

Moorfields Eye Hospital NHS Foundation Trust

Invitation to Tender for the Provision of Paediatric Magnetic Resonance Imaging (MRI) Services for
Moorfields Eye Hospital NHS Foundation Trust

Authority's reference number: PR5263

Deadline for tenders to be received: 10:00am, 8th November 2019

SECTION A – INSTRUCTIONS AND INFORMATION

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1 INTRODUCTION AND BACKGROUND

- 1.1 Partners Procurement Service (“PPS”), on behalf of Moorfields Eye Hospital NHS Foundation Trust (the "Authority") is issuing this Invitation to Tender ("ITT") in connection with the competitive procurement of Paediatric Magnetic Resonance Imaging (MRI) Services.
- 1.2 This ITT Section A contains further information about the procurement process.
- 1.3 Bidders must complete the eligibility questions (as referred to in section 3 of this Section A of the ITT) and the questions contained in Section B of the ITT. Each bidder's response ("tender") should be detailed enough to allow the Authority to make an informed award decision.
- 1.4 All tenders must be returned no later than the deadline for receipt of tenders specified on the front cover of this ITT.

Contents of the ITT

- 1.5 This ITT document consists of:

| Section A – Instructions and information | |
|---|---|
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| 2 | Tender timetable |
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Introduction to the procurement

- 1.6 Moorfields Eye Hospital NHS Foundation Trust wishes to appoint a suitably experienced and qualified Paediatric MRI Service provider with effect from mid December 2019 to undertake its Paediatric MRI services for Paediatric patients under the ages of 18 years.

- 1.7 The services required and project scope is as follows:
- single site for scans to be performed at General Anaesthetic and day stay recovery facilities;
 - for private providers only: In the event of an unforeseen emergency arising the provider must have in place processes to stabilise the patient and transfer them to the nearest NHS Acute Hospital;
 - any unexpected or urgent findings must be conveyed to the Moorfields Eye Hospital Radiology Department immediately;
 - image transfer via the Image Exchange Portal (IEP);
 - scans must be performed within the NHS Diagnostic Target; Urgent zero (0) - two (2) weeks, Semi-Urgent two (2) - four (4) weeks and Routine within six (6) weeks; and
 - all radiographers must be Health and Care Professions Council (HCPC) registered.

1.8 The contract will be for three (3) years with two (2) options to extend for a 12-month duration each.

1.8 Full details of the Authority's requirements are set out in the specification in Annex B2 of Section B.

SMEs

1.9 The Authority is committed to supporting the Government's small and medium-sized enterprise (SME) initiative; its aspiration is that 33% of spend, direct and through the supply chain, goes to SMEs by 2022. Suppliers are encouraged to work with the Authority to support the wider SME initiative.

1.10 The link below to the Cabinet Office website provides information on the Government's Crown Representative for SMEs, a link to the definition of an SME and details on the SME initiative: <https://www.gov.uk/government/publications/updated-small-and-medium-sized-enterprises-action-plan-published>.

Purpose and scope of this ITT

1.11 This ITT:

- 1.11.1 invites bidders to submit their tenders in accordance with the instructions set out in the remainder of this ITT;
- 1.11.2 sets out the overall timetable and process for the procurement;
- 1.11.3 provides bidders with sufficient information to enable them to submit a compliant tender;
- 1.11.4 sets out the award criteria and tender evaluation model that will be used to evaluate the tenders; and
- 1.11.5 explains the administrative arrangements for the receipt of tenders.

Questions about this ITT

1.12 You may submit, by no later than 10:00am, 30th October 2019 any queries that you have relating to this ITT. The Authority is using the Due North e-tendering portal to conduct the procurement process ("The e-Tendering Portal"). The e-Tendering Portal can be accessed at www.lppsourcing.org. Please therefore submit such queries via the e-Tendering Portal.

1.13 Any specific queries should clearly reference the appropriate paragraph in the ITT documentation and, to the extent possible, should be aggregated rather than sent individually. The Authority may decline to answer queries received after the above deadline.

- 1.14 Answers to the questions received by the Authority will be circulated to all bidders via the e-Tendering Portal. Answers will not reveal the identity of the individual bidder that asked a particular question. The Authority may decide not to disclose answers, or parts of answers, which would reveal confidential or commercially sensitive information in relation to a particular bidder.

Location of Procurement

- 1.15 The appointed bidder will be expected to ~~ensure that Patients are scanned in London, within the following postal codes: E, EC, N, SE, SW, W and WC. provide services at their own premises.~~

Procurement Methodology:

- 1.16 The Authority has elected to follow the Open Procedure for this procurement exercise. For the avoidance of doubt, the form of tender will be conducted in accordance with the EC Treaty based principles of, inter alia, transparency, equal treatment and non-discrimination.
- 1.17 Bidders are expected to complete ITT Section B and to submit via the e-Tendering Portal.

Terms of Tender

- 1.18 The “Authority” or “Trust” means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable suppliers to participate in this procurement process.
- 1.19 The “Authority” or “Trust” is the customer organisation, which includes any subsidiary companies and other organisations that control or are controlled by the customer organisation from time to time.
- 1.20 “You”/“Your”, “bidder”, “service providers” or “supplier” means the body completing the tender response i.e. the legal entity seeking to be awarded the contract and responsible for the information provided. The “supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
- 1.20 Information that is supplied to bidders as part of this procurement process is supplied in good faith. The information contained in the ITT and the supporting documents and in any related written or oral communication is believed to be correct at the time of issue, but the Authority will not accept any liability for its accuracy, adequacy or completeness and no warranty is given as such. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.
- 1.21 At any time prior to the tender response deadline, the Authority may amend the ITT. Any such amendment shall be issued to all potential bidders, and if appropriate to ensure potential bidders have reasonable time in which to take such amendment into account, the tender response deadline shall, at the discretion of the Authority, be extended. Your tender response must comply with any amendment made by the Authority in accordance with this paragraph or it may be rejected.

2 TENDER TIMETABLE

Key dates

- 2.1 The procurement will follow a clear, structured and transparent process to ensure a fair and level playing field so that all bidders are treated equally.
- 2.2 The key dates for this procurement are currently anticipated to be as follows:

| Event | Date |
|--|--|
| ITT issued | 11 th October 2019 |
| Deadline for the receipt of clarification questions | 10:00am, 30 th October 2019 |
| Target date for responses to clarification questions | 5 th November 2019 |
| Deadline for receipt of tenders | 10:00am, 8 th November 2019 |
| Evaluation of tenders | 11 th – 20 th November 2019 |
| Notification of contract award decision | Week commencing 25 th November 2019 |
| Standstill period | 10 Calendar days following notification of contract award decision |
| Contract award | Early December 2019 |
| Contract starts | Mid December 2019 |

- 2.3 Whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any stage.

Deadline for receipt of tenders

- 2.4 Bidders must submit their tenders in the manner prescribed in section 3 below no later than the date and time specified on the front cover of this ITT.
- 2.5 Any tender received after the deadline or by any method other than the method prescribed in section 3 below may not be considered. The Authority may at its discretion extend the deadline and in such circumstances the Authority will notify all bidders of any change.

Clarification Meetings

- 2.6 Following the assessment of the tender, the Authority may invite bidders to a clarification meeting. If required, this will take place between receipt of tenders and announcement of successful tender. It is anticipated that bidders will be provided with at least two (2) business days' notice if a meeting is to be required. The Authority typically will only require meetings with what it considers are the best three bidders. In exceptional circumstances, all bidders will be requested to attend a meeting.
- 2.7 Bidders must ensure that key personnel attend. Those key personnel directly involved in performing the contract will be expected to attend.
- 2.8 The purpose of the meeting is to gain a greater understanding of proposals and will take the form of a short presentation by the bidder followed by a question and answer session. Topics

for discussion for the presentation will be issued no later than two (2) days before the presentation.

- 2.9 Bidders can either accept or decline a request for such a meeting. However, it is in the interests of the bidder to attend and provide additional confidence in its proposals to the Authority.
- 2.10 Although not scored on a separate basis, the session will be used to confirm the technical / quality score assessments of the tender evaluation. As such, scores achieved during the written tender evaluation may be adjusted (up or down) and the consolidated score of a bidder amended.

Eligibility evidence

- 2.11 Bidders are required to provide information about their eligibility for this procurement and some of that information will be self-certified as accurate. During the standstill period, the Authority will require the successful bidder to provide the following:
- 2.11.1 proof as required in the Public Contracts Regulations 2015, Regulation 60(6), that you have the minimum level of economic and financial standing;
- 2.11.2 copies of the required insurance as set out in the eligibility questions;
- 2.11.3 a copy of your Health and Safety Policy; and
- 2.11.4 copies of all Radiographers registration.

Contract award

- 2.12 Contract award is subject to the formal approval process of the Authority. Until all necessary approvals are obtained and the standstill period completed, no contract(s) will be entered into.
- 2.13 The Authority reserves the right at any time:
- to require a bidder to clarify its tender in writing and/or provide additional information (failure to respond adequately may result in a bidder being rejected from the procurement process or receiving an evaluation mark of zero (0)/ Fail); and/or
 - to amend the terms and conditions of the procurement process; and/or
 - not to consider tenders other than those specified; and/or
 - not to award a contract and discontinue the procurement procedure.
- 2.14 Once the Authority has reached a decision in respect of a contract award, it will notify all bidders of that decision and provide for a standstill period in accordance with the Public Contracts Regulations 2015 before entering into any contract(s).

3 INSTRUCTIONS TO BIDDERS

Eligibility Questions and Responses

- 3.1 The eligibility questions are a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion¹. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).
- 3.2 A completed declaration of Part 1 and Part 2 of the eligibility questions provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently, we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2 of the eligibility questions. For example, these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

Supplier Selection Questions: Part 3

- 3.3 This procurement document provides instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) each member of the consortium should complete all of the selection questions. If you intend to use sub-contractors, you should complete all of the selection questions on behalf of any sub-contractors.
- 3.4 If the relevant documentary evidence referred to in the eligibility questions is not provided upon request and without delay the Authority reserves the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

- 3.5 If you seriously misrepresent any factual information in filling in the eligibility questions, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completing the Eligibility Questions

- 3.6 "You" / "Your" refers to the potential supplier completing this ITT i.e. the legal entity responsible for the information provided. The term "potential supplier" is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the "regulations") and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
- 3.7 Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state 'N/A'. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.

¹ For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

- 3.8 The Authority recognises that arrangements set out in section 1.2 of the eligibility questions, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed part 1 and part 2 of the eligibility questions is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
- 3.9 For part 1 and part 2 of the eligibility questions every organisation that is being relied on to meet the selection must complete and submit the self-declaration. In the case of a consortium all members of the consortium need to complete and pass part 1 and part 2.
- 3.10 All sub-contractors are required to complete Part 1 and Part 2 of the eligibility questions.
- 3.11 For answers to part 3 of the eligibility questions - If you are bidding on behalf of a group, for example a consortium, you should ensure all of the questions are answered by and passed by all of the consortium members. That said, questions to be scored (8.2 onwards) should be answered by the consortium as a whole and not by the members individually. If you intend to use sub-contractors, you should complete all of the questions on behalf of any sub-contractors, providing one composite response and declaration.
- 3.12 The Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure

Formalities for submission of Eligibility Questions

- 3.13 The eligibility questions are structured in three separate parts:
- 3.13.1 Part 1: Basic information about the bidder, including contact details, details of parent companies and group bidding;
 - 3.13.2 Part 2: Self-declaration regarding whether or not any of the mandatory or discretionary exclusion grounds apply; and
 - 3.13.3 Part 3: Self-declaration regarding whether or not you meet the selection criteria in respect of your financial standing and technical capacity.
- 3.14 Bidders must complete parts 1 to 3 in Annex B1 and submit via the e-Tendering Portal.

General Formalities for submission of tenders (including the Eligibility Questions)

- 3.15 Bidders must complete and submit the Annexes to Section B of the ITT. The Annexes must be submitted using the e-Tendering Portal. Bidders should ensure that they allow plenty of time to upload the Annexes, particularly where there are large documents. If bidders have any problems with the e-Tendering Portal, they should contact the helpdesk via the online Help Centre at <https://procontract.due-north.com/Login/> to log a ticket for support in the first instance. For further assistance email: ProContractSuppliers@proactis.com. In emergency and time sensitive situations only, the supplier support service desk can be contacted on +44 (0) 330 005 0352. As noted above, any tender responses received after the deadline may not be considered.
- 3.16 There is a 50MB file size limit for a single document being uploaded into the tender box. Please be mindful that larger files may take longer to attach, so ensure this is done with enough time before the closing date and time- ideally using an appropriate compression (zipping) program.
- 3.17 Bidders must adhere to the following standard requirements when submitting their tenders:

- 3.17.1 Do not embed documents within other documents. Instead provide separate electronic copies of the documents, clearly labelled and referenced if necessary.
 - 3.17.2 The tender must be in English and drafted in accordance with the drafting guidance set out in this ITT.
 - 3.17.3 The tender must be fully cross-referenced and include a table of contents.
 - 3.17.4 The tender must include a list of all supporting material.
 - 3.17.5 All tenders must be in Pounds Sterling.
 - 3.17.6 Electronic copies of the tender shall be in be Microsoft Office formats.
 - 3.17.7 Bidders should use Arial size 10.
- 3.18 Where a word count limit is specified, bidders should state how many words their response contains. The Authority reserves the right not to consider any part of a response exceeding the word limit. Words included within diagrams or other graphic representations will count towards the word limit.
- 3.19 The tender must be clear, concise and complete. The Authority reserves the right to mark bidders down or exclude them from the procurement if their tenders are ambiguous or lack clarity. Bidders should submit only such information as is necessary to respond effectively to this ITT. Unless specifically requested, do not include extraneous presentation materials.
- 3.20 Tenders will be evaluated on the basis of information submitted by the deadline. Where information or documentation submitted appears to be incomplete or erroneous or specific documents are missing, the Authority reserves the right to request the bidder to submit, supplement, clarify or complete the information or documentation.
- 3.21 The tender must be signed by a duly authorised representative of the bidder.

Modification and withdrawal of tenders

- 3.22 Except as set out in paragraph 3.20, no tender may be modified after the deadline for receipt of tenders.
- 3.23 Tenders may be withdrawn at any time before the deadline for receipt of tenders. Revised tenders may be submitted up until the deadline for receipt of tenders, provided such intention is notified to the Authority using the e-Tendering Portal.

Terms and conditions

- 3.24 The contract will include the NHS Terms and Conditions set out in Annex A1. It is vital that the bidder reviews these carefully, and takes account of all information such as TUPE, key performance indicators and insurance requirements and that the tender fully takes account of these. By submitting a tender, bidders are agreeing to be bound by the terms of this ITT and the NHS Terms and Conditions without further negotiation or amendment.

Consortia and subcontractors

- 3.25 If the bidder is a consortium or will rely on sub-contractors to deliver the contract, it must explain in its tender precisely which entities will be the supplier.
- 3.26 For the purposes of this ITT, the following terms apply:
- 3.26.1 *Consortium arrangement* - Groups of companies come together specifically for the purpose of bidding for appointment as the supplier and envisage that they will establish a special purpose vehicle as the prime contracting party with the Authority.

3.26.2 *Subcontracting arrangement* - Groups of companies come together specifically for the purpose of bidding for appointment as the supplier but envisage that one of their number will be the supplier, the remaining members of that group will be subcontractors to the supplier.

3.27 If the bidder intends to sub-contract any material parts of the contract, it must explain which parts will be sub-contracted, who the sub-contractor is, confirm the sub-contractor has agreed terms of supply and what contractual commitment it has from the sub-contractor to deliver.

Warnings and disclaimers

3.28 While the information contained in this ITT is believed to be correct at the time of issue, neither the Authority, its advisors, nor any other awarding authorities will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this ITT (including its annexes) and in respect of any other written or oral communication transmitted (or otherwise made available) to any bidder. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.

3.29 If a bidder proposes to enter into a contract with the Authority, it must rely on its own enquiries and on the terms and conditions set out in the contract(s) (as and when finally executed), subject to the limitations and restrictions specified in it.

3.30 Neither the issue of this ITT, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual arrangement.

Freedom of Information Act 2000 and Environmental Information Regulations 2004

3.31 As a public body, the Authority is subject to, and must comply with, the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**"). The Authority may therefore be required to disclose information submitted by the bidder.

3.32 In respect of any information submitted by a bidder that it considers to be confidential or commercially sensitive the bidder should:

3.32.1 clearly identify such information as confidential or commercially sensitive;

3.32.2 explain its reasons why disclosure of such information would be likely to prejudice or would cause actual prejudice to its commercial interests; and

3.32.3 provide a reasoned estimate of the period of time during which the bidder believes that such information will remain commercially sensitive.

3.33 This information must be listed in Annex B5 to Section B of this ITT, with a statement of which exemptions are relevant under FOIA and/or the EIR.

3.34 Where a bidder identifies information as commercially sensitive, the Authority will take those views into account. Bidders should note, however, that, even where information is identified as commercially sensitive, the Authority may be required to disclose such information in accordance with FOIA or the EIR. Accordingly, the Authority cannot guarantee that it will withhold information marked 'confidential', 'commercially sensitive' or otherwise exempt.

Publicity

3.35 No publicity regarding the award of any contract will be permitted unless and until the Authority has given express written consent to the relevant communication. For example, no statements may be made to the media regarding the nature of any tender, its contents or any proposals relating to it without the prior written consent of the Authority.

Bidder conduct and conflicts of interest

- 3.36 Any attempt by bidders or their advisors to influence the contract award process in any way may result in the bidder being disqualified. Specifically, bidders shall not directly or indirectly at any time:
- 3.36.1 devise or amend the content of their tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance;
 - 3.36.2 enter into any agreement or arrangement with any other person as to the form or content of any other tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other tender;
 - 3.36.3 enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a tender;
 - 3.36.4 canvass the Authority or any employees or agents of the Authority in relation to this procurement; and/or
 - 3.36.5 attempt to obtain information from any of the employees or agents of the Authority or their advisors concerning another bidder or tender (except for debrief information requests made through the e-Tendering Portal).
- 3.37 Bidders are responsible for ensuring that no conflicts of interest exist between the bidder and its advisers, and the Authority and its advisers. Bidders should notify the Authority promptly of any possible conflict and the proposed steps that the bidder believes can be taken to avoid the conflict. Any bidder who fails to comply with these requirements may be excluded from the procurement at the discretion of the Authority.

Return of Certificates

- 3.38 The Authority requires bidders to make certain undertakings if they wish to remain in the competition. These undertakings include signing the following declarations, which must be completed and submitted as part of submission at the ITT stage. Copies of the declarations are provided in the ITT Section B - Annex B7:
- Form of Tender
 - Non-Collusive Tendering
 - Conflicts of Interest
 - Anti-canvassing confirmation

If you are bidding as a consortium, you should ensure each member of the consortium completes and return the declarations in Annex B7.

Authority's rights

- 3.39 Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner, the Authority reserves the right to:
- 3.39.1 waive or change the requirements of this ITT from time to time;
 - 3.39.2 seek clarification or documents in respect of a bidder's submission;

- 3.39.3 disqualify any bidder that does not submit a compliant tender in accordance with the instructions in this ITT;
- 3.39.4 disqualify any bidder that is guilty of serious misrepresentation in relation to its tender or the tender process;
- 3.39.5 withdraw this ITT at any time, or re-invite tenders on the same or any alternative basis;
- 3.39.6 choose not to award any contract as a result of the current procurement process; and
- 3.39.7 make whatever changes it sees fit to the timetable, structure or content of the procurement process.

Tender Validity Period

- 3.40 Tenders are to remain open for acceptance by the Authority for a minimum of 120 days from the tender response deadline. A tender response not valid for this period may be rejected by the Authority.

Bid costs

- 3.41 The Authority will not be liable for any bid costs, expenditure, work or effort incurred by a bidder in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

Language

- 3.42 Tenders, all documents and all correspondence relating to the tender must be written in English.

Transparency

- 3.43 In accordance with the Public Contracts Regulations 2015 and the Government's policy on transparency, bidders should be aware that the Authority intends to make the ITT and details of any subsequent contract publicly available, by publication on the Government's Contracts Finder portal.

Governing Law and Jurisdiction

- 3.44 This ITT and any dispute concerning it (including non-contractual disputes or claims) shall be governed by English law and subject to the jurisdiction of the English Courts.

Pricing

- 3.45 Prices must be submitted as per the tender documentation, and pricing must be separate from the remainder of your submission.
- 3.46 The Authority has an aggressive savings target and bidders should consider how they can assist the Authority in delivering cost improvements.
- 3.47 The price must be submitted for the total cost of ownership, as per the tender documents.
- 3.48 Prices submitted must be firm (i.e. not subject to variation) for the period of the contract as stated in the tender documents, subject only to any variation provisions contained in the contract documents and negotiated variation.

4 TENDER EVALUATION METHODOLOGY AND CRITERIA

Overview

- 4.1 This section of the ITT sets out the criteria that the Authority will use to evaluate tenders.
- 4.2 Bidders are required to submit a tender strictly in accordance with the requirements set out in this ITT, to ensure the Authority has the correct information to make the evaluation. If a tender is equivocal or unclear, the Authority may deduct marks when scoring it, or it may treat the tender as non-compliant and reject it.
- 4.3 Tenders submitted will be assessed against the evaluation criteria summarised below and scored using the methodology included in the ITT Evaluation Criteria and Weighting Matrix spreadsheet.
- 4.4 The Authority will award the contract to the tender that scores the highest marks, applying the methodology below. Scoring will be carried out as follows:
- 4.4.1 The bidder must pass all eligibility questions ("**Eligibility Questions**").
- 4.4.2 The Authority will then mark Annex B2 of Section B (Specification) and Annex B3 of Section B (Tender Response Document) ("**Scored Questions**") for all bidders that pass all the eligibility questions.
- 4.5 The Authority will mark eligibility questions as described in paragraphs 4.17 to 4.19 below. It will mark the scored questions as described in paragraphs 4.20 to 4.23.
- 4.6 The evaluation panel will not search submissions to locate the required answers. Any information provided that is not in the correct format will not be considered.
- 4.7 Failure to provide the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that a bidder is rejected without further consideration and/or not invited to participate further in the tender process.
- 4.8 In the event that none of the responses are deemed satisfactory, the Authority reserves the right to terminate the procurement and, where appropriate, re-tender.
- 4.9 Bidders must be explicit and comprehensive in their responses to this tender, as this will be the single source of information on which responses will be scored and ranked.
- 4.10 Bidders are advised neither to make any assumptions about their past or current supplier relationships with the Authority, nor to assume that such prior business relationships will be taken into account in the evaluation procedure.
- 4.11 Publicity brochures will not be accepted as providing answers to questions.
- 4.12 Bidders should note that the Authority may seek independent financial and market advice to validate information declared or to assist in any evaluation. Reference site visits or demonstrations and/or presentations and interviews may be requested.
- 4.13 The Authority expressly reserves the right to require bidders to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in this tender. If further clarification is required, bidders may be invited to discuss in more detail their proposal with the evaluation panel.
- 4.14 The final quality score and the final price score for each offer will be added to produce a total score and each bidder will be ranked according to this total score.

- 4.15 Following the evaluation, and subject to the Authority's flexibilities already described elsewhere in this tender (and without thereby legally binding the Authority to the same), the Authority will then decide which (if any) bidder it intends to award the contract to.
- 4.16 The Authority also reserves the right to request reference site visits or demonstrations before finalising the scoring, although this will not be a separately scored criterion.

Criteria – Eligibility Questions

- 4.17 The Authority will score eligibility questions on the following basis:

| Eligibility Questions | Selection criteria | Self-Certify |
|--|----------------------|--------------|
| Section 1: Potential supplier information | For information only | N/A |
| Section 2: Grounds for mandatory exclusion | Pass or Fail | Yes |
| Section 3: Grounds for discretionary exclusion | Pass or Fail | Yes |
| Section 4 and 5: Economic and Financial Standing | Pass or Fail | Yes |
| Section 6: Technical and Professional Ability | Pass or Fail | Yes |
| Section 7: Modern Slavery Act 2015: Requirements under the Modern Slavery Act 2015. | Pass or Fail | Yes |
| Section 8.1: Supplier's Past Performance | Pass or Fail | Yes |
| Section 8.2: Project specific questions to assess Technical and Professional Ability | Pass or Fail | No |

- 4.18 To score a "pass", the tender must:
- 4.18.1 for all questions where self-certification is required (as detailed above), include a self-certification and the successful bidder will be asked to provide supporting evidence during the standstill period; and
 - 4.18.2 for questions where self-certification is not required (as detailed above), adequately address all key points and include adequate supporting evidence / examples / information. It must give a reasonable degree of confidence that the bidder has the capability, resource and experience to properly perform the contract.
- 4.19 Where a bidder scores a "fail" for any question, the Authority will treat the tender as non-compliant and it will not award a mark for the Scored Questions.

Criteria – Scored Questions

| Criteria | Weight | Evaluation criteria | Sub Criteria Weight |
|----------|--------|--|---------------------|
| Clinical | 60.00% | Please outline your Patient Safety Processes and provide copies of your Standard Operating Procedures for consideration by the team. | 20.00% |
| | | Will your MRI imaging service to the trust be carried out 1.5T or 3T (1.5T will receive a score of 3, 3T will receive a score of 5). | 10.00% |
| | | Images sent via IEP or via a comparable system deemed acceptable by the Authority. | 10.00% |
| | | Image Quality (as outlined below) | 60.00% |
| | | Total Clinical Downweighed Score | 60.00% |
| Pricing | 40.00% | Total Commercial Score | 40.00% |
| | | Total | 100.00% |

4.20 Image quality will be assessed and graded by Consultant Neuro-Radiologists.

4.21 Compact Disks (CDs) with the required example images will be required for assessment. These need to be hand delivered to Moorfields Eye Hospital NHS Foundation Trust, 162 City Road, London EC1V 2PD, marked for the attention of Chrissie Gregory in a sealed envelope on the tender response deadline date.

Criteria – Scored Questions: pricing evaluation

4.22 Tender prices will be scored on a comparative basis, with the lowest compliant tender (excluding any tenders that the Authority rejects as being abnormally low or non-compliant) receiving 100% of the available marks (40% following weighting). All other tenders will be compared against that lowest tender using the formula:

$$(A / B) \times 40\%$$

A = price of lowest compliant tender

B = price of the tender being scored

4.23 If it appears to the Authority that any tender may be abnormally low, then the Authority may ask the bidder to explain its price or costs. If following the bidder's explanations the Authority is not satisfied with the bidder's account for the low level of price or cost in the tender, the Authority may treat the tender as non-compliant and reject it.

Criteria – Scored Questions: technical and quality evaluation

4.24 The technical evaluation will be scored in accordance with the table below:

| Score | Criteria for awarding score | Definition |
|-------|--|---|
| 0 | No response (complete non-compliance) | No response at all or insufficient information provided in the response such that the solution is totally unassessable and/or incomprehensible. |
| 1 | | |

| | | |
|---|---|--|
| | Unsatisfactory response (potential for some compliance but very major areas of weakness) | Substantially unacceptable submission which fails in several significant areas to set out a solution that addresses and meets the requirements: little or no detail may have been (and, where evidence is required or necessary, no evidence) provided to support and demonstrate that the tenderer will be able to provide the services and/or considerable reservations as to the tenderer's proposals in respect of delivery of the requirements within the Specification. |
| 2 | Partially acceptable response (one or more areas of major weakness) | Weak submission which does not set out a solution that fully addresses and meets the requirements: response may be basic/ minimal with little or no detail (and, where evidence is required or necessary, with insufficient evidence) provided to support the solution and demonstrate that the tenderer will be able to provide the services and/or some reservations as to the tenderer's solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. |
| 3 | Satisfactory and acceptable response (substantial compliance with no major concerns) | Submission sets out a solution that largely addresses and meets the requirements, with some detail (and, where evidence is required or necessary, some relevant evidence) provided to support the solution; minor reservations or weakness in a few areas of the solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. |
| 4 | Good response (compliant with requirements with no major concerns). | Submission sets out a solution that is relevant and good. Submission sufficiently addresses and meets the requirements, with sufficient detail (and, where evidence is required or necessary, sufficient relevant evidence) provided to support the solution; provides sufficient confidence in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. |
| 5 | Excellent response (fully compliant with requirements) | Submission sets out a strong solution that is completely relevant and excellent overall. Submission fully addresses and meets the requirements, with full details (and, where evidence is required or necessary, full and relevant evidence) provided to support the solution; provides complete confidence in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirements and provides details of how the requirements will be met in full. |

5 PARTNERS PROCUREMENT SERVICE

The Partners Procurement Service is a collaboration between a number of NHS trusts to deliver high quality and cost-effective procurement and supply chain services for the participating partners, who equally own the service.

The partnered trusts are, Moorfields Eye Hospital NHS Foundation Trust, North Middlesex University Hospital NHS Trust, The Royal Free London NHS Foundation Trust and The Whittington Health NHS Trust.

ANNEX A1

NHS TERMS AND CONDITIONS

The Authority intends to enter into a contract with the successful bidder on the NHS Terms and Conditions for the Provision of Services (Contract Version).

This Annex A1 contains the NHS Terms and Conditions, duly completed by the Authority so far as possible, including all relevant schedules, except schedule 5 (Specification and Tender Response Document) and schedule 6 (Commercial Schedule).

The specification is set out in Annex B2 of Section B of this ITT.