

**United Kingdom-Watford: Chemistry analyser**  
**OJ S 243/2013 14/12/2013**  
**Contract notice**  
**Supplies**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: West Hertfordshire Hospitals NHS Trust  
Postal address: Watford General Hospital Vicarage Road  
Town: Watford  
Postal code: WD180HB  
Country: United Kingdom  
For the attention of: Katie Sadler  
E-mail: [katie.sadler@hsmc.nhs.uk](mailto:katie.sadler@hsmc.nhs.uk)  
Telephone: +44 1707356177

**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**

**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**

Chemistry Analysers and associated Reagents and Services.

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

Supplies

A combination of these

Main site or place of performance: Watford General Hospital, Viacrage Road, Watford, Hertfordshire, WD180HB and Hemel Hempstead General Hospital, Hillfield Road, Hemel Hempstead, Hertfordshire, HP24AD.

NUTS code UKH23 Hertfordshire

**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)**

Expressions of interest are invited for the replacement of the main chemistry analysers including pre- analytical automation equipment for the provision of the Department of Chemical Pathology Clinical Chemistry and Therapeutic Drug Monitoring service. The analysers plus any associated equipment must be capable of supporting the rapid turnaround of test results

to support the A&E and Acute Admission Unit (AAU) as well as the capacity and the ability to cope with a sudden influx of high volume of work. The equipment must have a proven track record with maximum throughput, excellent reliability and robustness. The options for the configuration of the analysers across two sites are detailed in the specification.

The tender will be considered on three options.

1. Managed Service.
2. Lease/Reagent Rental and
3. Capital Purchase – with reagents purchased separately to equipment. All options should include maintenance, training, associated IT connectivity and other support services.

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

38434560 Chemistry analyser

**II.1.7. Information about the Government Procurement Agreement (GPA)**

**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**

**II.2.2. Information about options**

**II.2.3. Information about renewals**

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

**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**

To be set out in the ITT documentation.

**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**

**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:

(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 compulsory winding up the 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 contract 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 organization, 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.

Information and formalities necessary for evaluating if requirements are met:

- 1) You will need to ensure you register your company details via the suppliers portal on the Due North system: [www.supplying2nhs.com/](http://www.supplying2nhs.com/) Candidates with an existing account should ensure all details are up to date. Candidates will be required to register their expression of interest via the Due North portal under contract ref: CONTRACT-DNWC-9E8K5H. Candidates will be required to complete a PQQ which will be sent out, via the Due North system, after the closing date for Expressions of Interest. Should you not register your company details on Due North by the closing date, your interest will not be considered further. The registration must be completed by a business that is a legal entity and all documents and data submitted must relate to this legal entity/host organisation.
- 2) Specific declarations – suppliers must declare that they have not been convicted of the following.
  - (a) 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;
  - (b) 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;
  - (c) 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;
  - (d) 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.

Any resultant contract may be for the benefit of other member organisations or NHS bodies. The selected suppliers will be expected to supply all products/services as are required by the contracting authority from time to time. Future additions to their products/services will also be included. The contract is for the benefit of other participating NHS bodies and 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.

### **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 three 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 of 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 five 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 three 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 issues 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 capabilities 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, and 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 three years;  
(i) a statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contracts;

- (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 request;
  - (ii) certificates drawn up by official quality control institutes or agencies of recognized 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**

##### **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**

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

##### **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**

13.1.2014 - 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**

The new Transparency Regulations will apply to this contract.

#### **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**

13.12.2013