

**UK-Torquay: Pharmacy services**

OJ S 105/2013 01/06/2013

**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: Peninsula Purchasing and Supply Alliance, Procurement Department, Regent House, Regent Close

Town: Torquay

Postal code: TQ2 7AN

Country: United Kingdom

For the attention of: Tracie Dawson, Senior Category Buyer

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

Telephone: +44 7825230403

Fax: +44 1392405410

**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**

SDH128 - Pharmacy over labelled packs and pack-down medication services.

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

Services

Service category No 25: Health and social services

Main site or place of performance: NHS Bodies within the boundaries of Cornwall, Devon, Somerset, Dorset and Wiltshire to include but not be limited to the following NHS bodies:

Royal Devon &amp; Exeter NHS Foundation Trust, Plymouth Hospitals NHS Trust, Royal Cornwall Hospitals NHS Trust, Northern Devon Healthcare NHS Trust, South Devon Healthcare NHS Foundation Trust, Yeovil District Hospital NHS Foundation Trust, Dorset County Hospital NHS

Foundation Trust and Salisbury NHS Foundation Trust. We reserve the right to extend this agreement to other NHS bodies within the boundaries of the NHS South West.  
NUTS code UKK South West (England)

**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)**

Pharmacy Over Labelled Packs and Pack-Down Medication Services for NHS Trusts within the boundaries of Cornwall, Devon, Somerset, Dorset and Wiltshire.

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

85149000 Pharmacy services, 33600000 Pharmaceutical products

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

The procurement is covered by the Government Procurement Agreement: no

**II.1.8. Lots**

This contract is divided into lots: yes

Tenders may be submitted for one or more 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**

Pharmacy over labelled packs and pack down medication services.

Estimated value excluding VAT: 3 900 000 GBP

**II.2.2. Information about options**

Options: yes

Description of options: We reserve the right to extend this contract for any period up to 24 months.

**II.2.3. Information about renewals**

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

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

Information about lots

Lot No: 1

Lot title: Pharmacy over labelled packs

**1) Short description**

Pharmacy Over Labelled Packs Service to NHS Trusts within the boundaries of Cornwall, Devon, Somerset, Dorset and Wiltshire.

**2) CPV code(s)**

85149000 Pharmacy services, 33600000 Pharmaceutical products

**3) Quantity or scope**

Pharmacy Over Labelled Packs Service to Trusts within the Peninsula Purchasing and Supply Alliance (PPSA).

Estimated value excluding VAT: 3 000 000 GBP

**4) Indication about different time frame or duration**

**5) Additional information about lots**

Lot No: 2

Lot title: Pharmacy pack-down medication services

**1) Short description**

Pharmacy Pack-Down Medication Services to NHS Trusts within the boundaries of Cornwall, Devon, Somerset, Dorset and Wiltshire.

**2) CPV code(s)**

85149000 Pharmacy services, 33600000 Pharmaceutical products

**3) Quantity or scope**

Pharmacy Pack-Down Medication Services for NHS Trusts within the boundaries of Cornwall, Devon, Somerset, Dorset and Wiltshire.

Estimated value excluding VAT: 900 000 GBP

**4) Indication about different time frame or duration**

**5) Additional information about lots**

**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**

Joint and severable 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 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 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.

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 NHS supplier information database ([sid4gov/sid4health](http://sid4gov/sid4health)) 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/sid4health](http://sid4gov/sid4health) as follows:

a) candidates should register on [sid4gov/sid4health](http://sid4gov/sid4health) at <http://http://gps.cabinetoffice.gov.uk/i-am-supplier> ([www.SID4health.nhs.uk](http://www.SID4health.nhs.uk)) by clicking on the Register Organisation tab and select the Supplier button.

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/sid4health](http://sid4gov/sid4health) must confirm that information is up to date ;i) candidates should ensure all relevant sections of their NHS [sid4gov/sid4health](http://sid4gov/sid4health) profile are completed to demonstrate their ability to meet the short listing criteria applicable to this contract. Where access to NHS [sid4gov/sid4health](http://sid4gov/sid4health) is unavailable, please contact NHS [sid4gov/sid4health](http://sid4gov/sid4health) helpdesk.

Please note all responses to ojeu should be made through TACTICA eSourcing System - registration is required on SID\$GOV/SID4Health 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.

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

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

### **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 minimum number 3: and Maximum number 10

#### **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**

SDH128. PPSA Ref:- 0286

#### **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**

1.7.2013 - 17:00

### **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**

The contract will be for a 3 year period with the option to extend up to 24 months. This is a procurement for services specified in part B of schedule 3 of the Public Contracts Regulations 2006 ("Part B services"). Accordingly, and notwithstanding the advertising of this procurement exercise in the Official Journal, the Public Contracts Regulations 2006 (as amended) ("the Regulations") only apply in part. The procurement exercise will be conducted in accordance with the information contained in the tender documentation. The Authority has voluntarily advertised this procurement exercise in the Official Journal, solely in order to reach as wide an audience as possible. The Authority has been constrained by the forms used by the Publications Office to describe the procurement procedure as "Restricted" but the Authority does not bind itself to conduct the procurement process in accordance with the restricted procedure, as described in the regulations, nor to abide by any other part of the Regulations which does not expressly apply to procurement for Part B services. Neither a reference during or after this procurement process to the Regulations or the use of language or terminology common to the Regulations shall require the Authority to conduct a full procurement in accordance with the Regulations. This notice is being placed for advertising purposes only. 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: In accordance with Regulation 32 (information about contract award procedures and the application of standstill period to contract award) and Regulation 47 (Enforcement of Obligations) of the Public Contract Regulations 2006 (as amended) as applicable.

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

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

30.5.2013