

PUBLIC PROCUREMENT OF INNOVATIVE SOLUTIONS TO PROCURE INNOVATIVE SERVICES, ENHANCED BY DIGITAL TECHNOLOGIES, FOR A COMPREHENSIVE AND INTEGRATED MANAGEMENT OF PATIENTS USING PACEMAKERS (RITMOCORE)

Exp.: OBE 17/378

Under the proposal of the Minutes of the Award Proposal, dated 30th September 2020 and;

- On August 24, 2016, the "Grant Agreement" was signed between the European Union and the Hospitals participating in the Ritmocore tender.
- Subsequently, the "Consortium Agreement" was signed, which lays down the rules for participation and dissemination and the European Commission's Grant Agreement between participants.
- Between the parties was signed the Buyers' Group Agreement, in which they designate the Fundació de Gestió Sanitària de l'Hospital de la Santa Creu i Sant Pau (hereinafter, FGS), as "Lead Procurer", to act in their name and on their behalf, and to draft the Prior Information Notice, the tenders as well as the publication in the Official Journal of the European Union.
- On March 28, 2017, the Board of the Fundació de Gestió Sanitària de l'Hospital de la Santa Creu i Sant Pau agreed to authorize the opening of the recruitment files.
- On January 6, 2018, the Prior Information Notice of the future alert regarding the public purchase of innovative solutions to acquire an innovative comprehensive and integrated management service, enhanced with the use of digital technologies, patients who use or may need a pacemaker (Ritmocore) was published in the Official Journal of the European Union. Subsequently, and with the same objective, it is published in the Public procurement platform of Generalitat de Catalunya.
- On July 31, 2018, the Open Market Consultation was published in the Official Journal of the European Union.
- On October 2, 2018, the Questionnaire of the Open Market Consultation was published to the Public procurement platform of Generalitat de Catalunya.
- On October 16, 2018, it is reported that Chester Hospital is withdrawn from this project, which is reduced by a lot, due to force majeure, and, therefore, the period of the Open Market Consultation was extended by an additional seven days.
- After the deadline, the following companies deliver the questionnaire:
 1. Abbott Medical España, S.A.
 2. Biosoft Innovation, S.L.
 3. Biotronik Spain, S.A.
 4. Boston Scientific Ibérica, S.A.
 5. Implicity



6. Lindacare, S.A.
 7. Medtronic Iberica, S.A.
 8. Tunstall Healthcare Group
- On April 3, 2019, the results of the Open Market Consultation were published in the Public procurement platform of Generalitat de Catalunya.
 - In accordance with the Buyers' Group Agreement, an agreement for the joint adoption was signed for the call for tender and the tender specifications regulating the procurement of innovative services based on the use of new technologies for a new comprehensive and integrated management approach of patients with arrhythmias who require the implementation of a pacemaker. The Buyers' Group Agreement also signed the Tendering Board and the Tendering Technical Board.
 - On January 16, 2020, OBE 17/378 related to the public procurement of innovative solutions to procure innovative services, enhanced by digital technologies, for a comprehensive and integrated management of patients using pacemakers (RITMOCORE) was published in the Public procurement platform of Generalitat de Catalunya.
 - On January 16, 2020, the recruitment file was published in the Official Journal of the European Union, under number OBE 17/378.
 - On February 7, 2020, BOSTON SCIENTIFIC IBERICA, SA submitted to the *Tribunal Catalán de Contratos del Sector Público* the special resource on public procurement against the tender specifications and the technical specifications of the present exp. OBE 17/378.
 - On March 16, 2020, by agreement of the contracting authority, all the deadlines of this recruitment file are suspended in accordance with the Third Additional Provision of Royal Decree 463/2020 of 14 March declaring the state of alarm for the management of the health crisis situation caused for COVID-19.
 - On 8 May, 2020, by agreement of the contracting authority, the aforementioned suspension is lifted in accordance with the fourth point of the single article of Royal Decree 465/2020 of 17 March amending Royal Decree 463/2020, 14 March declaring the state of alarm for the management of the health crisis situation caused for COVID-19 and the Eighth Additional Provision of Royal Decree Law 17/2020 of 5 May approving measures to support the cultural and tax sector to address the economic and social impact of COVID-19.
 - Once the deadline has elapsed, the following companies have been presented:
 - BIOTRONIK Spain, S.A.
 - IMPLICITY
 - MEDTRONIC IBÉRICA, S.A.
 - ABBOTT MEDICAL ESPAÑA, S.A.
 - All the companies presented, amended in a timely and form the administrative documentation required.



- On 20 May, 2020, the *Tribunal Catalán de Contratos del Sector Público* agreed to dismiss the special resource on public procurement by BOSTON SCIENTIFIC IBERICA, SA.
- On 22 May, 2020, the Envelopes B - a proposal subject to valuation by criteria of value judgment – were opened.
- On 10 August, 2020:
 - Technical reports on the valuation of tenders subject to valuation were published.
 - The minutes of the meeting of the tendering board in regard to: the acceptance of the evaluation report, bids excluded and declaration of lot 1 and 3 deserted of the referred tendering procedure was published.
 - The Envelopes C – a proposal subject to valuation by automatic formulas – were opened and the exclusions resulting from the Envelopes B were reported.
- Exclusions resulting from the Envelopes B were reported in a timely and form in accordance with the provisions of the Tender Specifications.
- Economic offers were published.
- On 18 September, 2020, the technicians submitted the corresponding valuation reports and award proposal.
- Finally, in order to comply with the provisions of Article 150 (paragraphs 2 and 3) of Law 9/2017, of 8 November, on Public Sector Contracts by speeding up the internal signature procedures, it will be decided to approve two agreements. The first aims to approve the ranking of the tenders for the award of the contract and the second, which will only be effective if the first one has been fulfilled, aims to award the contract.

The reasons of the score are those that appear in the reports, which are incorporated into the recruitment file and are reproduced for the appropriate purposes.

Said that, and in accordance to the Powers that have been granted to me, I agree on:



1.- AGREEMENT CONCERNING THE APPROVAL OF THE RANKING

FIRST.- TO APPROVE the ranking given by the evaluation of the bids presented (which is attached to this agreement as document 1) in the procurement procedure of innovative solutions to procure innovative services, enhanced by digital technologies, for a comprehensive and integrated management of patients using pacemakers (RITMOCORE), on the basis of the minutes of award of the Tendering Board.

SECOND.- TO DELEGATE to the Procurement Unit of the Fundació de Gestió Sanitària de l'Hospital de la Santa Creu i Sant Pau (the FGS) the task of requesting the best bidders to submit, within 10 business days following receipt of the notification, the documentation established in clause 4.3.3 of the PCAP.

THIRD.- TO AWARD the contract 17/387 within 5 business days following receipt and evaluation of the documentation mentioned in the previous paragraph. In case of that the first bidder on the ranking would not fulfil that requirement, the following bidder will be asked to submit the documentation. In this case, the award of all of the lots would be done once all the required documentation has been properly assessed.

FOURTH.- TO AUTHORISE the Procurement Unit of the FGS to enforce this agreement following the terms established in the award agreement given with this agreement concerning the approval of the ranking.

Barcelona, 14th October 2020.

Dra. Gemma Craywinckel i Martí

Managing Director of the Fundació de Gestió Sanitària de l'Hospital de la Santa Creu i Sant Pau

NOTE 1: *This document is incorporated to the contracting file with the electronic signature issued by the entitled person.*

NOTE 2: *For all purposes, the date of this document is considered to be the date at the end of this document.*



AGREEMENT CONCERNING THE APPROVAL OF THE RANKING: DOCUMENT NUMBER 1

PUBLIC PROCUREMENT OF INNOVATIVE SOLUTIONS TO PROCURE INNOVATIVE SERVICES, ENHANCED BY DIGITAL TECHNOLOGIES, FOR A COMPREHENSIVE AND INTEGRATED MANAGEMENT OF PATIENTS USING PACEMAKERS (RITMOCORE)

Lot 2:

	BIOTRONIK SPAIN SA	MEDTRONIC IBERICA SA	ABBOT MEDICAL ESPAÑA
TOTAL SCORE	147,999	128,528	114,13
QUALITY CRITERIA ASSESED BY A VALUE JUDGEMENT	72	62,53	44,13
QUALITY CRITERIA ASSESED BY FÓRMULAS	55	45	49
ECONOMIC CRITERIA ASSESED BY FÓRMULAS	20,9990	20,9980	21

Lot 4:

	BIOTRONIK SPAIN SA	MEDTRONIC IBERICA SA	ABBOT MEDICAL ESPAÑA
TOTAL SCORE	153,9986	128,8686	123,68
QUALITY CRITERIA ASSESED BY A VALUE JUDGEMENT	74	57,87	42,68
QUALITY CRITERIA ASSESED BY FÓRMULAS	52	43	53
ECONOMIC CRITERIA ASSESED BY FÓRMULAS	27,9986	27,9986	28



2.- AWARD AGREEMENT

This agreement would become effective within 5 business days following receipt and evaluation of the documentation established in the agreement concerning the approval of the ranking.

FIRST.- TO AWARD the contract whose object is the procurement of innovative solutions to procure innovative services, enhanced by digital technologies, for a comprehensive and integrated management of patients using pacemakers (RITMOCORE), according to the awardees and time limits indicated below and according to the prices and conditions attached as Annex 1:

LOT	AWARDEE	TIME LIMIT
2	BIOTRONIK SPAIN, S.A. con CIF A28985034	Maximum of 5 years with no possibility of an extension within the following day established in the formalisation of the contract.
4	BIOTRONIK SPAIN, S.A. con CIF A28985034	Maximum of 5 years with no possibility of an extension within the following day established in the formalisation of the contract.

SECOND.- TO ACCEPT AND ASSUME the content of the proposal award of the Tendering Board and the technical and economic reports which contain the required justification and are part of the this agreement.

THIRD.- Regarding that in the Buyers' Group Agreement is said that each member commit himself to make available the financial resources to finance the execution of the concrete contracts, it is agreed **TO AUTHORISE** the maximum expected expenses approved to the corresponding lots.

FOURTH.- TO NOTIFY this agreement to the awardees and bidders.

FIFTH.- TO PUBLISH the awarding resolution in the Plataforma de Contratación Pública de la Generalitat de Catalunya with its justification and the formalisation of the contract, according to the PCAP.

SIXTH.- TO FORMALISE the concrete contracts:

- Lot 2: According to clause 4.6 of the PCAP.
- Lot 4: According to clause 4.6 of the PCAP. However, it should be noted that the formalization of the contract is conditional on the approval by the Government of the Generalitat de Catalunya in accordance with Article 45.3 of Law 16/2008 of 23 December on tax and financial measures.



SEVENTH.- TO AUTHORISE the Procurement Unit of the FGS to enforce the previous points of this agreement.

Barcelona, 14th October 2020.

Dra. Gemma Craywinckel i Martí

Managing Director of the Fundació de Gestió Sanitària de l'Hospital de la Santa Creu i Sant Pau

NOTE 1: *This document is incorporated to the contracting file with the electronic signature issued by the entitled person.*

NOTE 2: *For all purposes, the date of this document is considered to be the date at the end of this document.*



ECONOMIC OFFER

OFFER FOR THE PERFORMANCE OF THE CONTRACT RELATIVE TO LOT 2

Hospital de la Santa Creu i Sant Pau (STPAU)

Ms./Mr. José Miguel Fernández Rodrigo, with Identification document 24.237.003-V, in relation with the file OBE 17/378, compra pública de soluciones innovadoras para adquirir un servicio innovador de gestión integral e integrada, mejorado con el uso de tecnologías digitales, de los pacientes que utilicen un marcapasos (RITMOCORE).

Having read the conditions, requirements and obligations established in the tender specifications and technical specifications, the content of which they declare full knowledge and acceptance, they agree, acting in the name and on behalf of the company BITORONIK Spain, S.A. (N.I.F A-28985034), to perform it with strict adherence to the requirements and conditions established, and according to the following conditions:

- a) For **the amount of €8,309,554.00 (eight million, three hundred and nine thousand, five hundred and fifty four euros)**, of which **€6,867,400.00 (six million eight hundred sixty-seven thousand four hundred euros)** correspond to the contract price and **€1,442,154.00 (one million, four hundred and forty two thousand, one hundred and fifty four euros)** correspond to Value Added Tax.
- b) **Absorption rate of activity increase: 15.5%**
- c) **Compensation for decrease in activity: 9.9%**

In witness thereof, this declaration is issued in Madrid, on March 13th, 2020.

Signature José Miguel Fernández Rodrigo

Inmaculada Borja Rodríguez
Traductora-Intérprete jurada
de inglés
Nº 5520
13 MAR 2020
Inmaculada Borja

ECONOMIC OFFER

OFFER TO THE PERFORMANCE OF THE CONTRACT RELATIVE TO THE LOT 4

Hospital Universitari de Bellvitge (HUB)

Ms./Mr. José Miguel Fernández Rodrigo, with Identification document 24.237.003-V, in relation with the file OBE 17/378, compra pública de soluciones innovadoras para adquirir un servicio innovador de gestión integral e integrada, mejorado con el uso de tecnologías digitales, de los pacientes que utilicen un marcapasos (RITMOCORE).

Having read the conditions, requirements and obligations established in the tender specifications and technical specifications, the content of which they declare full knowledge and acceptance, they agree, acting in the name and on behalf of the company BITORONIK Spain, S.A. (N.I.F A-28985034), to perform it with strict adherence to the requirements and conditions established, and according to the following conditions:

- a) For **the amount of €12,569,310.60** (twelve million five hundred sixty-nine thousand three hundred and ten euros with sixty cents), of which **€10,387,860,00** (ten million three hundred eighty-seven thousand eight hundred and sixty euros) correspond to the contract price and **€2,181,450.6** (two million one hundred and eighty-one thousand four hundred and fifty euros with 60 cents) correspond to Value Added Tax.
- b) **Absorption rate of activity increase: 15.5%.**
- c) **Compensation for decrease in activity: 9.9%.**

In witness thereof, this declaration is issued in Madrid, on March 13th, 2020.

Signature José Miguel Fernández Rodrigo

Inmaculada Borja Rodríguez
Traductora-Intérprete Jurada
de Inglés
Nº 5520
13 MAR 2020