

**United Kingdom-Walsall: Clinical products**

OJ S 155/2013 10/08/2013

Contract notice

Supplies

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Walsall Healthcare NHS Trust

Postal address: Manor Hospital, Moat Road

Town: Walsall

Postal code: WS2 9PS

Country: United Kingdom

Contact person: Procurement and Distribution Department

For the attention of: Kevin Davies

E-mail: [kevin.davies@walsallhealthcare.nhs.uk](mailto:kevin.davies@walsallhealthcare.nhs.uk)

Telephone: +44 1922656056

**Internet address(es):**General address of the contracting authority: <https://www.walsallhealthcare.nhs.uk/>Address of the buyer profile: [www.in-tendhost.co.uk/walsallhealthcare/nhs/](http://www.in-tendhost.co.uk/walsallhealthcare/nhs/)**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

Official name: University Hospitals Birmingham NHS Foundation Trust. Other NHS Bodies may use the Framework with the consent of Walsall Healthcare NHS Trust

**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**

WHPC00190 - Surgical Mesh

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

Supplies

Purchase

NUTS code UK United Kingdom,UKG31 Birmingham,UKG35 Walsall and Wolverhampton

### **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 several operators

Maximum number Envisaged maximum number of participants to the framework agreement : 10

#### **Duration of the framework agreement**

Duration in years: 4

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

This is a collaborative procurement by Walsall Healthcare NHS Trust and University Hospitals Birmingham NHS Foundation Trust for a multi supplier framework agreement for surgical mesh products. Categories of products will include regular mesh, Intraperitoneal Mesh, Contour Mesh (preformed), Hiatal Mesh, Umbilical Mesh, Parastomal Mesh, Plug and Patch, Biologic Mesh, Women"s Health Synthetic Mesh, and Breast Reconstruction Mesh. Other NHS bodies may use the framework with the consent of Walsall Healthcare NHS Trust. The framework is expected to go live on 1.4.2014 for a 4 year term.

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

33698000 Clinical 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: no

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

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

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

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

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

Start 1.4.2014. Completion 31.3.2018

Information about lots

Lot No: 1

Lot title: Regular Mesh

#### **1) Short description**

This includes heavy, medium and light weight regular mesh

#### **2) CPV code(s)**

33698000 Clinical products

#### **3) Quantity or scope**

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

**5) Additional information about lots**

Lot No: 2

Lot title: Intraperitoneal Mesh

**1) Short description**

**2) CPV code(s)**

33698000 Clinical products

**3) Quantity or scope**

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

**5) Additional information about lots**

Lot No: 3

Lot title: Contour Mesh

**1) Short description**

**2) CPV code(s)**

33698000 Clinical products

**3) Quantity or scope**

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

**5) Additional information about lots**

Lot No: 4

Lot title: Hiatal Mesh

**1) Short description**

**2) CPV code(s)**

33698000 Clinical products

**3) Quantity or scope**

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

**5) Additional information about lots**

Lot No: 5

Lot title: Umbilical Mesh

**1) Short description**

**2) CPV code(s)**

33698000 Clinical products

**3) Quantity or scope**

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

**5) Additional information about lots**

Lot No: 6

Lot title: Parastomal Mesh

**1) Short description**

- 2) **CPV code(s)**  
33698000 Clinical products
- 3) **Quantity or scope**
- 4) **Indication about different time frame or duration**
- 5) **Additional information about lots**

Lot No: 7

Lot title: Plug and Patch Mesh

- 1) **Short description**
- 2) **CPV code(s)**  
33698000 Clinical products
- 3) **Quantity or scope**
- 4) **Indication about different time frame or duration**
- 5) **Additional information about lots**

Lot No: 8

Lot title: Biologic Mesh

- 1) **Short description**
- 2) **CPV code(s)**  
33698000 Clinical products
- 3) **Quantity or scope**
- 4) **Indication about different time frame or duration**
- 5) **Additional information about lots**

Lot No: 9

Lot title: Women's Health Synthetic Mesh

- 1) **Short description**
- 2) **CPV code(s)**  
33698000 Clinical products
- 3) **Quantity or scope**
- 4) **Indication about different time frame or duration**
- 5) **Additional information about lots**

Lot No: 10

Lot title: Breast Reconstruction Mesh

- 1) **Short description**
- 2) **CPV code(s)**  
33698000 Clinical products
- 3) **Quantity or scope**
- 4) **Indication about different time frame or duration**

## 5) Additional information about lots

Lot No: 11

Lot title: Other Mesh

### 1) Short description

Not included in other Lots

### 2) CPV code(s)

33698000 Clinical products

### 3) Quantity or scope

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

### 5) Additional information about lots

## 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

#### 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

#### 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: (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 May 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 June 1991 on prevention of the use of the financial system for the purpose of money laundering.

### **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 3 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.

### **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 3 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;
  - (d) a description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities;
  - (e) where the products or services to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier or service provider is established, subject to that body's agreement, on the production capacities of the supplier or the technical capacity of the service provider and, if necessary, on the means of study and research which are available to it and the quality control measures it will operate;
  - (g) for public works contracts and public services contracts, and only in appropriate cases, an indication of the environmental management measures that the economic operator will be able to apply when performing the contract;
  - (i) a statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contract;
  - (j) an indication of the proportion of the contract which the services provider intends possibly to subcontract;
  - (k) with regard to the products to be supplied: (i) samples, descriptions and/or photographs,

the authenticity of which must be certified if the contracting authority so requests; (ii) certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to specifications or standards.

#### **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 6: and Maximum number 12

Objective criteria for choosing the limited number of candidates: Set Out in the PQQ document

##### **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**

WHPC00290/KD

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

no

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

Time limit for receipt of requests for documents or for accessing documents: 6.9.2013 - 17:00

Payable documents: no

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

9.9.2013 - 14:00

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

14.10.2013

**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: yes

Estimated timing for further notices to be published: March 2017

**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**

**VI.4. Procedures for review**

**VI.4.1. Review body**

**VI.4.2. Review procedure**

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

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

8.8.2013