

UK-London: orthopaedic supplies

OJ S 172/2012 07/09/2012

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Guy's and St.Thomas NHS Foundation Trust

Postal address: Guy's Hospital, Great Maze Pond

Town: London

Postal code: SE1 9RT

Country: United Kingdom

Contact person: LPP Offices

For the attention of: John Baglivi

E-mail: john.baglivi@lpp.nhs.uk

Telephone: +44 2071886678

Internet address(es):

General address of the contracting authority: www.lpp.nhs.uk

Additional information can be obtained from:

Official name: London Procurement Programme

Postal address: LPP Offices, 6th Floor, Hercules House

Town: London

Postal code: SE1 7DU

Country: United Kingdom

Contact person: LPP Offices

For the attention of: John Baglivi

E-mail: john.baglivi@lpp.nhs.uk

Telephone: +44 2071886678

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

Official name: Contact LPP through the Delta eTendering Portal

Postal address: LPP Offices, 6th Floor, Hercules House

Town: London

Postal code: SE1 7DU

Country: United Kingdom

Tenders or requests to participate must be submitted: Official name: Contact LPP through the Delta eTendering Portal

Postal address: LPP Offices

Town: London

Country: United Kingdom

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: LPP Member Trusts as may change from time to time
Postal address: LPP Offices
Town: London
Country: United Kingdom

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

The Provision of Trauma Orthopaedics, Maxillofacial Implants and Associated Products.

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 several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 15

Duration of the framework agreement

Duration in years: 2

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

Estimated value excluding VAT:

Range: between 15 000 000 and 30 000 000 GBP

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

Orthopaedic supplies. Orthopaedic implants. The provision of Trauma Orthopaedic Implants and Associated Products.

II.1.6. CPV code(s)

33141700 Orthopaedic supplies, 33183100 Orthopaedic implants

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: yes

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Estimated value excluding VAT:

Range: between 15 000 000 and 30 000 000 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: 24 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Not applicable.

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

Not applicable.

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

Joint and several 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: 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.delta-esourcing.com/delta/project/reasonsForExclusion.html#pcr>.

Candidates will be required to answer these questions as part of the 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 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:

- (a) a list of the works carried out over the past 5 years, accompanied by certificates of satisfactory execution for the most important works. These certificates shall indicate the value, date and site of the works and shall specify whether they were carried out according to the rules of the trade and properly completed. Where appropriate, the competent authority shall submit these certificates to the contracting authority direct;
- (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;
- (f) the educational and professional qualifications of the service provider or contractor and/or those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work;
- (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;
- (h) a statement of the average annual manpower of the service provider or contractor and the number of managerial staff for the last 3 years;
- (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

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 5: and Maximum number 15

Objective criteria for choosing the limited number of candidates: Scoring and evaluation will be carried out as described in the PQQ documentation set.

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

LPP/2012/00005

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: 5.11.2012 - 17:00

Payable documents: no

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

9.11.2012 - 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

Suppliers must read through this set of instructions and follow the process to respond to this opportunity.

The information and/or documents for this opportunity are available on <https://www.delta-esourcing.com/delta>. You must register on this site to respond, if you are already registered you will not need to register again, simply use your existing username and password.

Please note there is a password reminder link on the homepage.

Suppliers must log in, go to your Response Manager and add the following Access Code: 54CA5W4Y9R. Please ensure you follow any instruction provided to you here.

The deadline for submitting your response(s) is 9.11.2012 by 17:00. Please ensure that you allow yourself plenty of time when responding to this invite prior to the closing date and time, especially if you have been asked to upload documents.

If you experience any technical difficulties please contact the Delta eSourcing Helpdesk on call +44 8452707050 or email helpdesk@delta-esourcing.com.

The contract will run for two years with an option to extend for a further 2 x 12 months. This tender supersedes and over-rights the original tender conducted on behalf of the London Procurement Programme by the Whipps Cross University Hospital NHS Trust.

Expressions of Interest must be submitted through the eTendering portal at Delta eSourcing.

The LPP must not be contacted directly in relation to this contract except through the identified channels as at Section I.1.

When required, pricing must be in Sterling and payments under the contract will be made in Sterling. The contract is expected to last for 48 months. The contract will be governed by English law. The LPP reserves the right to annul the tendering process and not award a contract.

If and when this requirement is offered to tender, this may be done in whole or in part via electronic means using the Internet. The contract is for the benefit of other participating NHS bodies (whether acting individually, or on behalf of, or together as members of any consortia) who are members of LPP which may change from time to time.

The selected suppliers will be expected to supply all Trauma Orthopaedics Implants and Associated Products from their range as are required by the contracting authority from time to time. Future additions to their ranges will also be included.

For means of clarity this is a regional framework agreement. This Framework Agreement is set up on behalf of the members (and associate members) of LPP from time to time. Only those organisations who are members (and associate members) of LPP at the time they wish to benefit from Framework are entitled to use this Framework. This Framework Agreement terminates automatically in respect of any member (or associate member) whose membership of LPP terminates for any reason (without prejudice to any Call off contracts that have been entered into by that member prior to termination). The supplier shall only enter into a Call Off contract under the Framework with an organisation which is a member of LPP at the time of exercising the call off (and/or) who has entered into an Access agreement with LPP (and the supplier) substantially in the form set out in Schedule (X) The supplier.

The London Procurement Programme contracting through Guy's and St. Thomas' NHS Foundation Trust is placing this framework agreement for the benefit of any NHS Trusts whom

are members of the LPP. The tender exercise will be co-ordinated through a procurement panel of representatives from organisations within London. Further information will be sent out in the tender documentation.

Bidder clarifications, if applicable, will be held after receipt of the Invitation to Tender Documents have been returned.

The LPP does not bind itself to accept the lowest offer or any offer either in part, each item for this purpose being treated as separately.

The LPP cannot be held responsible for any costs incurred by offerors in relation to the preparation of their and any subsequent post offer clarifications.

Suppliers must use the file reference LPP/2012/00005 in all correspondence. Suppliers must follow the instructions fully. Suppliers must complete their PQQ document set before the deadline as set out in this notice.

Suppliers must be available for the tender clarification meetings.

Suppliers must comply with all of the requests within this OJEU notice and subsequent tender requirements or they may not be considered. GO Reference: GO-201293-PRO-4208613.

VI.4. Procedures for review

VI.4.1. Review body

Official name: To be confirmed

Country: United Kingdom

Body responsible for mediation procedures

Official name: To be confirmed

Country: United Kingdom

VI.4.2. Review procedure

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

Official name: To be confirmed

Country: United Kingdom

VI.5. Date of dispatch of this notice

3.9.2012