

## Dynamic Purchasing System for Off-site Surgical and Medical Capacity Solutions

DPS Ref: DPS01/OSMCS/18/IB

OJEU Contract Notice ref: **2018/S** 145-332193

### List of Eligible Users of the Dynamic Purchasing System

To promote transparency, The Countess of Chester Hospital NHS Foundation Trust wishes to establish a Dynamic Purchasing System for use by all UK NHS bodies (and any future successors to these organisations). To provide bidders with information on potential users of the Dynamic Purchasing System the following organisations are considered the core client base:

NHS Bodies England

<http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/CCGListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/MentalHealthTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/CareTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/AreaTeamListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/SpecialHealthAuthorityListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/OtherListing.aspx>

Scottish NHS Bodies

<http://www.gov.scot/Topics/Health/NHS-Workforce/NHS-Boards>

<http://www.show.scot.nhs.uk/organisations/>

NHS Wales

<http://www.wales.nhs.uk/ourservices/directory>

Health Bodies in Northern Ireland listed at

<http://www.hscni.net/>

NHS bodies in the Isle of Man

NHS bodies in the Channel Isles

Any corporation established, or a group of individuals appointed to act together, for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and (i) financed wholly or mainly by another contracting authority listed above;

(ii) subject to management supervision by another contracting authority listed above; or

(iii) more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, are appointed by another contracting authority listed above

(iv) an association of or formed by one or more of the Contracting Authorities listed above

Entities which are not public sector bodies may also use the Dynamic Purchasing System if the Authority is satisfied that:

- such entity is calling-off goods and/or services directly, solely and exclusively in order to satisfy contractual obligations to one or more public sector bodies, all of which are entitled to use the Dynamic Purchasing System on their own account;
- all goods and/or services to be called-off by it are to be used directly, solely and exclusively to provide goods and/or services at sites occupied by such public sector body(ies); and
- it will pass the benefit of the call-off contract to such public sector body(ies) directly, in full and on a purely “pass-through” basis. Accordingly there must be no mark-up, management fee, service charge or any similar cost solely in relation to the supply of goods and/or services imposed on the relevant public sector body(ies), who must be able to benefit from the terms of the Dynamic Purchasing System in a like manner and to the same extent as if using the Dynamic Purchasing System on its/their own account.

Any ‘bodies governed by public law’ which under the Public Contracts Regulations 2015 means bodies that have all of the following characteristics

(a) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(b) they have legal personality; and

(c) they have any of the following characteristics:—

(i) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;

(ii) they are subject to management supervision by those authorities or bodies; or

(iii) they have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.