

**United Kingdom-Edinburgh: Medical equipments**  
**OJ S 132/2016 12/07/2016**  
**Contract award notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Lothian Health Board

Postal address: c/o NSS, Gyle Square, 1 South Gyle Crescent

Town: Edinburgh

NUTS code: UKM Scotland

Postal code: EH12 9EB

Country: United Kingdom

Contact person: Alan Summers

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

Telephone: +44 1312756511

**Internet address(es):**

Main address: <http://www.hfs.scot.nhs.uk>

Address of the buyer profile: [http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10442](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10442)

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Health

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

NHS Lothian Surgical Robot (RALP).

Reference number: SLA/P086

**II.1.2. Main CPV code**

33100000 Medical equipments

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

Lothian Health Board wish to introduce a Robotic Prostatectomy Service (Robotically Assisted Laparoscopic Prostatectomy (RALP) only) and require to purchase a Surgical Robot System.

**II.1.6. Information about lots**

This contract is divided into lots: no

### **II.1.7. Total value of the procurement**

Value excluding VAT: 1 197 000,00 GBP

## **II.2. Description**

### **II.2.3. Place of performance**

NUTS code: UKM25 Edinburgh

Main site or place of performance: The Surgical Robot shall be installed in the Western General Hospital, Edinburgh, within Lothian Health Board ('the Board').

### **II.2.4. Description of the procurement**

A Surgical Robot System installed at the Western General Hospital, Edinburgh, to allow the introduction of Robotic Prostatectomy (Robotically Assisted Laparoscopic Prostatectomy (RALP) only).

### **II.2.5. Award criteria**

Quality criterion - Name: Ability to meet NHS requirement (Specification) / Weighting: 100

Cost criterion - Name: Ability to meet cost (Budget) / Weighting: 0

### **II.2.11. Information about options**

Options: no

### **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.2.14. Additional information**

## **Section IV: Procedure**

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### **IV.1. Description**

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

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The technical requirements of the Surgical Robotic System for the performance of Laparoscopic Prostatectomy are such that there is only 1 current Supplier that can meet the requirements of this surgical procedure.

A 2014 Open OJEU Advert for Grampian Health Board only received a single bid for the same Laparoscopic Prostatectomy requirements. New engagement has been undertaken with competitors in the market prior to this Notice and alternative Surgical Robots currently on the market do not meet the intricate requirements of the Laparoscopic Prostatectomy procedure.

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

#### **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 in the OJ S: [2016/S 105-187060](#)

### **IV.2.8. Information about termination of dynamic purchasing system**

### **IV.2.9. Information about termination of call for competition in the form of a prior information notice**

## **Section V: Award of contract**

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**Contract No:** SLA/P086

A contract/lot is awarded: yes

### **V.2. Award of contract**

#### **V.2.1. Date of conclusion of the contract**

13/06/2016

#### **V.2.2. Information about tenders**

Number of tenders received: 1

Number of tenders received from tenderers from non-EU Member States: 1

The contract has been awarded to a group of economic operators: no

#### **V.2.3. Name and address of the contractor**

Official name: Intuitive Surgical Sarl

Postal address: Chemin des Mûriers, 1

Town: Aubonne

NUTS code: CH Schweiz / Suisse / Svizzera

Postal code: 1170

Country: Switzerland

Telephone: +41 218212066

The contractor is an SME: no

#### **V.2.4. Information on value of the contract/lot**

Total value of the contract/lot: 1 197 000,00 GBP

#### **V.2.5. Information about subcontracting**

## **Section VI: Complementary information**

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### **VI.3. Additional information**

(SC Ref: 452401).

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

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

Official name: Common Services Agency (commonly known as NHS National Services Scotland)

Postal address: Gyle Square, 1 South Gyle Crescent

Town: Edinburgh

Postal code: EH12 9EB

Country: United Kingdom  
E-mail: [peter.mcconnell@nhs.net](mailto:peter.mcconnell@nhs.net)  
Telephone: +44 1312756511  
Internet address: <http://www.hfs.scot.nhs.uk>

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the contract 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 contract has been entered into include the setting aside of the decision to award the contract to the winning tenderer. The bringing of court proceedings against the Authority after the contract has been entered into will not affect the contract 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 contract 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. The Authority will respond within 15 days of such a written request, but it should be noted that receipt by the Authority of such request during the standstill period may not prevent the Authority from awarding the contract following the expiry of the standstill period. Where an economic operator is dissatisfied with the Authority's response to its request for clarification, or considers that the contract has been concluded in breach of The Public Contracts (Scotland) Regulations 2015, such economic operator is advised to promptly seek independent legal advice.

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

07/07/2016