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Tender

Electrosurgical

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

F02: Contract notice

Notice identifier: 2022/S 000-030917

Procurement identifier (OCID): ocds-h6vhtk-037e4e

Published 2 November 2022, 9:53am

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

eleonor.cook@nhs.scot

Telephone

+44 1313141051

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nss.nhs.scotlandprocurement.scot.nhs.uk/>

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

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

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

Electrosurgical

Reference number

NP172-22

II.1.2) Main CPV code

- 33000000 - Medical equipments, pharmaceuticals and personal care products

II.1.3) Type of contract

Supplies

II.1.4) Short description

The supply of Electrosurgical Equipment, such as Electrosurgical Units, Smoke Evacuation

Systems, including any accessories and training, as well as single use Electrosurgical Consumables such as Diathermy Pencils, Active

Electrodes, Biopsy Forceps and Patient Return Electrodes ('Products') 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.

II.1.5) Estimated total value

Value excluding VAT: £6,000,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

Maximum number of lots that may be awarded to one tenderer: 4

II.2) Description

II.2.1) Title

Single Use Diathermy Consumables

Lot No

3

II.2.2) Additional CPV code(s)

- 33158000 - Electrical, electromagnetic and mechanical treatment

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Any, or all locations of NHS Scotland.

II.2.4) Description of the procurement

The supply of single use diathermy consumables including the following; single-use hand control pencils designed to remove tissue and control pencils designed to remove tissue and control bleeding by use of high-frequency electrical current including various disposable active electrode options, single-use patient return electrodes and single use bipolar forceps for use with Electrosurgical Units.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

An optional extension of twenty-four (24) months may 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

Argon plasma coagulation consumables

Lot No

4

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Any, or all locations of NHS Scotland.

II.2.4) Description of the procurement

The supply of Argon Plasma Coagulation Consumables.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

An optional extension of twenty-four (24) months may 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 Smoke Extraction Systems

Lot No

2

II.2.2) Additional CPV code(s)

- 42521000 - Smoke-extraction equipment

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Any, or all locations of NHS Scotland

II.2.4) Description of the procurement

The supply of surgical smoke evacuation systems used to capture the smoke generated during open surgical and erbium procedures in which there is tissue ablation (e.g. laser surgery, electrocautery etc.)

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

An optional extension of twenty-four (24) months may 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

Electrosurgical Units (ESU)

Lot No

1

II.2.2) Additional CPV code(s)

- 33161000 - Electrosurgical unit

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Any, or all locations of NHS Scotland.

II.2.4) Description of the procurement

The supply of Electrosurgical Units (ESU), suitable for use in a wide range of operating procedures for adult and paediatric services, typically in operating theatres (General, Urology, Gynaecology, Neurosurgery etc). Electrosurgical Units (ESU) must have a wide range of modes of operation (including cutting, coagulation and blending), with a wide

range of power levels and waveform types. They must be able to be used with a wide range of surgical instruments, including both monopolar and bipolar instruments for open and laparoscopic procedures.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

An optional extension period of twenty-four (24) months may 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

List and brief description of selection criteria

Economic operators may be excluded from this competition if they are in breach of any of the situations referred to in regulation 58 of the Public Contracts (Scotland) regulations 2015.

Minimum level(s) of standards possibly required

In order to confirm Potential Framework Participants economic and financial capacity the Authority may request some, or all of the

following:

(1) Appropriate statements from the Potential Framework Participant's bankers or where appropriate, evidence of relevant professional risk

indemnity insurance;

(2) Statements of accounts or extracts from those accounts relating to the business of the Potential Framework Participant where

publication of the statement is required under the law of the relevant State in which the Potential Framework Participant is established; or

(3) Where appropriate, a statement, covering the three previous financial years of the Potential Framework Participant, of –

(a) the overall turnover of the business of the Potential Framework Participant; and

(b) where appropriate, the turnover in respect of the goods or services which are of similar type to the subject matter of this Framework

Agreement

4) Where the Potential Framework Participant is unable for a valid reason to provide the information required, the Authority may accept

such other information provided by the Potential Framework Participant as the Authority considers appropriate.

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: 10

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

Due to significant capital investment required by NHS Scotland Health Boards. Potential 72 month framework supports need for Health Boards to achieve sufficient return on investment whilst offering the best value. Any decision to exercise the the additional twenty-four (24) month extension option will be determined during the 4th year of the framework.

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: [2022/S 000-682553](#)

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

Date

7 December 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: 6 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

7 December 2022

Local time

12:00pm

Place

National Distribution Centre, 2 Swinhill Avenue, Canderside, ML9 2QX

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 buyer is using PCS-Tender to conduct this ITT exercise. The Project Code is 20933.
For more information see:

<http://www.publiccontractsscotland.gov.uk>

A sub-contract clause has been included in this contract. For more information see: [http://](http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363)

www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363

Community benefits are included in this requirement. For more information see: [http://](http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361)

www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361

A summary of the expected community benefits has been provided as follows:

Potential Framework Participants will be requested to provide details of any community benefits that will result from their organisation

being awarded to the Framework.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 19321.
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:

<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, Potential Framework Participants will be requested to provide details of any

community benefits that will result from their organisation being awarded to the Framework

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20933. 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://](http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361)

www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361

A summary of the expected community benefits has been provided as follows:

Potential Framework Participants will be requested to provide details of any community benefits that will result from their organisation

being awarded to the Framework.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20933. 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:

<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, Potential Framework Participants will be requested to provide details of any

community benefits that will result from their organisation being awarded to the Framework

(SC Ref:686297)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Country

United Kingdom

Internet address

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

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

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 operator 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 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. Economic operators are

entitled to write to the authority after receipt of the notification should they require further clarification.