCID): ocds-h6vhtk-03c3da

Published 26 September 2023, 2:14pm

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

Eleanor Dickson

Email

eleanor.dickson@nhs.scot

Telephone

+44 1698794410

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

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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Purchase of Electrosurgical Devices (Cut & Coagulation, Uterine Ablation)

Reference number

NP56623

II.1.2) Main CPV code

- 33161000 - Electrosurgical unit

II.1.3) Type of contract

Supplies

II.1.4) Short description

Renewal of National Framework for the Supply of Electrosurgical Devices covering the following products to NHS Scotland either via

the NDC or direct to Health boards.

- Simultaneous Cut & Coagulation devices
- Uterine Ablation devices

It is expected that the annual value across all the lots will not exceed GBP 6M excluding VAT.

Please note that the following Lot configuration is for information purposes only and is subject to change.

II.1.5) Estimated total value

Value excluding VAT: £5,900,000

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

Simultaneous Cutting/Coagulation Systems

Lot No

1

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit
- 33140000 - Medical consumables
- 33100000 - Medical equipments

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of devices specific to the purpose of Simultaneous cutting/coagulation, used for open and minimally invasive surgery, that can be used in a Procedure within an NHS Scotland Acute setting by appropriate trained personnel. These products are available in a range of sizes.

Typically, we see these products in 3 sizes Open Procedure standard length, Laparoscopic standard length and Laparoscopic long Length and usually fit down standardly available trocars

Packaging must be GS1 Compliant and clearly reference: - Size, Lot number, Expiration data, UKCE mark, Sterile & Single Use

II.2.5) Award criteria

Quality criterion - Name: After Sales, Service & Maintenance / Weighting: 30

Quality criterion - Name: Training & Implementation / Weighting: 10

Quality criterion - Name: Quality - Clinical Reference / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 5

Price - Weighting: 50

II.2.6) Estimated value

Value excluding VAT: £4,500,000

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

Uterine Ablation Systems

Lot No

2

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit
- 33100000 - Medical equipments
- 33140000 - Medical consumables

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of devices specific to the purpose of Endometrial Ablation Systems and/or Intrauterine Resection Systems, used for Internal surgery, that can be used in a procedure within an NHS Scotland Acute Setting by appropriate trained personnel. These products are available in different sizes.

Packaging must be GS1 Compliant and clearly reference: - Size, Lot number, Expiration data, UKCE mark, Sterile & Single Use

II.2.5) Award criteria

Quality criterion - Name: After Sales, Service & Maintenance / Weighting: 30

Quality criterion - Name: Training & Implementation / Weighting: 10

Quality criterion - Name: Quality-Clinical Reference / Weighting: 5

Quality criterion - Name: Sustainability / Weighting: 5

Price - Weighting: 50

II.2.6) Estimated value

Value excluding VAT: £1,500,000

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

NP56623 Electrosurgical Devices Innovation / Enhanced Services Lot (Unscored)

Lot No

4

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit
- 33100000 - Medical equipments
- 33140000 - Medical consumables

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

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 5,000 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 1-13 inclusive, will positively impact on patient care and/or commitment volume prices for Health boards.

Only bidders who have tendered items for consideration to lot 1 &/or lot 2 will be able to submit a tender to this lot.

PLEASE NOTE: This is an Unscored Lot. Boards will use the information provided here by all awarded suppliers to assess their local clinical requirements. This Lot is intended to reduce the need for mini competitions.

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 - Electrosurgical Device Combinations (Unscored)

Lot No

3

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit
- 33100000 - Medical equipments
- 33140000 - Medical consumables

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require a range of Electrosurgical devices used for simultaneous cutting/coagulation, Endometrial Ablation and/or Intrauterine Resection used for open and minimally invasive surgery, 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, 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 your suggestions for bandings and percentage discount from Non Commitment Contract Price.

Bidders may submit any number of combinations up to 100% of all Cut & Coagulation and Uterine Ablation electrosurgical devices Market Share for 1 health board, multiple boards and/or All of Scotland. (Current spend circa GBP 5.9Mpa). Only bidders who have submitted a bid for lot 1 &/or lot 2 can submit to this lot.

PLEASE NOTE: This is an Unscored Lot. Boards will use the information provided here by all awarded suppliers to assess their local clinical requirements and decide who to commit to. This Lot is intended to reduce the need for mini competitions.

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

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 SPD(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

Products may be tendered to more than one lot however, where a part number is listed more than once, and at differing prices, it shall be assumed that the lowest tendered price for this item applies for all instances of that part within the tender.

For Lots One (1)&Two (2), tendered brands must have a minimum of two(2), verifiable clinical references based at different locations, from English speaking staff based on their usage of the main branded products over at least a 6 month continuous period.

Tendered items must be Latex Free, batch/lot coded

Where tendered Goods and associated ancillaries are classed as medical devices, such Goods should comply with Medical Devices Regulations 2002 (SI 2002 No 618, as amended) & MDD93/42/EEC and have an appropriate declaration of conformity and display a valid CE, CE UKNI or UKCA mark.

Product shall be MDD Class II or Class III, as appropriate.

Bidders and their manufacturers must be ISO13485, ISO9001 and ISO14001 accredited, or equivalent and products must be GS1 compliant.

Bidders must have an Ethical Trading Policy specifically focused on supply chain, or a plan to implement one.

Implants are single use sterile in accordance with Scots Law.

Reusable items which may reasonably be expected to undergo Decontamination or Sterilization must be autoclavable and able to withstand repeated heat sterilisation processes and be provided with Supplier Validation Paperwork detailing recommended reprocessing instructions in accordance with BS EN ISO 17664:2017 or equivalent.

Bidders must commit to offer fixed or lower pricing for the duration of the contract award, excluding potential extensions, and must be capable of processing purchase orders via multiple routes of contact without differentiation of response.

Bidders must agree to a minimum of three (3) months' notice for any material change to products included in the tender and assist boards in any transition requirements.

Bidders must offer a minimum of One (1) Whole Time Equivalent representation with BTEC Theatre Accreditation, or equivalent, responsible for providing support to the geographical area of NHS Scotland.

All prices quoted are considered inclusive of standard delivery, and duty, where applicable.

Bidders are expected to confirm and evidence how you will adhere to, in accordance with the Procurement Reform (Scotland) Act 2014 and the Fair working Practices in Procurement toolkit guidance (<https://www.gov.scot/publications/fair-work-practices-in-procurement-toolkit/>) in the delivery of this Framework.

Bidders agree to 30 days stockholding based on recurring demand and provision of free of charge functional samples in line with board code of corporate governance for the duration of the framework.

Bidders agree to follow National Procurement complaints process in the event of official complaints raised.

Bidders agree to compliance with Medicines and Healthcare products Regulatory Agency DB2006(05) 'Managing Medical Devices: Guidance for healthcare and social services organisations', and any subsequent updates or revisions.

Bidders agree that any standard loan, replacement during downtime or free issue, equipment will be supplied free of charge for next working day standard delivery to all areas of NHSS. In the event of a Field Service Notices (FSN) loan equipment will be promptly supplied while remedial work is carried out.

Standards Bidders agree to maintain records of distributed equipment including state of repair and last serviced dates, to perform annual servicing, to provide quarterly service reports and to conduct any maintenance or repair, or to delegate to fully supplier trained NHS personnel.

Bidders agree that any equipment provided is suitable for use in UK i.e. runs from 230V Mains supply, or is battery operated, and instruction manuals are electronically accessible and include escalation contact information.

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: 10

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.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-011777](#)

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

2 November 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

Tender must be valid until: 26 July 2024

IV.2.7) Conditions for opening of tenders

Date

2 November 2023

Local time

12:00pm

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

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

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

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

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 25208. 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 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:

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 0-100 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:744459)

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.4.3) 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.