

United Kingdom-Bristol: Physical therapy devices

OJ S 131/2013 09/07/2013

Contract notice

Supplies

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

Official name: Medical & General Supplies Team, DE&S

Postal address: NH4, Elm 2b, #4226, MoD Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: Richard Rambridge

E-mail: [descommodities-mgs-comrcl-1b@mod.uk](mailto:descommodities-mgs-comrcl-1b@mod.uk)

Telephone: +44 3067983544

Fax: +44 1179138907

**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

Ministry or any other national or federal authority, including their regional or local subdivisions

### I.3. Main activity

Defence

### 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

Enabling Contract for the supply of Physiotherapy and Rehabilitation products and devices.

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

Supplies

Purchase

NUTS code UK United Kingdom

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

The procurement involves the establishment of a framework agreement

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

Framework agreement with a single operator

## **Duration of the framework agreement**

Duration in years: 4

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

Estimated value excluding VAT:

Range: between 4 500 000 and 5 007 000 GBP

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

Physical therapy devices. Orthopaedic supplies. Crutches. Walking aids. Orthopaedic footwear. Miscellaneous medical devices and products. Medical and General Supplies Team (MedGS) has a possible requirement for a four year enabling contract for the supply of Physiotherapy and Rehabilitation products and devices.

Expressions of interest are to be submitted with the following evidence:

- 1) Copies of their most recent audited annual accounts.
- 2) Please provide a statement that they are willing or able to trade electronically using the Defence Electronics Commerce Service (DECS) Purchase to Payment (P2P) business process.
- 3) Please provide a statement that all products are CE marked.

Note: The Authority may use this information to down select a Tender panel for the requirement, therefore suppliers may not be considered where they do not provide the information requested above when expressing interest in the requirement.

Qualifications: Should there be sufficient economic operators expressing an interest in this requirement, the Authority reserves the right to issue a Pre-Qualification Questionnaire (PQQ). If a PQQ is used the PQQ criteria can be found at IV.1.2.

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

33155000 Physical therapy devices, 33141700 Orthopaedic supplies, 33141710 Crutches, 33141720 Walking aids, 33141740 Orthopaedic footwear, 33190000 Miscellaneous medical devices and 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: 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**

No guarantee can be given for the number of products likely to be ordered, although an annual estimated quantity will be provided in the Invitation to Tender.

Estimated value excluding VAT:

Range: between 4 500 000 and 5 007 000 GBP

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

Options: no

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

This contract is subject to renewal: no

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

Duration in months: 48 (from the award of the contract)

## 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

Before accepting a tender, the Authority may require that a guarantee of due performance is provided.

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

Suppliers, when expressing an interest, are to confirm that they are willing and able to trade electronically using the Defence Electronic Commerce Service (DECS) Purchase to Payment business process. Further information is available from [www.d2btrade.com](http://www.d2btrade.com)

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

If a group of economic operators submits a bid, the group must nominate a lead organisation to deal with the Authority. The Authority shall require the group to form a legal entity before entering into the contract.

#### III.1.4. Contract performance conditions

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

Description of particular conditions: Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed 1.8.2011. LCS is determining the future strategy for all commodities and services within its remit and may in the future place a contract for the supply of services which may include the provision of articles (or services) which are covered by this notice. In this event the Authority may satisfy its requirement from the LCS service contract and no further orders will be placed against any framework arising from this notice. Alternatively the Authority may appoint a Managing Agent to operate the framework/contract arising from this notice; novate the Agreement to a Managing Agent or third party; or assign the benefit of the Agreement to a Managing Agent. Further details will be provided in the tender documentation.

The Contract shall be subject to MOD Terms and Conditions.

### 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: The Authority will apply all the offences listed in Article 45(1) of Directive 2004/18/EC (implemented as Regulation 23(1) of the Public Contract Regulations (PCR) 2006 in the UK) and all of the professional misconducts listed at Article 45 (2) of Directive 2004/18/EC (see also Regulation 23(2) in the PCR 2006) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.contracts.mod.uk/delta/project/reasonsForExclusion.html#dspr>

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process. For candidates who are registered overseas, you will need to declare if you have any offences/misconduct under your own countries laws, where these laws are equivalent to the Regulation 23 lists.

Candidates who have been convicted of any of the offences under Article 45(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest

for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 45 (2) may be excluded from being selected to bid at the discretion of the Authority.

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

List and brief description of conditions: (a) Appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance;

(b) The presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established;

(c) A statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available.

Minimum level(s) of standards possibly required: If the estimated annual contract value is greater than 25 % of the supplier's turnover, the Authority reserves the right to exclude the supplier from being selected to tender except where the supplier provides, to the satisfaction of the Authority, evidence showing it has sufficient economic and financial capability e.g. such evidence may include:

1) Any additional information proving it has sufficient economic and financial resources to deliver the requirement;

2) State whether the supplier is willing to provide the Authority with an indemnity, guarantee or bank bond.

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

List and brief description of conditions:

(b) A list of the principal deliveries effected or the main services provided in the past three years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given:

— where the recipient was a contracting authority, in the form of certificates issued or countersigned by the competent authority,

— where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator.

(c) An indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work.

(j) An indication of the proportion of the contract which the services provider intends possibly to subcontract.

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

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

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

##### **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 minimum number 2: and Maximum number 6

Objective criteria for choosing the limited number of candidates: Interested suppliers are invited to apply for a Pre-Qualification Questionnaire (PQQ) by contacting the Authority with their expression of interest in response to this Contract Notice. Potential suppliers are required to send the Authority a completed PQQ providing information that allows the Authority to evaluate the suppliers capacities and capabilities against the selection criteria set out in Sections III.2.1), III.2.2) and III.2.3) of this Contract Notice.

The Authority will use the PQQ response to create a list of suppliers who are eligible to participate under Section III.2.1) of this Contract Notice; and who fulfill any minimum capacity levels under Sections III.2.2) and III.2.3) of this Contract Notice. Full details of the method for choosing the tenderers will be set out in the PQQ.

Applicants responses to the PQQ for the following criteria will be marked Pass/Fail:

Organisation and contact details, grounds for mandatory rejection, grounds for discretionary rejection, economic and financial standing, quality certification.

Applicants responses to the PQQ for the following criteria will be marked Pass/Fail:

Capability, Supply Chain Management, Performance Management.

#### **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: yes

Additional information about electronic auction: Yes. A Reverse Auction, conducted using electronic means, may be used as part of the procurement process for this requirement.

Specific relevant information on Reverse Auction usage will be given in the Invitation to Tender.

#### **IV.3. Administrative information**

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

MEDGS/00218

##### **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**

5.8.2013 - 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**

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. Suppliers interested in working with the Ministry of Defence should register on the MOD Supplier Information Database (SID) Register, available at [www.contracts.mod.uk](http://www.contracts.mod.uk). The MOD SID is a database of active and potential suppliers available to all MOD and UK Defence procurement personnel, and is the main supplier database of MOD Procurement organisations. Please note: the registration and publication of a company profile on the MOD SID does not mean or imply that the supplier has in any way been vetted or approved by the MOD. Suppliers wishing to compete for advertised MOD contracts must respond to any specific call for competition by submitting a separate expression of interest in accordance with the instructions of the purchasing organisation.

Advertising Regime OJEU:- This contract opportunity is published in the Official Journal of the European Union (OJEU), the MoD Defence Contracts Bulletin and [www.contracts.mod.uk](http://www.contracts.mod.uk)  
GO Reference: GO-201374-DCB-4929173

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

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

Official name: Medical & General Supplies Team, DE&S  
Postal address: NH4, Elm 2B, #4226, MoD Abbey Wood  
Town: Bristol  
Postal code: BS34 8JH  
Country: United Kingdom

##### **Body responsible for mediation procedures**

Official name: Medical & General Supplies Team, DE&S  
Country: United Kingdom

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

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

Official name: Medical & General Supplies Team, DE&S

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

4.7.2013

