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Contract

## **SARS-CoV-2 Antigen Rapid Qualitative Test Kits**

Department of Health and Social Care

F03: Contract award notice

Notice identifier: 2021/S 000-001876

Procurement identifier (OCID): ocids-h6vhtk-028eaa

Published 29 January 2021, 4:24pm

### **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](mailto: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

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

SARS-CoV-2 Antigen Rapid Qualitative Test Kits

#### **II.1.2) Main CPV code**

- 33124130 - Diagnostic supplies

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

Variation agreement for Lateral Flow test kits and consumables

#### **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: £152,487,013

## **II.2) Description**

### **II.2.3) Place of performance**

NUTS codes

- UK - UNITED KINGDOM

### **II.2.4) Description of the procurement**

Variation agreement for Lateral Flow kits and consumables

### **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

- The procurement falls outside the scope of application of the regulations

Explanation:

DHSC is relying on Regulation 72(1)(c) in order to modify the original contract: (a) the need for the modification has been brought about by circumstances which a diligent contracting authority cannot have foreseen: When the original contract was entered into, DHSC purchased a sufficient volume of tests as was deemed strictly necessary to satisfy demand until an accelerated open procurement for testing kits had been completed. DHSC has abandoned its existing open procurement procedure for Lateral Flow Test (LFT) kits on the basis that the type of products required has changed since the open procurement was first advertised. Although a new open procurement procedure based on the updated requirement is underway (Contract notice reference 2020/S 253-639081), it is likely that test kits ordered from suppliers that are successful under that procurement procedure will not be received until mid-February. The demand for testing kits has exceeded expectations as a result of an unprecedented number of new cases which were not originally envisaged, and also as a result of additional requirements (e.g. testing university students, testing within the community, the mass testing of NHS personnel). Recent data is showing the likelihood of a greater than expected increase in Covid-19 cases, and therefore an increase in projected test requirements in January. As such, the demand for testing kits has been significantly higher than anticipated which could not have been foreseen when the original contract was entered into. The additional volumes of test kits procured pursuant to this modification is for a stopgap supply of test kits to cover the period between the current supply of kits being exhausted and those obtained pursuant to the contract awarded under the accelerated open procedure. (b) the modification does not alter the overall nature of the contract: The test kit components remain exactly the same as those covered by the original contract. (c) The value of the modification is less than 50% of the original contract value.

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

The procurement is covered by the Government Procurement Agreement: Yes

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## **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**

24 December 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**

INNOVA MEDICAL GROUP INC

718 S. Primrose Ave

Monrovia

91016

Country

United States

NUTS code

- 00 - Other NUTS code

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: £152,487,013

Total value of the contract/lot: £152,487,013

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## Section VI. Complementary information

### VI.3) Additional information

DHSC awarded a contract on 6 October 2020 to Innova Medical Group Inc for the provision of lateral flow test kits to support the UK Covid-19 testing strategy (Contract Award Notice reference 2020/S 217-533961). DHSC is extending the contract relying on Regulation 72(1)(c) of the Public Contracts Regulations 2015 to procure additional volumes of tests until 14 January 2021. DHSC is conducting an accelerated procurement for future requirements (Contract Notice reference 2020/S 253-639081).

### 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>