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Contract

## **Supply of Personal Protective Equipment for Healthcare Workers for the Care of Patients with Suspected or Confirmed Novel Coronavirus (Covid-19)**

Department of Health and Social Care

F03: Contract award notice

Notice identifier: 2021/S 000-002630

Procurement identifier (OCID): ocids-h6vhtk-0291ad

Published 9 February 2021, 3:37pm

### **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**

Supply of Personal Protective Equipment for Healthcare Workers for the Care of Patients with Suspected or Confirmed Novel Coronavirus (Covid-19)

**II.1.2) Main CPV code**

- 35113410 - Garments for biological or chemical protection

**II.1.3) Type of contract**

Supplies

**II.1.4) Short description**

The Department of Health and Social Care (the 'Authority') has awarded a contract to CH and L Ltd for the supply of personal protective equipment (isolation gowns) to protect health and care workers from contracting the Covid-19 disease.

**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: £14,400,000

## **II.2) Description**

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

NUTS codes

- UK - UNITED KINGDOM

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

The Department of Health and Social Care (the 'Authority') has awarded a contract to CH and L Ltd for the supply of personal protective equipment (isolation gowns) to protect health and care workers from contracting the Covid-19 disease.

### **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

### **II.2.14) Additional information**

This is no longer a live contract, this notice has been published for information purposes only.

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## **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:

1. The Coronavirus disease (COVID-19) is a serious infectious respiratory disease and its consequences pose a risk to life. The COVID-19 outbreak is a Public Health Emergency of International Concerns 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, by this stage Europe was the centre of the pandemic. 2. The use of Personal Protective Equipment (PPE) is critical in safeguarding the health and lives of the care professionals treating patients with COVID-19. Delays in procuring the PPE poses a risk to life of those on the front line and the likelihood of significantly increased death toll. 3. In March the NHS experienced severe shortages of PPE, modelling based the trajectory of other European countries forecast the need for significant and extremely rapid increase in the UK PPE capacity. Similar shortfalls in PPE stocks were identified globally. There was immense demand for PPE, requiring the UK government to actively seek and create new supply chains rapidly to meet that demand. In these circumstances, a procurement following the usual timescales under the PCR 2015, including accelerated options, was impossible. PPE manufacturers and supply chains were under immediate and unprecedented global pressure to provide products. A delay in engaging with the market by running a usual procurement process ran the risk of failing to acquire the necessary stock of PPE equipment and presenting a significant risk to life. 4. The Department for Health and Social Care ("DHSC") is satisfied the tests permitting use of the Negotiated procedure without prior publication (Regulation 32(2)(c)) were met: A. As far as is strictly necessary: PPE was identified as strictly necessary to meet anticipated demand on the NHS during the first wave of cases in the UK. B. There are genuine reasons for extreme urgency: DHSC are responding to COVID-19 immediately because of public health risks presenting a genuine emergency. C. The events that have led to the need for extreme urgency were unforeseeable: As 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 was impossible to comply with the usual timescales in the PCR: Due to the urgency of the situation there was no time to run an accelerated procurement under the open, restricted or competitive procedures with negotiation that would allow DHSC to secure delivery of products, particularly in light of the corresponding delays to timelines associated with securing supply of the PPE equipment. E. The situation is not attributable to the contracting authority: DHSC has not caused or contributed to the coronavirus crisis, which justifies 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

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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**

30 April 2020

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

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

#### **V.2.3) Name and address of the contractor**

CH and L Limited

3 Heasman Close

Newmarket

CB88JD

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor is an SME

Yes

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

Initial estimated total value of the contract/lot: £14,400,000

Total value of the contract/lot: £14,400,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

This is no longer a live contract, this notice has been published for information purposes only.

### **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>