

**UK-Torquay: repair and maintenance services of building installations**

OJ S 64/2012 31/03/2012

Contract notice

Services

**Directive 2004/18/EC****Section I: Contracting authority**

---

**I.1. Name and addresses**

Official name: South Devon Healthcare NHS Foundation Trust

Postal address: Procurement Department, Regent House, Regent Close

Town: Torquay

Postal code: TQ2 7AN

Country: United Kingdom

For the attention of: Adam Wilby

E-mail: [adam.wilby@nhs.net](mailto:adam.wilby@nhs.net)

Telephone: +44 1803653356

**Internet address(es):**General address of the contracting authority: <http://www.sdhct.nhs.uk/>Address of the buyer profile: <https://tactica-live.advanced365.com/>**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address**I.2. Type of the contracting authority**

Body governed by public law

**I.3. Main activity**

Health

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: yes

**Section II: Object of the contract**

---

**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Maintenance of water systems (Legionella Control).

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 1: Maintenance and repair services

Main site or place of performance: Torbay Hospital Lawes Bridge Torquay TQ2 7AA, UNITED KINGDOM.

NUTS code UKK42 Torbay

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

#### **II.1.4. Information about framework agreement**

#### **II.1.5. Short description of the contract or purchase(s)**

South Devon Healthcare NHS Foundation Trust has a requirement to procure a building services contract for the ongoing maintenance and monitoring of its water systems to ensure robust measures are in place to minimise the risk of its water systems becoming contaminated by legionella bacteria. This service will also be provided on a number of other NHS sites where the Trust has responsibility for maintenance. All work will be in accordance with the HSE ACOP L8 and Health Technical Memorandum 04-01 parts A & B The tender will be broken down into elements that will give the Trust flexibility of contracting out parts of the work or bringing elements back in house.

#### **II.1.6. CPV code(s)**

50700000 Repair and maintenance services of building installations, 50500000 Repair and maintenance services for pumps, valves, taps and metal containers and machinery, 71300000 Engineering services, 71630000 Technical inspection and testing services

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **II.1.8. Lots**

This contract is divided into lots: yes  
Tenders may be submitted for all lots

#### **II.1.9. Information about variants**

Variants will be accepted: yes

### **II.2. Scope of the procurement**

#### **II.2.1. Total quantity or scope**

The estimated value of the services is dependent on which option is chosen. it is likely to be in the range 70 000 to 100 000 GBP per annum. The contract will be broken down into elements to give the Trust the flexibility to take parts back in house either before the contract is let or during the duration of the contract, as a example the elements will be similar to below; annual drain down, clean and pasteurisation of DHW storage calorifiers. Monthly temperature measurements at all Torbay Hospital sentinel outlets. Annual maintenance of thermostatic mixing valves. It is not the intention to let separate elements to different contractors. The contract will be let for 3 years with an additional two plus two years optional extensions, therefore this contract may be up to 7 years. The Trust have a diverse property portfolio that will evolve over the duration of the contract which will be flexible to allow properties to be added or deleted from the contract.

Estimated value excluding VAT:

Range: between 210 000,00 and 700 000,00 GBP

#### **II.2.2. Information about options**

Options: yes

Description of options: The contract will be let for 3 years with an additional 2 plus two years optional extensions. The Trust may reduce or expand the scope as detailed in II.2.1.

#### **II.2.3. Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: 2

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 36 (from the award of the contract)

### **II.3. Duration of the contract or time limit for completion**

Start 1.9.2012. Completion 31.8.2015

## **Section III: Legal, economic, financial and technical information**

---

### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

Parent company and other guarantees may be required in certain circumstances see the invitation to tender for further details.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

The contracting authority reserves the right to require groupings of contractors to take particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: Any supplier may be disqualified who does not respond to the following in the requisite manner:

1) Suppliers are required to express an interest in the OJEU process via the Trusts eSourcing system Tactica - which is accessed at <https://tactica-live.advanced365.com> - please make sure that you have registered and submitted your interest by the close date indicated. 2) If any of the following circumstances applies to you, you are not eligible to take part and will be disqualified if you try:

(a) Is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;

(b) Is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;

(c) Has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;

(d) Has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;

(e) Has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

- (f) Has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) Is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;
- (h) Has been the subject of a conviction for participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (i) Has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26.5.1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;
- (j) Has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (k) Has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10.6.1991 on prevention of the use of the financial system for the purpose of money laundering. Bidders who have been convicted of a Bribery Act 2010 offence under Section 1 (offences relating to bribing another person) or section 6 (bribery of foreign public officials) will be excluded.

3) In addition to the Provisions of Freedom of Information Act, Bidders will have due regard to the Trusts obligations on Transparency which are set out in more detail at [www.businesslink.gov.uk/transparency/procurement](http://www.businesslink.gov.uk/transparency/procurement) and all offers will be submitted on the basis that the contract when awarded may be published in full in accordance with H M Government Transparency Guidance.

4) The Trust reserve the right to conduct a PQQ that will outline any additional criteria.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: The Trust reserve the right to conduct a PQQ that will outline any additional criteria.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

The Trust reserve the right to conduct a PQQ that will outline any additional criteria.

### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

## **Section IV: Procedure**

---

### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Restricted

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates: The Trust reserves the right to conduct a PQQ that will contain the selection criteria and evaluation process selecting up to 5 candidates to be invited to tender.

**IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

**IV.2. Award criteria**

**IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

**IV.2.2. Information about electronic auction**

An electronic auction will be used: no

**IV.3. Administrative information**

**IV.3.1. File reference number attributed by the contracting authority**

SDH095

**IV.3.2. Previous publication concerning this procedure**

no

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

**IV.3.4. Time limit for receipt of tenders or requests to participate**

26.4.2012 - 12:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

**IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

**IV.3.8. Conditions for opening of tenders**

**Section VI: Complementary information**

---

**VI.1. Information about recurrence**

This is a recurrent procurement: no

**VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: no

**VI.3. Additional information**

To receive more information about this tender, including any amendments and/or clarifications and to request any clarifications and/or to respond to this tender, you must register your interest to this tender on the following site: <https://tactica-live.advanced365.com>.

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

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

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The Authority will allow a minimum 10 calendar day standstill period between notifying the award decision and awarding the contract. Unsuccessful tenderers and applicants are entitled to receive reasons for the decision, including the characteristics and relative advantages of the winning bid and the reasons why the tenderer/applicant was unsuccessful. Should additional information be required it should be requested of the addressee in Section I.1. Aggrieved parties who have been harmed or are at risk of harm by breach of the procurement rules have the right to take action in the High Court (England and Wales). Any such action is subject to strict time limits and must be brought in accordance with the Public Contracts Regulations 2006 as amended by the Public Contracts (Amendment) Regulations 2009 and the Public Procurement (Miscellaneous Amendments) Regulations 2011.

##### **VI.4.3. Service from which information about the review procedure may be obtained**

#### **VI.5. Date of dispatch of this notice**

26.3.2012