

Contract notice

Directive 2014/24/EU - Public Sector Directive

Directive 2014/24/EU

Section I: Contracting Change entity

I.1) Name and addresses

The Common Services Agency (more commonly known as NHS National Services Scotland) ('the Authority')

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

UK

Contact person: Paul Clyde

Telephone: +44 1312757728

E-mail: paul.clyde@nhs.net

NUTS: UKM

Internet address(es)

Main address: <http://www.nhsscotlandprocurement.scot.nhs.uk/>

Address of the buyer profile: http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge at:

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be sent electronically to:

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Children's Dental

Reference number: NP579/19

II.1.2) Main CPV code

33711710

II.1.3) Type of contract

Supplies

II.1.4) Short description

This contract framework is for the provision of dental products for the NHSScotland Childsmile programme. The products included within the programme includes Dental Packs; Toothbrushes; Toothpaste and Drinking cups with associated information leaflets.

II.1.5) Estimated total value

Value excluding VAT: 2 745 000.00 GBP

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

33711710

II.2.3) Place of performance

NUTS code:

UKM

II.2.4) Description of the procurement

The provision of dental products for the NHSScotland Childsmile national programme. Products required include:

- toothbrushes,
- toothpaste,
- dental packs,
- drinking cups and associated information leaflets.

The budget for this Scottish Government funded programme is fixed at 549 000 GBP plus VAT per annum for the duration of the framework.

Indicative annual volumes are outlined below:

- dental packs: age 0 to 3 years — 69 950 each(s),
- dental packs: age 3 to 6 (age 3 years) — 119 600 each(s),
- dental packs: age 3 to 6 (age 4 years) — 119 600 each(s),
- dental packs: age 3 to 6 (age 5 years) — 59 950 each(s),
- free flow feeding/drinking cups — 59 950 each(s),
- toothbrushes (loose): nursery (banded in 10s) — 713 650 each(s),
- toothbrushes (loose): primary (banded in 10s) — 179 250 each(s),
- toothpaste (loose): SLS 100 ml — 177 850 each(s),

- toothpaste (loose): SLS Free 50 ml — 5 000 each(s),
- dental packs (dental practice): age 0 to 3 — 179 400 each(s),
- toothbrushes (loose): dental practice age 0 to 3 — 50 800 each(s),
- toothbrushes (loose): dental practice age 3 to 6 — 119 400 each(s).

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start: 01/04/2020

End: 31/03/2023

This contract is subject to renewal: Yes

Description of renewals:

Option to extend for up to an additional twenty-four (24) month period.

II.2.9) Information about the limits on the number of candidates to be invited

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section III: Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Minimum level(s) of standards required:

It is a requirement of this contract that bidders can provide a statement(s) covering the three (3) previous financial years that detail the overall turnover of the bidder (this requirement relates to ESPD 4B.1.1).

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

- employer's (compulsory) liability insurance of 2 000 000 GBP (This requirement relates to ESPD 4B.5.1), and
- public liability insurance of 5 000 000 GBP (this requirement relates to ESPD 4B.5.2).

III.1.3) Technical and professional ability

Minimum level(s) of standards required:

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of technical certification and professional accreditation levels indicated below:

- 1) The bidder must confirm that all products tendered must be Latex Free (this includes any packaging in direct contact with end product),
- 2) The bidder must confirm that all products supplied under this framework meet the following where applicable:
 - (i) product compliance to ISO 20126:2012 — Dentistry. Manual Toothbrushes (or equivalent);
 - (ii) product compliance to ISO 11609:2017 — Dentistry — Dentifrices — requirements, test methods and marking;

(iii) EU Cosmetic Regulation (EC 1223/2009) — toothpaste compliance.

This requirement relates to ESPD 4C.12).

III.2) Conditions related to the contract

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement with a single operator.

IV.1.8) Information about Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date: 16/09/2019

Local time: 10:00

IV.2.4) Languages in which tenders or requests to participate may be submitted

EN

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Tender must be valid until: 16/12/2019

IV.2.7) Conditions for opening of tenders

Date: 16/09/2019

Local time: 10:00

Place:

Gyle Square (NSS Headquarters), 1 South Gyle Crescent, Edinburgh EH12 9EB.

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

The Common Services Agency (more commonly known as National Services Scotland) ('the Authority') acting through its division national procurement, is undertaking this procurement of fluid and patient warming consumables and controlled patient temperature management systems/devices used by NHS Scotland ('Products') on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014 (collectively hereafter referred to as 'participating authorities').

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

The Public Sector in Scotland is committed to the delivery of high quality public services, and recognises that this is critically dependent on a workforce that is well-rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development, diverse and engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service. Public Bodies in Scotland are adopting fair work practices, which include:

- a fair and equal pay policy that includes a commitment to supporting the Living Wage, including, for example being a Living Wage Accredited Employer,
- clear managerial responsibility to nurture talent and help individuals fulfil their potential, including for example, a strong commitment to modern apprenticeships and the development of Scotland's young workforce,
- promoting equality of opportunity and developing a workforce which reflects the population of Scotland in terms of characteristics such as age, gender, religion or belief, race, sexual orientation and disability,
- support for learning and development,
- stability of employment and hours of work, and avoiding exploitative employment practices, including for example no inappropriate use of zero-hours contracts;
- flexible working (including for example practices such as flexi-time and career breaks) and support for family friendly working and wider work life balance,
- support progressive workforce engagement, for example Trade Union recognition and representation where possible, otherwise alternative arrangements to give staff an effective voice,
- in order to ensure the highest standards of service quality in this contract we expect contractors to take a similarly positive approach to fair work practices as part of a fair and equitable employment and reward package,
- please describe how you will commit to fair work practices for workers (including any agency or subcontractor workers) engaged in the delivery of this contract,
- the contracting authority does not intend to include a subcontract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason: not applicable.

The contracting authority does not intend to include any community benefit requirements in this contract for the following reason:

Community benefits not relevant for this supply framework.

(SC Ref:485542)

The buyer is using PCS-Tender to conduct this ITT exercise. The project code is 13825

For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

(SC Ref:590708)

VI.4) Procedures for review

VI.4.1) Review body

The Common Services Agency (more commonly known as NHS National Services Scotland) ('the Authority')

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

UK

Telephone: +44 1698794410

Internet address(es)

URL: <http://www.nhsscotlandprocurement.scot.nhs.uk/>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures:

The authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the framework agreement which notification will contain among other information, a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which the authority dispatches the notice(s) and the date on which the authority proposes to conclude the relevant framework agreement. The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer(s). The bringing of court proceedings against the authority after the framework agreement has been entered into will not affect the framework agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the framework agreement has been entered into are limited to the award of damages. Economic operators are entitled to write to the authority after receipt of the notification should they require further clarification. The authority will respond within 15 days of such a written request, but it should be noted that receipt by the authority of such request during the standstill period may not prevent the authority from awarding the framework agreement following the expiry of the standstill period. Where an economic operator is dissatisfied with the authority's response to its request for clarification, or considers that the framework agreement has been concluded in breach of The Public Contracts (Scotland) Regulations 2015, such economic operator is advised to promptly seek independent legal advice.

VI.5) Date of dispatch of this notice

08/08/2019