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Contract

## **Fit Testing Team for NHS FFP3 Masks**

Department of Health and Social Care

F03: Contract award notice

Notice identifier: 2021/S 000-003043

Procurement identifier (OCID): ocids-h6vhtk-02934a

Published 15 February 2021, 4:42pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Department of Health and Social Care

39 Victoria Street

London

SW1H 0EU

#### **Contact**

allan wilton

#### **Email**

[allan.wilton@dhsc.gov.uk](mailto:allan.wilton@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**

Fit Testing Team for NHS FFP3 Masks

**II.1.2) Main CPV code**

- 79994000 - Contract administration services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

A National fit testing team to support the NHS test staff to FFP3 masks

**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: £9,000,000

## **II.2) Description**

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

NUTS codes

- UKI32 - Westminster

Main site or place of performance

Across NHS Trust locations in England

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

Procurement of 320 fit testers to support NHS staff to be fit tested to FFP3 masks

### **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

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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:

Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive

**Explanation:** The Covid-19 outbreak is a public health emergency of international concern declared by WHO on 30 January 2020. The WHO Director General characterised Covid-19 as a pandemic on 11 March 2020. 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 suitable PPE poses a risk to life of those on the front line and the likelihood of significantly increased death toll. Due to the extreme urgency caused by the sudden uptick in Covid 19 cases, there was a corresponding dramatic increase in demand for FFP3 masks for use within the NHS. The Department for Health and Social Care ('DHSC') had to act promptly so a testing team could be in place in time to allow individuals to use non-3M respirators. DHSC awarded a contract on 6 November 2020 (OJEU reference 2020/S 239-592271). A further contract was required in order to satisfy the continued demand for fit testing services. 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: the contract is strictly necessary to meet the demand to scale up the fit testing requirement to ensure that NHS staff have access to well-fitting masks. (b) there are genuine reasons for the extreme urgency: respirators are a vital piece of PPE. A failure to have a fully operational testing team in place could have a direct impact on the Government's ability to provide staff with adequate PPE in the quantities required resulting in a risk to public health. (c) The continued pressure on NHS staff required to treat patients with Covid-19 caused by the impact of the second wave of the pandemic being more severe than anticipated and the speed of transmission owing to the variant strain leading to a spike in cases. Therefore, the need for continued support by a pool of fit-testers outside of NHS staff was unforeseeable at the time the original Contract was entered into. (d) It is impossible to comply with the usual timescales in the Public Contract Regulations 2015: there is no other route available. (e) The situation is not attributable to DHSC: 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

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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**

25 January 2021

**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**

Ashfield Healthcare

Ashfield House, Resolution Road

Ashby-De-La-Zouch

LE65 1HW

Country

United Kingdom

NUTS code

- UKF1 - Derbyshire and Nottinghamshire

National registration number

03286306

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: £9,000,000

Total value of the contract/lot: £9,000,000

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## **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>