

**United Kingdom-Torquay: Medical equipments**

OJ S 63/2014 29/03/2014

Contract notice

Supplies

Directive 2004/18/EC

**Section I: Contracting authority**

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**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

Contact person: Procurement Department

For the attention of: Sarah Miles

E-mail: [sarahmiles2@nhs.net](mailto:sarahmiles2@nhs.net)

Telephone: +44 1803653369

**Internet address(es):**General address of the contracting authority: <http://www.sdhct.nhs.uk/>**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: no

**Section II: Object of the contract**

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

RA9 SHD154 – Provision of a Staining Machine with Integral Coverslipper to enable staining in one unit in a Cellular Pathology Department.

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

Supplies

Purchase

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

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**

##### **Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT:

Range: between 100 000 and 120 000 GBP

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

The Cellular Pathology Department of South Devon NHS Foundation Trust has a requirement to replace its existing separate stainer and separate coverslipper with an integrated system capable of performing the existing repertoire of stains which are Haematoxylin and Eosin (H&E), Papanicolaou (PAP), Alcian blue Periodic Acid Schiff (ABP), Periodic Acid Schiff (PAS) and a modified Giemsa for helicobacter within the one unit. It is capable of staining both routine slide 75 x 25 mm and large slides 75 x 50. The contract on offer is for the immediate supply and installation (including training) of this system, with on-going maintenance servicing and support of the system. The required lifespan of this system shall be for no less than 8 years, with an uptime guarantee of 95 %. The contract period shall be 5 years initially, with the option to extend for up to a further 60 months.

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

33100000 Medical equipments, 38000000 Laboratory, optical and precision equipments (excl. glasses), 38400000 Instruments for checking physical characteristics, 38500000 Checking and testing apparatus, 38900000 Miscellaneous evaluation or testing instruments

#### **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: no

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

Variants will be accepted: no

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

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

The Cellular Pathology Department processes 19 000 surgical histology requests, 2 200 Diagnostic cytology requests and 1 000 andrology requests, this workload results in approximately 60 000 slides to stain through the system for the previously mentioned stains, there is in addition a further 15 000 slides which would require coverslipping after a dehydration clearing programme.

The new system will also be expected to be able to contain sufficient staining 'chambers' to accommodate the reagents required for the above staining regimes, be able to stain multiple 'racks' for different protocols and to coverslip 75 x 25 mm slides which may or may not be pre-labelled from both the Benchmark XT or Ventana labelling system.

When the system is in use its operation should not be excessively noticeable or disruptive.

The system should be able to perform the following mandatory functions / must have the capability to:

- a. MUST have a minimum of 12 programmable staining options.
- b. MUST be an integrated system for staining and coverslipping requiring no manual intervention.
- c. MUST have a heater capability to heat slides to melt wax which turns on and off as required and reaches operating temperature within seconds of being required.

- d. MUST have water wash capabilities which turn on and off as required.
  - e. MUST be quiet in its operation, and must not be disruptive or noticeable in this way.
  - f. MUST have the capability to stain 75 x 50 mm glass slides and place them in an unloading area out of the way of other staining programmes.
  - g. MUST be able to coverslip slides which have been pre-labelled from either the Benchmark XT or Vantage system.
  - h. MUST have a minimum of 30 staining chambers excluding water, heat and unloading stations.
  - i. MUST be able to use 24 x 50 mm coverslips
  - j. MUST be able to accept slides for coverslipping only.
  - k. MUST have an integrated drip tray between stains.
  - l. MUST have continuous agitation during staining.
- Estimated value excluding VAT:  
 Range: between 100 000 and 120 000 GBP

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

Options: yes

Description of options: The contract period shall be 5 years initially, with the option to extend for up to a further 60 months.

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

This contract is subject to renewal: yes

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

in months: 60 (from the award of the contract)

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

Start 19.8.2014. Completion 16.9.2014

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

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### **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**

Joint and severable liability.

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

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: As detailed within ITT (Invitation To Tender).

### **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 and complete PQQ documents (where applicable) via the Trusts eSourcing system TACTICA – which is accessed at <https://tactica-live.advanced365.com> – please make sure that you are registered to avoid any future delays.
- 2) Information and formalities necessary for evaluating if requirements are met:
  - (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 judgement 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.

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.

The Trust will also be utilising the supplier information database (SID4Gov) to manage and assess general pre-qualification information in the form of a profile. As well as responding to the tender via TACTICA, candidates are requested to provide or update their profile on the SID4Gov as follows:

- a) candidates should register on SID4Gov at <https://sid4gov.cabinetoffice.gov.uk/> by clicking on the 'Register for sid4gov' option listed under 'Join Us'.

b) to continue with the registration process Suppliers must have a current DUNS Number. If a Supplier does not have a DUNS Number there is a link to the D&B UK website to request a DUNS Supplier Number.

c) Suppliers who already have a published profile on SID4Gov must confirm that information is up to date; i) candidates should ensure all relevant sections of their SID4Gov profile are completed to demonstrate their ability to meet the short listing criteria applicable to this contract. Where access to SID4Gov is unavailable, please contact SID4Gov Support Centre on +44 8452992994.

Please note all responses to OJEU should be made through TACTICA eSOURCING System – Registration is required on SID4GOV to update or provide company profiles only.

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

List and brief description of conditions: As per III.2.1. above.

Please also refer to the details set out in the PQQ document.

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

List and brief description of conditions:

As per III.2.1. above.

Please also refer to the details set out in the PQQ document.

### **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**

## **Section IV: Procedure**

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### **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

#### **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**

RA9 SHD154

**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**

30.4.2014 - 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**

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**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**

27.3.2014