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Tender

Surgical Staplers, Cutters & Clip Appliers and consumables

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

F02: Contract notice

Notice identifier: 2024/S 000-029034

Procurement identifier (OCID): ocds-h6vhtk-044a8c

Published 11 September 2024, 9:43am

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/>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<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

Surgical Staplers, Cutters & Clip Appliers and consumables

Reference number

NP65324

II.1.2) Main CPV code

- 33162100 - Operating-theatre devices

II.1.3) Type of contract

Supplies

II.1.4) Short description

Renewal of National Framework for the Supply of Open/ Endo Surgical Devices covering the following products to NHS Scotland. Products can

be either supplied via the NDC(National Distribution Centre) or direct to hospitals across NHS Scotland. It is expected that the annual

value across all lots will not exceed GBP 7m excluding VAT.

The following products ranges are included:

Lot 1 Staplers only and consumables

Lot 2 Stapler/Cutters and consumables

Lot 3 Clip Appliers and consumables

Lot 4 Combination Lot

Lot 5 Enhanced Service/ Innovation Lot

II.1.5) Estimated total value

Value excluding VAT: £23,500,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for maximum number of lots
5

II.2) Description

II.2.1) Title

Surgical Stapler & Cutters & consumables for Open and/or Endo Surgical procedures

Lot No

2

II.2.2) Additional CPV code(s)

- 33162100 - Operating-theatre devices
- 33141122 - Surgical staples

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

"We require Surgical Staplers with cutting capability and related consumables for use in invasive surgical procedures. These will be used in an acute setting across NHSS by suitably trained personnel.

Tendered items should meet criteria set out in the "Relevant to all Lots" tab on the Scoring Methodology included with the tender. For the avoidance of doubt, this lot is intended for any products which are staplers which have cutting mechanisms. Products which staple

but do not cut should be tendered to Lot 1.

II.2.5) Award criteria

Quality criterion - Name: Quality - Clinical References / Weighting: 20

Quality criterion - Name: After Sales, Service & support / Weighting: 20

Quality criterion - Name: Sustainability / Weighting: 5

Price - 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

Combination Lot (Unscored)

Lot No

4

II.2.2) Additional CPV code(s)

- 33162100 - Operating-theatre devices

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require Surgical Staplers, Cutters & Clip Appliers for use in NHSS invasive surgical procedures. These will be used in an acute setting across NHSS by suitably trained personnel.

Bidders are requested to submit bids for combinations of staplers, stapler/cutters, clip appliers & related accessories/consumable products, as previously tendered in Lots 1-3, with additional discounts in return for additional combined volume discounts from the Health Boards, or collaboration of Health Boards, or any proposal which offers NHSS improved value for money.

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

Enhanced Service / Innovation Lot

Lot No

5

II.2.2) Additional CPV code(s)

- 33162100 - Operating-theatre devices

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
- Reduced Hospital Bed Days
- Reduced Readmission Rate
- Lower Costs
- Enhanced Data Quality & Reporting
- Enhanced Inventory Management
- Innovation products which are expected to be ready for sale within the timeframe of the contract award.

Bidders should submit details of any product or service offered, 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 1-3 inclusive, will positively impact commitment volume prices for Health boards.

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

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

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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

Clip Appliers & Consumables for Open and/or Endo surgical Procedures

Lot No

3

II.2.2) Additional CPV code(s)

- 33162100 - Operating-theatre devices
- 33141120 - Clip, suture, ligature supplies

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require Clip Appliers and consumables for use in invasive surgical procedures. These will be used in an acute setting across NHSS by suitably trained personnel.

Tendered items should meet criteria set out in the "Relevant to all Lots" tab on this

worksheet.

II.2.5) Award criteria

Quality criterion - Name: Quality - Clinical References / Weighting: 20

Quality criterion - Name: After Sales, Service & Support / Weighting: 20

Quality criterion - Name: Sustainability / Weighting: 5

Price - 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

Surgical Staplers only & consumables for Open and/or Endo Surgical Procedures

Lot No

1

II.2.2) Additional CPV code(s)

- 33162100 - Operating-theatre devices
- 33141122 - Surgical staples

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

We require Surgical Staplers and related consumables for use in invasive surgical procedures. These will be used in an acute setting across NHSS by suitably trained personnel.

Tendered items should meet criteria set out in the "Relevant to all Lots" tab on this worksheet. Lot 1 should include only those products relevant to the description Surgical Staplers. For the avoidance of doubt, any products which are staplers which have cutting mechanisms should not be tendered to Lot 1, but instead to Lot 2.

II.2.5) Award criteria

Quality criterion - Name: Quality - Clinical References / Weighting: 20

Quality criterion - Name: After Sales, Service & Support / Weighting: 20

Quality criterion - Name: Sustainability / Weighting: 5

Price - Weighting: 55

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

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This contract is subject to renewal

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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

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

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

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: 12

In the case of framework agreements, provide justification for any duration exceeding 4 years:

The total potential Framework period is 5 years (3 years + 2 x 12month extensions). The Framework term has been extended to allow time for product change and standardisation, opportunity for the health boards to consolidate, and for the market to stabilise.

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: [2024/S 000-008908](#)

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

Date

17 October 2024

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

24 October 2024

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

The value in Section II.1.5 (23,500,000 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 XXXXX.

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)

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

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 27245. 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 Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the

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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)

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:
<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:
<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

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

Community benefits are included, but not mandatory, in this requirement. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

(SC Ref:773104)

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

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.

VI.4.4) Service from which information about the review procedure may be obtained

Sheriff Court House

27 Chambers Street,

Edinburgh

EH1 1LB

Country

United Kingdom