**Invitation to Tender**

**Tender for Infant Feeding and Accessories**

**(Reference: 2023/S 000-011743)**

**on behalf of**

**Supply Chain Coordination Limited (SCCL)**

**(The Authority)**

# 1. Introduction

* 1. Acting on behalf of Supply Chain Coordination Limited (SCCL), a Management Function of NHS Supply Chain, the Collaborative Procurement Partnership LLP (CPP) is issuing this invitation to tender (ITT) in connection to a competitive procurement of a framework agreement for Infant Feeding and Accessories (the “Framework Agreement”).
  2. You are invited to submit a tender (“the Tender”) in response to the ITT and in accordance with the conditions and instructions outlined in it including any of the attached Schedules or Appendices.
  3. Please read the information in this ITT including all the Schedules or Appendices carefully as it explains what you must do. Failure to complete the documentation as instructed may result in your Tender not being considered.
  4. The ITT:
     1. invites Bidders to submit their Tenders in accordance with the conditions and guidance set out in the remainder of this ITT;
     2. sets out the overall timetable and process for the procurement;
     3. provides Bidders with sufficient information to enable them to submit a compliant Tender;
     4. sets out the award criteria and Tender evaluation model that will be used to evaluate the Tenders;
     5. explains the administrative arrangements for the receipt of Tenders; and
     6. details the call off methodology for accessing the Framework Agreement.

**2. Instructions and Details of Contract**

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| **ITEM** | **CONTRACT DETAILS** |
| Jaggaer Contract Reference | Project\_936 |
| Contract Description: | On behalf of SCCL, (CPP) is seeking to establish a multi-supplier framework for the supply of baby food, infant formula, infant bottles, teats, soothers breast pumps and other associated accessories.  The framework will offer a comprehensive and wide range of suppliers and different products providing participating authorities with flexibility and choice in meeting specific needs and requirements. Participating authorities will have the option to procure products on an ad hoc basis or through more regular and structured bulk purchase arrangements.  The framework is structured by way of Lots as follows:  Lot 1 - Infant Food and Formula  Lot 2 - Infant Feeding Equipment, Accessories and Post Pregnancy Products  The framework is to be available for use by NHS Trusts and other UK public sector bodies in England, Scotland, Wales and Northern Ireland including those operating in both an acute and community environment, clinical commissioning groups, GP Practices and other health and social care providers (including any future successor organisations). It is recognised that primary use of the framework will be by participating authorities in England. These are referred to as ‘Participating Authorities’ and further details are included in Schedule A6 of this ITT. |
| Authority: | The contracting authority for the purposes on this process is Supply Chain Coordination Limited (SCCL) (Authority).  SCCL is a Management Function of NHS Supply Chain.  CPP is acting on behalf of SCCL. CPP is a service provider to NHS Supply Chain and is responsible for the procurement of contracts that allow the NHS to buy products it needs for hospitals, ambulance trusts, community health services including mental health services. It puts contracts in place that ensures the NHS has the right equipment, products and services at the right price.  Further details relating to both SCCL and CPP can be found at https://www.sccl.nhs.uk/  Further information regarding CPP can be found at https://www.cpp.nhs.uk  As CPP is acting on behalf of the Authority, are managing the tender and delivery of the Framework Agreement and acting as their agent in all matters. References to CPP are also references to the Authority where relevant. |
| Process and Public Contract Type: | The Authority is seeking to procure a framework agreement following an ‘open’ process in accordance with the Public Contracts Regulations 2015 (Regulations) as amended. |
| Period of Contract | The framework agreement is for 24 months with an option to extend for a further two period of 12 months each. |
| Insurance Requirements: | The successful Bidder will need to provide the following insurance cover per 12-month period:   1. **Employers Liability:** £5,000,000 [for any one occurrence or series of occurrences out of one event] 2. **Product Liability:** £5,000,000[for any one occurrence or series of occurrences out of one event] 3. **Public Liability:** £5,000,000 [for any one occurrence or series of occurrences out of one event] 4. **Professional indemnity:** £5,000,000 [for any one occurrence or series of occurrences out of one event]   The costs of providing these levels of insurance must be included as standard in the tendered prices. |
| Clarification and Queries | Any clarifications and queries must be addressed to the procuring officer, Shane Murphy via the Jaggaer e-tendering portal prior to 12 noon on 23 May 2023 failure to submit by this deadline may result in clarifications and queries not being responded to.  All clarifications and queries will be recorded and responded to via the Jaggaer e-tendering portal. All clarifications and queries and all subsequent responses to them will be shared on a weekly basis (or as soon as possible) with all suppliers who have expressed an interest in the opportunity. |
| Tender Submission instructions: | Tenders and all associated documentation must be submitted via the Jaggaer e-tendering portal (<https://nhssupplychain.app.jaggaer.com/web/login.html>) by the date and time detailed below. Failure to submit by this deadline will result in your Tender not being considered.  Tenders **MUST NOT** be returned by any other means. If Tenders are received by other means, then the Tender will not be evaluated. |
| Date/time for Tender return: | 12 noon on 30 May 2023 |

**3. ITT Requirements**

Below you will find a table containing all schedules of the ITT. Section A contains information, conditions and guidance you should read to understand the requirements of the ITT. Section B details schedules you must complete and return as part of your tender response by completing the relevant Envelopes Jaggaer E-tendering Portal or completing and returning the documents embedded below.

| **Part A – Information that you will need to prepare your Tender Response.** | | |
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| **Schedule No.** | **Item** | **Schedule** |
| A1. | Specification |  |
| A2. | Evaluation Methodology and Criteria |  |
| A3. | Call Off Methodology |  |
| A4. | ITT Conditions and Guidance |  |
| A5. | Framework Agreement for Goods |  |
| A6. | List of Participating Authorities |  |
| A7. | Modern Slavery Assessment Portal Details |  |
| A8. | Operational Requirements of Suppliers |  |
| A9. | Component Builder Questionnaire |  |

| **Part B- Documents that you will need to complete and return as part of your tender response.** | | |
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| **Schedule No.** | **Item** | **Schedule** |
| B1. | Selection Questionnaire  *(Only required to be completed once for all Lots)* | To be completed within the Jaggaer e-tendering portal as set out in the Qualification Envelope. |
| B2. | Commercial Form of Tender  *(Only required to be completed once for all Lots)* |  |
| B3. | Certificate of Non-Collusion and Non-Canvassing  *(Only required to be completed once for all Lots)* |  |
| B4. | Commercially Sensitive Information  *(Only required to be completed once for all Lots)* |  |
| B5. | Tender Response Document.  *(Only required to be completed once for all Lots)* | To be completed within the Jaggaer e-tendering portal as set out in the Technical Envelope. |
| B6. | Price Schedule  A - Lot 1 - Infant Food and Formula  B - Lot 2 - Infant Feeding Equipment, Accessories and Post Pregnancy Products | To be completed in Commercial Envelope within the Jaggaer e-tendering portal on a Lot specific basis. |
| B7 | National Pricing Matrix  *(Only required to be completed once for all Lots)* |  |
| B8 | Additional Lines |  |
| B9 | Carbon Reduction Plan and Guidance |  |
| Pre-Tender Presentation and Q&A | |  |

**PLEASE NOTE**: Failure to provide any of the items identified above as for completion and return may cause your Tender to be non-compliant and rejected without being considered.

# REOPENING OF THE FRAMEWORK

* 1. The Authority is keen to ensure that this Framework Agreement continues to meet the needs of Participating Authorities by being able to continually offer the latest and most relevant products, technologies, and services to them. It recognises that over the term of a Framework Agreement, new innovative products may be developed by Suppliers on the Framework Agreement or by other new suppliers. The Authority also recognises that there could be issues with supply over the term of the Framework Agreement. .
  2. Therefore, in order to ensure that the Framework Agreement does not become obsolete/ suffer from supply issues, the Authority reserves the right (but is not obliged to) to reopen this Framework Agreement only in the following two circumstances:
     1. Product innovation/development; and
     2. Supplier Resilience
  3. Product Innovation/development
     1. The process for product innovation/development is as follows:
        1. Any supplier (either a Supplier or a new supplier) who can offer innovation or support changes to the market in relation to the product lines and services under this Framework Agreement (when originally procured), will have the opportunity to join the Framework Agreement on the second anniversary (2 years from the Commencement Date) or on the third anniversary (3 years from the Commencement Date) of the Framework Agreement, if the Framework Agreement is extended.
        2. For avoidance of doubt, no new supplier and/or new product line and services will be able to join the Framework Agreement during the first 2 years of its term from the Commencement Date.
        3. A Supplier or a new supplier who proposes any innovation or support changes to the market will have to meet and undertake the process set out at paragraph 4.3.2 in order to be considered for appointment to the Framework Agreement at the relevant times set out at paragraph 4.3.1.1.
        4. If the Authority decides to extend the Framework Agreement, the Authority will notify the market of its intention to extend the Framework Agreement in line with the relevant advertising requirements at the time and via the Authority’s eProcurement Platform.
     2. Any Supplier (either a Supplier or a new supplier) who can offer innovation or support changes to the market to the Framework Agreement (when originally procured) will then have the opportunity, if they meet the specified requirements in order to be considered for appointment to the Framework Agreement. These requirements are as follows:
        1. The Supplier or a new supplier will need to submit any innovation or development ideas or proposals via the Authority’s Innovation route, MedTech Mandation.
        2. The Supplier’s or the new supplier’s innovation or development proposals and ideas must pass the MedTech Mandation route by deeming such a proposal or idea to be an innovation.
        3. Meeting the evaluation criteria specified by the Authority which are currently set out in the Schedule A2 - Evaluation Methodology and Criteria.
        4. Compliance to any specification and relevant industry standards.
        5. Meeting non-financial and/or financial requirements relevant to the products and/or services supplier under the Framework Agreement (as determined by the Authority and this tender) and
        6. Acceptance of the terms and conditions of the Framework Agreement without negotiation or amendment. -
     3. If the Supplier or new supplier is successful in meeting the requirements set out in paragraph 4.3.2, then that supplier will be awarded a contract under the Framework Agreement under the new Lot 3 – Innovation.
     4. This route is not an opportunity for existing Suppliers to add new products that are not innovative. New innovative products will only be added to Lot 3, not to the other existing lots.
  4. **Supplier Resilience**
     1. The Authority recognises that there could be issues with supply over the term of the Framework Agreement. Such supply issues may be due to a Force Majeure Event or any event in which an existing Supplier is unable to supply a product line to the Participating Authorities (“**Supplier Resilience**”).
     2. The process for Supplier Resilience is as follows:
        1. If, at any point during the Term of the Framework Agreement, the Authority identifies an issue in relation to Supplier Resilience to provide a particular product line, that they were originally awarded in any of the Lots, the Authority reserves the right to reopen the Framework Agreement in order to appoint a new supplier for that particular product line.
        2. If, exiting Suppliers are able to provide that particular product line, the Authority also reserves the right to reopen the Framework Agreement.
        3. If the Authority identifies that there is an issue with Supplier Resilience to provide product lines to the Participating Authorities, that such Supplier was originally awarded, the Authority will notify the market of its intention of reopening the Framework Agreement in line with the relevant advertising requirements at the time and via the Authority’s eProcurement Platform and will allow any supplier the opportunity if they meet the specified requirements in order to be considered for appointment to the Framework Agreement. These requirements are as follows:
           1. Meeting the evaluation criteria specified by Authority which is currently set out in Schedule A2 - Evaluation Methodology and Criteria.
           2. Compliance to any specification and relevant industry standards.
           3. Meeting non-financial and/or financial requirements relevant to the products and/or services supplier under the Framework Agreement (as determined the Authority and this tender) and
           4. Acceptance of the terms and conditions of the Framework Agreement without negotiation or amendment.
     3. If the Supplier or new supplier is successful in meeting the requirements set out in paragraph 4.4.2, then that supplier will be awarded a contract under the Framework Agreement under the Lot in which the Supplier Resilience has occurred and not any other Lot.

**4. Timetable**

The key dates for this procurement are anticipated to be as follows:

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| **Stage** | **Date(s) and Time(s)** |
| Issue of Invitation to Tender | 25 April 2023 |
| Deadline for Submission of Tender Clarifications | 23 May 2023 at 12.00 |
| Deadline for Submission of Tenders | 30 May 2023 at 12.00 |
| Tender Evaluation Period | May 2023 – September 2023 |
| Award of Contract | September 2023 |
| Standstill Period Expires (10days) | 18 September 2023 |
| Customer Launch | 27 November 2023 |
| Framework Start/Go Live | 29 February 2024 |

The Authority reserves the right to change the Timetable set out above at its discretion. Any changes to the timetable shall be notified to all Bidders as soon as practicable.