

**United Kingdom-Exeter: Orthopaedic supplies**

OJ S 165/2013 27/08/2013

Contract notice

Supplies

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Royal Devon &amp; Exeter NHS Foundation Trust

Postal address: Royal Devon &amp; Exeter Hospital (Heavitree), Gladstone Road

Town: Exeter

Postal code: EX1 2ED

Country: United Kingdom

For the attention of: Sarah Miles

E-mail: [sarahmiles2@nhs.net](mailto:sarahmiles2@nhs.net)

Telephone: +44 1392405406

Fax: +44 1392405410

**Internet address(es):**General address of the contracting authority: <http://www.rdehospital.nhs.net>**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: 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**

T12/0272 - Supply of Orthopaedic Soft Goods

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

Supplies

Purchase

Main site or place of performance: Royal Devon and Exeter NHS Foundation Trust. We reserve the right to extend this invitation to tender to cover NHS organisations in Devon, Somerset, Dorset and Cornwall.

NUTS code: UKK

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)**

Please see Memorandum of Information.

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

33141700 Orthopaedic supplies, 33141740 Orthopaedic footwear, 33141760 Splints, 33183000 Orthopaedic support devices

**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**

Supply of Soft Goods to the Royal Devon & Exeter NHS Foundation Trust.

Estimated Total Value Excluding VAT:

Range between GBP 108 000 - GBP 132 000 annually across 6 lots.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 216 000 - GBP 264 000 over the initial contract term of 2 years.

**II.2.2. Information about options**

Options: yes

Description of options: The Royal Devon & Exeter NHS Foundation Trust reserves the right to extend the contract by up to a further 12 (twelve) months + 12 (twelve) months.

The initial contract period excluding any extensions shall be 24 months.

**II.2.3. Information about renewals**

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

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

Information about lots

Lot No: 1

Lot title: Supply of Orthopaedic Soft Goods - Lot 1 - Spinal Systems

**1) Short description**

Lot 1 - Spinal systems

**2) CPV code(s)**

33141700 Orthopaedic supplies, 33141760 Splints, 33183000 Orthopaedic support devices

**3)**

**Quantity or scope**

Soft Goods - Lot 1 - Spinal Systems:

Estimated Total Value Excluding VAT:

Range between GBP 14 000 - GBP 17 000 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 28 000 - GBP 34 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 28 000 and 34 000 GBP

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

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

**5) Additional information about lots**

Lot No: 2

Lot title: Supply of Orthopaedic Soft Goods - Lot 2 - Shoulder/Elbow

**1) Short description**

Lot 2 - Shoulder/Elbow

**2) CPV code(s)**

33141700 Orthopaedic supplies, 33141760 Splints, 33183000 Orthopaedic support devices

**3) Quantity or scope**

Soft Goods - Lot 2 - Shoulder/Elbow:

Estimated Total Value Excluding VAT:

Range between GBP 26 000 - GBP 31 500 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 52 000 - GBP 63 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 52 000 and 63 000 GBP

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

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

**5) Additional information about lots**

Lot No: 3

Lot title: Supply of Orthopaedic Soft Goods - Lot 3 - Wrist/Hand

**1) Short description**

Lot 3 - Wrist/Hand

**2) CPV code(s)**

33141700 Orthopaedic supplies, 33183000 Orthopaedic support devices, 33141740 Orthopaedic footwear

**3) Quantity or scope**

Soft Goods - Lot 3 - Wrist/Hand:

Estimated Total Value Excluding VAT:

Range between GBP 3 000 - GBP 3 500 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total

potential value for orders could be between GBP 6 000 - GBP 7 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 6 000 and 7 000 GBP

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

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

**5) Additional information about lots**

Lot No: 4

Lot title: Supply of Orthopaedic Soft Goods - Lot 4 - Hip/Pelvis

**1) Short description**

Lot 4 - Hip/Pelvis

**2) CPV code(s)**

33141700 Orthopaedic supplies, 33141740 Orthopaedic footwear, 33183000 Orthopaedic support devices

**3) Quantity or scope**

Soft Goods - Lot 4 - Hip/Pelvis:

Estimated Total Value Excluding VAT:

Range between GBP 12 000 - GBP 15 000 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 24 000 - GBP 30 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 24 000 and 30 000 GBP

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

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

**5) Additional information about lots**

Lot No: 5

Lot title: Orthopaedic Soft Goods - Lot 5 - Knee

**1) Short description**

Lot 5 - Knee

**2) CPV code(s)**

33141700 Orthopaedic supplies, 33141740 Orthopaedic footwear, 33183000 Orthopaedic support devices

**3) Quantity or scope**

Soft Goods - Lot 5 - Knee:

Estimated Total Value Excluding VAT:

Range between GBP 32 500 - GBP 40 000 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 65 000 - GBP 80 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 65 000 and 80 000 GBP

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

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

#### **5) Additional information about lots**

Lot No: 6

Lot title: Orthopaedic Soft Goods - Lot 6 - Foot/Ankle

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

Lot 6 - Foot/Ankle

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

33141700 Orthopaedic supplies, 33141740 Orthopaedic footwear, 33141760 Splints, 33183000 Orthopaedic support devices

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

Soft Goods - Lot 6 - Foot/Ankle:

Estimated Total Value Excluding VAT:

Range between GBP 20 000 - GBP 24 500 annually.

While the contracting authority cannot guarantee volumes, it is estimated that the total potential value for orders could be between GBP 40 000 - GBP 49 000 over the initial contract term of 2 years.

Estimated value excluding VAT:

Range: between 40 000 and 49 000 GBP

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

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

#### **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**

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 (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 SID4Health as follows:

- a) candidates should register on SID4health at <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 SID4Health must confirm that information is up to date ;i) candidates should ensure all relevant sections of their NHS SID4Health profile are completed to demonstrate their ability to meet the short listing criteria applicable to this contract. Where access to NHS SID4Health is unavailable, please contact NHS SID4Health helpdesk at [help@SID4health.nhs.uk](mailto:help@SID4health.nhs.uk)  
PLEASE NOTE ALL RESPONSES TO OJEU SHOULD BE MADE THROUGH TACTICA eSOURCING SYSTEM - REGISTRATION IS REQUIRED ON 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**

## **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 number of candidates: 6

Objective criteria for choosing the limited number of candidates: The criteria stated in the pre-qualification questionnaire

#### **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**

T12/0272

#### **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**

4.5.2013 - 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**

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>

Important Notes:

Contract Period given under II.3) is for the initial contract period only, and does not include any extension period as this is not guaranteed.

Estimated Values given under II.2.1) and Annex B are for the initial contract period only, and does not include any extension period as this is not guaranteed.

**VI.4. Procedures for review**

**VI.4.1. Review body**

**VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The Authority will allow a minimum 10 calendar day standstill period between notifying the award decision and awarding the contract. Unsuccessful tenderers and applicants are entitled to receive reasons for the decision, including the characteristics and relative advantages of the winning bid and the reasons why the tenderer/applicant was unsuccessful. Should additional information be required it should be requested of the addressee in section I.1. Aggrieved parties who have been harmed or are at risk of harm by breach of the procurement rules have the right to take action in the High Court (England and Wales). Any such action is subject to strict time limits

and must be brought in accordance with the Public Contracts Regulations 2006 as amended by the Public Contracts (Amendment) Regulations 2009 and the Public Procurement (Miscellaneous Amendments) Regulations 2011.

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

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

23.8.2013