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**Request for Participation (Negotiated) for the Service of Various Staplers and Loading Units for Open & Laparoscopic Surgery on Pay-Per-Use Basis, (for a period of 24 months + 24 months extension)**

**Clarification No. 4 – dated 18/02/2020**

Questions submitted by Economic Operator

**Question 1.1 - Re. LOT 1.**

Items 1a,1b,3a,3b,4a,4b,7a,7b,8a,8b, are all proprietary to a single manufacturer. Since these are included on one single lot along with other products, it automatically follows that competition is being restricted and only one bidder can supply the full lot. May we humbly suggest that the aforementioned lines are removed and placed in another dedicated separate lot. This will allow other suppliers a participating chance for the remaining lines namely 2a,2b,5a,5b,6a,6b.

**Answer 1.1** *All items in this lot may be supplied by more than 1 company*

**Question 1.2 - Re. LOT 3.**

Whereas the jaw size for the stapling gun in item 1a is stipulated for sizes 50 or 60mm, the size of reload being requested on item 1b is for the 60mm only. This pattern is repeated throughout the entire LOT for items 1-4. Can the specification please be amended so as to reflect the size of reload correlating to the jaw sizes of the stapling guns for respective line item.

**Answer 1.2** *The reload sizes need to fit the corresponding stapler device*

**Question 1.3 Re. LOT 4.**

Staple height in all items 1-4 requested is 48mm. This may potentially be restrictive to a number of possible suppliers when staple heights on the market range between 48mm to 55mm. Can this specification be opened to read 48 to 55mm so as to allow more bidders to participate?

**Answer 1.3** *Staple heights ranging from 4.5mm to 5.5mm are acceptable. This applies for all of the requested sizes of end to end anastomosis staplers .*

**Question 1.4 Re LOT 6.**

Specification stipulates that device must be with DST Technology. DST is a Registered Trademark still under patent and therefore prohibitive to fair competition. Can the specification be amended to read “ DST or an equally efficient Technology” or alternatively remove “DST technology” completely so as to allow potential suppliers to participate on this lot?

**Answer 1.4** *Specifications are to remain unaltered.*

**Question 1.5 Re LOT 7.**

Specifications are lock out to one particular brand. Whilst appreciating that end user might have preferences however on the market there are alternative products which are equally functional and effectively with identical outcomes which do not fit the rigid specifications as published. Can the department consider adding a new LOT for an alternative endoscopic cutter/stapler and reloads group with less restrictive specifications, typically:

Stapler Type and size	Specifications	Type of surgery each stapler is used
60mm Articulating Endoscopic linear cutter/stapler with 3+1 stage of firing	60mm Articulating Endoscopic linear cutter/stapler with pre-compression and 3+1 stage of firing, articulation on 15°, 30° & 45°, 360° one handed rotation	Abdominal, thoracic, bariatric
45mm Articulating Endoscopic linear cutter/stapler with 3+1 stage of firing	45mm Articulating Endoscopic linear cutter/stapler with pre-compression and 3+1 stage of firing, articulation on 15°, 30° & 45°, 360° one handed rotation	Abdominal, thoracic, bariatric
45mm reload for standard tissue	45mm reload for standard tissue with gripping surface technology, 6 rows of staples with closed staple height 1,5mm	Abdominal, thoracic, bariatric
60mm reload for standard tissue	60mm reload for standard tissue with gripping surface technology, 6	Abdominal, thoracic, bariatric

	rows of staples with closed staple height 1,5mm	
45mm reload for vascular tissue	45mm reload for vascular thin tissue with gripping surface technology, 6 rows of staples with closed staple height 1,0mm	Abdominal, thoracic, bariatric
45mm reload for very thick tissue	45mm reload for very thick tissue with gripping surface technology, 6 rows of staples with closed staple height 2,3mm	Abdominal, thoracic, bariatric
45mm reload for thick tissue	60mm reload for thick tissue with gripping surface technology, 6 rows of staples with closed staple height 2,0mm	Abdominal, thoracic, bariatric

**Answer 1.5**      *Specifications are to remain unaltered*

**Question 1.6 -      Re LOTS 1,2 & 3 CAPPED PRICES**

It is noted that systematically the capped prices for reloads are significantly lower than the corresponding prices for the stapling/cutting devices. Whilst probably understanding the rationale behind this pattern, essentially in cases where no additional reloads are used during the same surgical procedure ( Device is always preloaded for one firing ), the department might eventually miss out on potential savings. Considering that practically the projected requirement for both devices and respective reloads is almost the same, capped prices can be optimised by either of the following measures:

- Consider a single capped price for a device plus reload irrespective of price per individual component
- Shift a portion of the capped price of device onto the capped price of the corresponding reload.

Would the department be willing to consider above suggestions?

**Answer 1.6**      *To remain as published*

**The above clarifications are constituted to form an integral part of the original published procurement documentation. Other sections in the original procurement document which are not effected by this clarification will remain unchanged**

