

UK-Reading: various medicinal products

OJ S 203/2012 20/10/2012

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Commercial Medicines Unit

Postal address: Premier House, 60 Caversham Road

Town: Reading

Postal code: RG1 7EB

Country: United Kingdom

For the attention of: Sarah Blackman

E-mail: sarah.blackman@cmu.nhs.uk

Internet address(es):

General address of the contracting authority: <https://cmu.bravosolution.co.uk>

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

Health

Other: Public Procurement

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: yes

Section II: Object of the contract

II.1. Description

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

NHS Framework Agreement for the supply of Erythropoietin Stimulating Agents to the South West Purchasing Group.

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

Supplies

Purchase

Main site or place of performance: Document 10a of the ITT Documents.

NUTS code UK United Kingdom

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

Duration of the framework agreement

Duration in months: 12

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

NHS Framework agreement for the supply of Erythropoietin Stimulating Agents to the South West Purchasing Group.

Offer reference number: CM/PHR/11/5299.

Potential periods of call offs under the framework agreement:

Erythropoietin Stimulating Agents: 1.3.2013 to 28.2.2014.

The total maximum duration of the framework agreement will be no more than 24 months.

II.1.6. CPV code(s)

33690000 Various medicinal products, 33693000 Other therapeutic products, 85149000 Pharmacy services, 33000000 Medical equipments, pharmaceuticals and personal care products

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

NHS Framework Agreement for the supply of Erythropoietin Stimulating Agents to the South West Purchasing Group.

II.2.2. Information about options

Options: yes

Description of options: 12 month option to extend.

II.2.3. Information about renewals

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

Duration in months: 12 (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

Parent company or other guarantees may be required in certain circumstances. See the invitation to offer 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

No special legal form is required but, if a contract is awarded to a consortium of economic operators, the members of that consortium may be required to form a legal entity before entering into the Framework Agreement and may be required to provide parent or directors' guarantees or, if not required to form a legal entity, members of a consortium may be required to accept joint and several liability both to the Contracting Authority under the Framework Agreement and to other contracting authorities awarding contracts under the Framework Agreement.

III.1.4. Contract performance 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: Any supplier may be disqualified who does not respond to the following in the requisite manner:

1) Entering general ITT supplier information

The CMU (part of the Department of Health) utilizes the NHS Supplier Information Database (sid4health) to manage and assess general pre-qualification information in the form of a profile. Candidates are requested to provide their profile in sid4health as follows:

i) Candidates must obtain a Dun & Bradstreet (D&B) D-U-N-S® Number to enable registration on sid4health. This normally is provided within 48 hours but may take up to 5 days*, so please ensure this step is completed as soon as possible. The D-U-N-S® number is the standard supplier coding for the NHS and must be obtained for use in all trading with the NHS. Check to see if your company has a D-U-N-S® Number on the Sid4health registration page.

* The D-U-N-S® Number registration turnaround time quoted is for UK subjects. Non UK subjects (businesses registered outside of the UK), should use www.dnb.com and choose the country in which the business is registered from the selection at the top of the Home page and then search for DUNS request form. If unable to find a DUNS request form please contact the local Customer Services team. Turnaround times will vary from Country to country.

ii) Candidates must go to the following web page <http://www.sid4health.nhs.uk/home.action>. Select the Register Organisation on the left of the page and then select Organisation Type supplier. Key in details as shown to search for your D-U-N-S® Number. If you are not on their database click on the link at the bottom of the page to obtain a number from D&B.

iii) Once registration has been authorised by the sid4health administrator and after receiving logon details, access the Profile Management area and create and validate your sid4health company profile. (Candidates must publish at least one validated profile to make their profile available for buyers to view generally – see the Help page on sid4health within Profile Management for more details).

iv) Candidates should ensure all the mandatory fields of their sid4health profile are completed. Failure to comply with the completion of all mandatory fields could result in the elimination from the procurement process at this ITT stage. D&B data will be supplied automatically by D&B. (notes 1, through to 5 below refer)

v) Once a candidate has ensured that all the required fields are completed for this ITT and the profile has been validated. They must add the profile to the Request to Participate list ID'd (T1200-291) and named itt_29448 Erythropoietin Stimulating Agents to the South West Purchasing Group. Select 'View all request to participate lists' on the left menu and search /select this list. Select the Join button to the right of the list and then select the validated profile to allocate to this procurement (you may have more than one validated profile as you may have different information held against your profile for different procurements)

(vi) Where access to Sid4health is unavailable, please contact the sid4health Helpdesk at: helpsid4health@eurodyn.com

2) submission of expression of interest and procurement specific information

This procurement exercise will be conducted on the CMU (part of the Department of Health) eTendering portal at www.cmu.bravosolution.co.uk. Candidates wishing to be considered for this contract must register their expression of interest and provide additional procurement specific information (if required) through the CMU (part of the Department of Health) eTendering portal as follows:

i) Candidates should register on the CMU (part of the Department of Health) eTendering portal at <https://www.cmu.bravosolution.co.uk> and click the link to register:

- Accept the terms and conditions and click continue,
- Enter your correct business and user details,
- Note the username you chose and click save when complete,
- You will shortly receive an email with your unique password (please keep this secure).

ii) Once registered, candidates must express your interest as follows:

a. login to the CMU (part of the Department of Health) eTendering portal

b. select Response to ITT

c. select ITTs Open To All Suppliers

d. access listing related to this contract itt_29448 titled South West Erythropoietin Stimulating Agents and view details

e. click on express interest button in the actions box on the left-hand side of the page.

iii) Once you have expressed interest, the ITT will move to My ITTs, where you can download additional documentation (if required in III.2.1.1.ii above), and construct your reply as instructed. You must then publish your reply using the publish button.

iv) For any support in submitting your expression of interest please contact the ETendering Help-desk at +44 8003684850 or help@bravosolution.co.uk.

III.2.2. Economic and financial ability

List and brief description of conditions: As per requirements to complete sid4health profile see III.2.1 for more information on how to complete sid4health profile.

III.2.3. Technical and professional ability

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

Open

IV.1.2. Information about the limits on the number of candidates to be invited

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

CM/PHR/11/5299

IV.3.2. Previous publication concerning this procedure

no

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

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

29.11.2012 - 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

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

If and when this requirement is offered to tender, this may be done in whole or in part via electronic means using the Internet, and may also be through the medium of an electronic reverse auction. 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) along with any other non-NHS bodies which the participants deem necessary for the delivery of services or goods to NHS bodies, local authorities, other government departments or non-departmental public bodies charged with the delivery of healthcare or health related services. Contracts awarded under a framework agreement may be awarded either: a) by application of the terms laid down in the framework agreement without reopening competition, or b) where not all the required terms of the proposed contracts are laid down in the framework agreement, by reopening competition between the economic operators which are parties to this framework agreement and which are capable of performing the proposed contract. Reopening of

competition will be done in accordance with the procedure set out in Directive 2004/18/EC, Article 32. The operation of the framework agreement will incorporate the reopening of competition between the economic operators which are party to the framework agreement so as to incorporate the effects of competition, and the effect on competition, derived from beneficiaries of and parties to the contracts under the Agreement to include central purchasing bodies as detailed in Article 32 of Directive 2004/18/EC; Collaborative Purchasing Hubs; Confederations; Purchasing Consortiums; Trusts and other incorporated and un-incorporated bodies acting under the aegis of aggregate purchasing policies, and/or volume commitment /exclusivity commitment policies, and forms devolved to regional and local levels within the UK National Health Service (NHS). 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) along with any other non-NHS bodies which the participants deem necessary for the delivery of services or goods to NHS bodies, local authorities, other government departments or non-departmental public bodies charged with the delivery of healthcare or health related services.

Contracts awarded under a framework agreement may be awarded either:

a) by application of the terms laid down in the framework agreement without reopening competition, or

b) where not all the required terms of the proposed contracts are laid down in the framework agreement, by reopening competition between the economic operators which are parties to this framework agreement and which are capable of performing the proposed contract.

Reopening of competition will be done in accordance with the procedure set out in Directive 2004/18/EC, Article 32.

The operation of the framework agreement will incorporate the reopening of competition between the economic operators which are party to the framework agreement so as to incorporate the effects of competition, and the effect on competition, derived from beneficiaries of and parties to the contracts under the Agreement to include central purchasing bodies as detailed in Article 32 of Directive 2004/18/EC; Collaborative Purchasing Hubs; Confederations; Purchasing Consortiums; Trusts and other incorporated and un-incorporated bodies acting under the aegis of aggregate purchasing policies, and/or volume commitment/exclusivity commitment policies, and forms devolved to regional and local levels within the UK National Health Service (NHS).

Potential suppliers should note that, in accordance with the Government's policies on transparency, the CMU (part of the Department of Health) intends to publish the Invitation to Tender (ITT) document, and the text of any Framework Agreement awarded, subject to possible redactions at the discretion of the CMU (part of the Department of Health). The terms of the proposed Framework Agreement will also permit a public sector contracting authority, awarding a contract under this Framework Agreement, to publish the text of that contract, subject to possible redactions at the discretion of the contracting authority. Further information on transparency can be found at <http://www.ogc.gov.uk/policy> and standards framework transparency.asp.

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: If an appeal regarding the award of a contract has not been successfully resolved the Public Contracts Regulations 2006 (SI 2006 No 5) provide for aggrieved parties who have been harmed or are at risk of harm by a breach

of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought promptly (generally within 3 months). Where a contract has not been entered into the Court may order the setting aside of the award decision or order the authority to amend any document and may award damages. If the contract has been entered into the Court may only award damages.

The Contracting Authority will incorporate a standstill period at the point the decision regarding the award of the contract is communicated to Offerors. The Contracting Authority draws Offerors attention to their rights under the Public Contracts Regulations 2006 as amended by the Public Contracts (Amendment) Regulations 2009.

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

VI.5. Date of dispatch of this notice

16.10.2012