



Supplement to the Official Journal of the European Union

Info and online forms: <http://simap.ted.europa.eu>

Voluntary ex ante transparency notice

This notice is related to following:

- Directive 2014/23/EU
- Directive 2014/24/EU
- Directive 2014/25/EU
- Directive 2009/81/EC

This notice aims at providing voluntary prior transparency as referred to in Article 2d(4) of Directives 89/665/EEC and 92/13/EEC on remedies, and Article 60(4) of Directive 2009/81/EC.

Section I: Contracting authority/entity

I.1) Name and addresses

| | | | |
|---|-------------------------------|--|--|
| Official name: St James's Hospital | | | National registration number: ² |
| Postal address: James Street | | | |
| Town: Dublin | NUTS code: IE | Postal code: Dublin 11 | Country: Ireland |
| Contact person: | | | Telephone: |
| E-mail: nlatham@stjames.ie | | | Fax: |
| Internet address(es) | | | |
| Main address: (URL) http://localhost/epps-flavour | | | |
| Address of the buyer profile: (URL) http://localhost/epps-flavour | | | |

I.4) Type of the contracting authority (in the case of a notice published by a contracting authority)

| | |
|---|---|
| <input type="radio"/> Ministry or any other national or federal authority, including their regional or local subdivisions | <input type="radio"/> Regional or local agency/office |
| <input type="radio"/> National or federal agency/office | <input checked="" type="radio"/> Body governed by public law |
| <input type="radio"/> Regional or local authority | <input type="radio"/> European institution/agency or international organisation |
| | <input type="radio"/> Other type: |

I.5) Main activity (in the case of a notice published by a contracting authority)

| | |
|--|--|
| <input type="radio"/> General public services | <input type="radio"/> Housing and community amenities |
| <input type="radio"/> Defence | <input type="radio"/> Social protection |
| <input type="radio"/> Public order and safety | <input type="radio"/> Recreation, culture and religion |
| <input type="radio"/> Environment | <input type="radio"/> Education |
| <input type="radio"/> Economic and financial affairs | <input type="radio"/> Other activity: |
| <input checked="" type="radio"/> Health | |

I.6) Main activity (in the case of a notice published by a contracting entity)

| | |
|--|--|
| <input type="radio"/> Production, transport and distribution of gas and heat | <input type="radio"/> Railway services |
| <input type="radio"/> Electricity | <input type="radio"/> Urban railway, tramway, trolleybus or bus services |
| <input type="radio"/> Extraction of gas and oil | <input type="radio"/> Port-related activities |
| <input type="radio"/> Exploration and extraction of coal and other solid fuels | <input type="radio"/> Airport-related activities |
| <input type="radio"/> Water | <input type="radio"/> Other activity: |
| <input type="radio"/> Postal services | |

Section II: Object

II.1) Scope of the procurement

| | |
|---|--------------------------------|
| II.1.1) Title: The provision of Equipment, Maintenance and Reagents required for the delivery of Blood Plasma Viscosity Testing Services at St James's Hospital Dublin | Reference number: ² |
| II.1.2) Main CPV code: 33696500 Supplementary VOC code: ^{1,2} | |
| II.1.3) Type of contract <input type="radio"/> Works <input checked="" type="radio"/> Supplies <input type="radio"/> Services | |
| II.1.4) Short description: the provision of Equipment, Maintenance and Reagents required for the delivery of Blood Plasma Viscosity Testing Services at St James's Hospital Dublin | |
| II.1.6) Information about lots This contract is divided into lots <input type="radio"/> yes <input checked="" type="radio"/> no | |
| II.1.7) Total value of the procurement (excluding VAT) Value: [60000.00] (Please give the total value of the procurement. For information about individual contracts, please use section V) or Lowest offer: [] / Highest offer: [] taken into consideration Currency: EUR (for framework agreements – total maximum value for their entire duration) (for contracts based on framework agreements, if required – value of contract(s) not included in previous contract award notices) | |

II.2) Description ¹ (1)

| | |
|---|----------------------|
| II.2.1) Title: ² | Lot No: ² |
| II.2.2) Additional CPV code(s): ² | |
| II.2.3) Place of performance NUTS code: ¹ [IE] Main site or place of performance: St James's Hospital Dublin | |
| II.2.4) Description of the procurement: the provision of Equipment, Maintenance and Reagents required for the delivery of Blood Plasma Viscosity Testing Services at St James's Hospital Dublin .Plasma viscosity (PV) testing in a medical setting is useful to detect increases in plasma viscosity, which are due to changes in the relative proportions of various plasma protein fractions, such as albumin, fibrinogen and immunoglobulins. It has many parallels with the erythrocyte sedimentation rate (ESR), in which similar changes in plasma protein fractions cause the rate of erythrocytes sedimentation to increase. Like the ESR, PV testing is not specific for any particular disease or condition but instead has a screening and monitoring value. It is of use to measure plasma viscosity in patients known to have multiple myeloma (MM) and related monoclonal gammopathies. (nature and quantity of works, supplies or services) | |
| II.2.11) Information about options Options <input type="radio"/> yes <input checked="" type="radio"/> no Description of options: | |
| II.2.13) Information about European Union funds The procurement is related to a project and/or programme financed by European Union funds <input type="radio"/> yes <input checked="" type="radio"/> no Identification of the project: | |
| II.2.14) Additional information: | |

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure *(please complete Annex D)*

- Negotiated procedure without prior publication *(in accordance with Article 32 of Directive 2014/24/EU)*
- Negotiated procedure without prior call for competition *(in accordance with Article 50 of Directive 2014/25/EU)*
- Negotiated procedure without publication of a contract notice *(in accordance with Article 28 of Directive 2009/81/EC)*
- Award of a concession without prior publication of a concession notice *(in accordance with Article 31(4) and (5) of Directive 2014/23/EU)*
- Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below *(please complete point 2 of the Annex D)*

IV.1.3) Information on framework agreement

- The procurement involves the establishment of a framework agreement

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

The procurement is covered by the Government Procurement Agreement yes no

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure ²

Notice number in the OJ S:

Section V: Award of contract/concession ¹

Contract No: **Lot No:** ² **Title:** the provision of Equipment, Maintenance and Reagents required for the delivery of Blood Plasma Viscosity Testing Services at St James's Hospital Dublin

V.2) Award of contract/concession

| | | | |
|---|----------------|--|-------------------------|
| V.2.1) Date of conclusion of the contract: (dd/mm/yyyy) 23/05/2023 | | | |
| V.2.2) Information about tenders | | | |
| The contract has been awarded to a group of economic operators: <input type="radio"/> yes <input checked="" type="radio"/> no | | | |
| V.2.3) Name and address of the contractor/concessionaire ¹ (Agree to publish? <input type="radio"/> yes <input type="radio"/> no) | | | |
| Official name: Benson Viscometers | | National registration number: ² | |
| Postal address: Unit H North Estate, Withybush Road, Haverfordwest, Pembrokeshire SA62 4BS Wales United Kingdom | | | |
| Town: Haverfordwest, | NUTS code: UKL | Postal code: | Country: United Kingdom |
| E-mail: lchun@bensonviscometers.com | | Telephone: | |
| Internet address: (URL) https://www.bensonviscometers.com | | Fax: | |
| The contractor/concessionaire will be an SME: <input checked="" type="radio"/> yes <input type="radio"/> no (SME – as defined in Commission Recommendation 2003/361/EC) | | | |
| V.2.4) Information on value of the contract/lot/concession (excluding VAT) | | | |
| Initial estimated total value of the contract/lot/concession: ² [60000.00] | | | |
| Total value of the contract/lot/concession: [60000.00] | | | |
| or | | | |
| Lowest offer: [] / Highest offer: [] taken into consideration | | | |
| Currency: EUR | | | |
| for framework agreements – total maximum value for this lot | | | |
| for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices | | | |
| V.2.5) Information about subcontracting ⁸ | | | |
| <input type="checkbox"/> The contract/lot/concession is likely to be subcontracted | | | |
| Value or proportion likely to be subcontracted to third parties ⁴ | | | |
| Value excluding VAT: [] Currency: | | | |
| Proportion: [] % | | | |
| Short description of the part of the contract to be subcontracted: | | | |

Section VI: Complementary information

VI.3) Additional information ²

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VI.4) Procedures for review

| | | |
|---|---------------------------------|----------------------------------|
| VI.4.1) Review body | | |
| Official name: The High Court | | |
| Postal address: James Street | | |
| Town: Dublin | Postal code: D8 | Country: Ireland |
| E-mail: pfsullivan@stjames.ie | | Telephone: |
| Internet address: (URL) | | Fax: |
| VI.4.2) Body responsible for mediation procedures ² | | |
| Official name: | | |
| Postal address: | | |
| Town: | Postal code: | Country: |
| E-mail: | | Telephone: |
| Internet address: (URL) | | Fax: |
| VI.4.3) Review procedure | | |
| Precise information on deadline(s) for review procedures: | | |
| VI.4.4) Service from which information about the review procedure may be obtained ² | | |
| Official name: | | |
| Postal address: | | |
| Town: | Postal code: | Country: |
| E-mail: | | Telephone: |
| Internet address: (URL) | | Fax: |

VI.5) Date of dispatch of this notice: (dd/mm/yyyy) [23/05/2023](#)

It is the contracting authority's/contracting entity's responsibility to ensure compliance with European Union law and any applicable laws.

¹ please repeat as many times as needed

² if applicable

⁴ if this information is known

⁸ optional information

²⁰ importance may be given instead of weighting

²¹ importance may be given instead of weighting; if price is the only award criterion, weighting is not used

Annex D1 – General procurement

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union

Directive 2014/24/EU

(please select the relevant option and provide an explanation)

- 1. Justification for the choice of the negotiated procedure without prior publication of a call for competition in accordance with Article 32 of Directive 2014/24/EU**
- No tenders or no suitable tenders/requests to participate in response to
- open procedure
 - restricted procedure
- The products involved are manufactured purely for the purpose of research, experiment, study or development under the conditions stated in the directive (*for supplies only*)
- The works, supplies or services can be provided only by a particular economic operator for the following reason
- absence of competition for technical reasons
 - procurement aiming at the creation or acquisition of a unique work of art or artistic performance
 - protection of exclusive rights, including intellectual property rights
- Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive
- Additional deliveries by the original supplier ordered under the strict conditions stated in the directive
- New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the directive
- Service contract to be awarded to the winner or one of winners under the rules of a design contest
- Procurement of supplies quoted and purchased on a commodity market
- Purchase of supplies or services on particularly advantageous terms
- from a supplier which is definitively winding up its business activities
 - from the liquidator in an insolvency procedure, an arrangement with creditors or a similar procedure under national laws and regulations
- 2. Other justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union**
- The procurement falls outside the scope of application of the directive

3. Explanation

Please explain in a clear and comprehensive manner why the award of the contract without prior publication in the Official Journal of the European Union is lawful, by stating the relevant facts and, as appropriate, the conclusions of law in accordance with the directive: (500 words maximum)

There is only one economic operator in the market. Benson Viscometers is the only economic operator identified as capable of meeting SJH's requirement. Detailed description of Blood Plasma Viscosity Testing Services is as follows: -

- The analyser must be designed and calibrated to measure human blood plasma viscosity in a clinical setting
- The analyser must have a track record in External Quality Assessment (EQA) schemes such as UK NEQAS for Haematology
- The supplier must provide calibration and quality control materials for use with the analyser to test human blood plasma samples
- The supplier must have the capability to provide both preventative maintenance and unscheduled call-out maintenance support to St James's hospital with any analyser supplied.