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Contract

Flu Swabbing Management of Outbreaks for Essex

NHS Mid and South Essex Integrated Care Board

NHS Suffolk and North East Essex ICB

F03: Contract award notice

Notice identifier: 2024/S 000-001524

Procurement identifier (OCID): ocids-h6vhtk-042910

Published 16 January 2024, 6:36pm

Section I: Contracting authority

I.1) Name and addresses

NHS Mid and South Essex Integrated Care Board

Phoenix House, Christopher Martin Rd,

Basildon

SS14 3HG

Contact

NHS Mid and South Essex Integrated Care Board

Email

cariad.burgess@attain.co.uk

Country

United Kingdom

Region code

UKH3 - Essex

Internet address(es)

Main address

<https://www.midandsouthessex.ics.nhs.uk>

I.1) Name and addresses

NHS Suffolk and North East Essex ICB

Endeavour House, 8 Russell Rd,

Ipswich

IP1 2BX

Email

cariad.burgess@attain.co.uk

Country

United Kingdom

Region code

UKH - East of England

Internet address(es)

Main address

<https://suffolkandnortheastsex.icb.nhs.uk/>

I.2) Information about joint procurement

The contract involves joint procurement

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Flu Swabbing Management of Outbreaks for Essex

Reference number

ACE-0718-2023-MSE

II.1.2) Main CPV code

- 85100000 - Health services

II.1.3) Type of contract

Services

II.1.4) Short description

This is a contract award notice and is intended to provide notice of NHS Mid and South Essex Integrated Care Board (lead Commissioner) and NHS Suffolk and North East Essex Integrated Care Board (herein "the Authority")'s intention to award a contract to deliver the management of infectious diseases outbreaks within Care Homes to the patients and staff working within these Care Homes within Mid and South Essex', Suffolk and North East Essex's geographical footprint. This contract award notice is made following the Authority's publication of the voluntary ex ante transparency notice (Notice Number: 2023/S 000-037631) on the 15th December 2023 which outlined the rationale and reasoning for the Authority's decision to award this contract, under Regulation 32 (2) (c) of the Public Contract Regulations 2015 ("PCR 2015") (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020).

In line with best practice, the Authority has observed the 10-day standstill period from the publication date of the voluntary ex-ante transparency notice before awarding the contract, pursuant to Regulation 99 (3) (c) of the Public Contract Regulations 2015 (as amended (EU Exit) 2020 etc.)

The contract will be for 3 year period with the option to extend for a further 24 months, from 01st April 2024 - 31st March 2029 including all extensions. The aggregate contract value including all extensions is forecasted at £900,000.00

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: £900,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKH - East of England

II.2.4) Description of the procurement

The Service to which this procurement relates fall within Schedule 3 of the Public Contracts Regulations 2015 as amended by as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020, (the "Regulations"). As such, the Authority does not intend to hold itself bound by any of the Regulations, save those applicable to Schedule 3 Services.

This contract award notice is made following the Authority's publication of the voluntary ex ante transparency notice (Notice Number: 2023/S 000-037631) on the 15th December 2023 which outlined the rationale and reasoning for the Authority's decision to award this contract, under Regulation 32 (2) (c) of the Public Contract Regulations 2015 ("PCR 2015") (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020).

The Authority has taken the decision to award this management of infectious diseases outbreaks within Care Homes (including Flu Swabbing) to incumbent provider Commisceo. The provider is considered most technically capable of providing the most economically advantageous solution to the Authority under the current environment. The Authority is applying the NHS Standard Contract Terms and Conditions to support a combination of services, all of which are part funded under a single clinical contract, to ensure appropriate clinical governance and service delivery quality as well as consistency of service to patients. It is noted that this service is joint Commissioned by MSE ICB and SNEE ICB, the breakdown of costs are as follows:

NHS MSE ICB: £90,000 per annum

NHS SNEE ICB: £90,000 per annum

Contract value from 01st April 24 - 31st March 27 (3 year period): £540,000

Contract Value from 01st April 27 - 31st March 29 (2 year period): £360,000

Total Aggregate Contract Value for 5 year term is £900,000

The Authority has a duty to meet its statutory function which includes ensuring that appropriate, effective and safe service provision is in place for the management of infectious diseases outbreaks within Care Homes. The incumbent provider is considered the most technically capable of the delivery of this service. The Management of Outbreaks, including Flu, in Care Homes ensures the prevention, management of, and safety for all staff working within the care home and all persons, including vulnerable resident in care/nursing homes located within the geographical boundaries of MSE ICB and SNEE ICB. Failure to award this service and to ensure the continued safe and effective service delivery would result in the Authority failing to meet the statutory functions of the ICB. This is an unacceptable outcome to the Authority, in which the safety and care of staff, healthcare workers, persons within Care Homes and vulnerable patients and service users would be put in unacceptable risk. The Authority deem this contact to be made appropriately made due to the lack of alternative providers that are technically capable of meeting the service requirements to deliver the service within the current market environment.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 100%

Price - Weighting: 100

II.2.11) Information about options

Options: Yes

Description of options

Option to extend for a further 24 months

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

- The services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons
- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

As outlined in the Authority's publication of the voluntary ex ante transparency notice (Notice Number: 2023/S 000-037631) on the 15th December 2023 which outlined the rationale and reasoning for the Authority's decision to award this contract, under Regulation 32 (2) (c) of the Public Contract Regulations 2015 ("PCR 2015") (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020). The Authority has, in line with best practice, observed the 10-day standstill period from the publication date of the voluntary ex-ante transparency notice before awarding the contract, pursuant to Regulation 99 (3) (c) of the Public Contract Regulations 2015 (as amended (EU Exit) 2020 etc.)

The Authority has taken a decision to award a contract to the incumbent provider as it is considered to be the most technically capable provider in the current environment. The Authority has a duty to meet its statutory function which includes ensuring that appropriate, effective and safe service provision is in place for the management of infectious diseases outbreaks within Care Homes. The incumbent provider is considered the most technically capable of the delivery of this service. The Management of Outbreaks, including Flu, in Care Homes ensures the prevention, management of, and safety for all staff working within the care home and all persons, including vulnerable resident in care/nursing homes located within the geographical boundaries of MSE ICB and SNEE ICB. Failure to award this service and to ensure the continued safe and effective service delivery would result in the Authority failing to meet the statutory functions of the ICB. This is an unacceptable outcome to the Authority, in which the safety and care of staff, healthcare workers, persons within Care Homes and vulnerable patients and service users would be put in unacceptable risk. The Authority deem this contract to be made appropriately made due to the lack of alternative providers that are technically capable of meeting the service requirements to deliver the

service within the current market environment.

This award is made to ensure quality, safety and consistency in provision of care that meet the needs of the population during this transition period. The Authority will publish appropriate Notices accordingly to communicate any such future changes and opportunities to the market, once final.

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

The procurement is covered by the Government Procurement Agreement: No

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-037631](#)

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

2 January 2024

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

COMMISCEO LIMITED

4 Melrose Way, Oakerthorpe, Alfreton,

Derbyshire

DE55 7PF

Country

United Kingdom

NUTS code

- UKH - East of England

National registration number

08581713

The contractor is an SME

No

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

Total value of the contract/lot: £900,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of Justice of England and Wales

Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

NHS Mid and South Essex Integrated Care Board

Phoenix House, Christopher Martin Rd,

Basildon

SS14 3HG

Email

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Country

United Kingdom

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