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Contract

Surge Contract (with Variations 1-4)

Department of Health and Social Care

F03: Contract award notice

Notice identifier: 2021/S 000-000809

Procurement identifier (OCID): ocds-h6vhtk-028a7d

Published 14 January 2021, 6:14pm

Section I: Contracting authority

I.1) Name and addresses

Department of Health and Social Care

39 Victoria Street

London

SW1H 0EU

Email

Procurement.Operations@dhsc.gov.uk

Country

United Kingdom

NUTS code

UKI32 - Westminster

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-of-health-and-social-care>

Buyer's address

<https://www.gov.uk/government/organisations/department-of-health-and-social-care>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Surge Contract (with Variations 1-4)

II.1.2) Main CPV code

- 85145000 - Services provided by medical laboratories

II.1.3) Type of contract

Services

II.1.4) Short description

Collection, Identification, Packing and Transporting to the Laboratories for Wet Swab PCR Testing and analysis for Covid-19, includes subsequent variations to include REACT Wave 7 and Waste Water Testing

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £58,800,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement

Collection, Identification, Packing and Transporting to the Laboratories for Wet Swab PCR Testing and analysis for Covid-19, includes subsequent variations to include REACT Wave 7 and Waste Water Testing

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

Negotiated procedure without prior publication¹. The COVID-19 outbreak is a Public Health Emergency of International Concern as declared by the World Health Organisation on 30 January 2020. The WHO Director General characterised COVID-19 as a pandemic on 11 March 2020.² A key element of ensuring an effective response to the pandemic is ensuring that there is adequate testing. Subsequently securing sufficient COVID sampling

consumables in order to process test results is crucial. A significant constraint on building capacity is timelines for filling and capping machinery. When investigating available delivery capacity, capacity availability was identified with the supplier and an opportunity arose to secure additional volumes of sample collection consumables ahead of lead times being provided by alternative suppliers. There is an ongoing gap between the daily capacity requirement for these consumables, with this contract accounting for a significant proportion of the capacity gap.³ DHSC is satisfied the tests permitting use of the Negotiated procedure without prior publication (Regulation 32(2)(c)) are met:
 A. As far as is strictly necessary: Increased supply of COVID sampling consumables to meet the increased number of tests now required was identified as strictly necessary to meet the demand to scale up the testing programme in the UK.
 B. There are genuine reasons for extreme urgency: It is responding to COVID-19 immediately because of public health risks presenting a genuine emergency. Sample collection consumables (i.e. tubes, swabs, and funnels) are a fundamental component in facilitating mass testing. Volume projections on supply of sampling consumables show a deficit v's supply for the sample collection consumables.
 C. The events that have led to the need for extreme urgency were unforeseeable: The Commission itself confirmed: "The current coronavirus crisis presents an extreme and unforeseeable urgency – precisely for such a situation our European rules enable public buyers to buy within a matter of days, even hours, if necessary." (Commissioner Breton, Internal Market, 01.04.2020).
 D. It is impossible to comply with the usual timescales in the PCR: It is not possible to comply with the timescales of another procedure due to the urgent requirement to ensure the amount of tests processed increases with the necessary demand.
 E. The situation is not attributable to the contracting authority – DHSC has not done anything to cause or contribute to the need for extreme urgency

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

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

1 October 2020

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

Eurofins Biomnis UK Limited

154 Business Park, Valiant Way, Wolverhampton, United Kingdom

Wolverhampton

WV9 5GB

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

National registration number

07277695

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: £58,800,000

Total value of the contract/lot: £58,800,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court

Strand

London

WC2A 2LL

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals>