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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 000-003052

Procurement identifier (OCID): ocds-h6vhtk-029353

Published 15 February 2021, 5:31pm

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

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

Contract for Lateral Flow 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: £727,614,408.80

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement

Contract 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

- 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. The provision of test kits is critical to this response. 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: As set out above, the Government has made clear the importance of mass testing using LFD

devices, with a clear impact on the economy and saving lives. DHSC has used modelling to calculate the volume requirements procured under this contract. The volume procured under this contract is the minimum necessary within the period until it is possible to acquire kits from a supplier under the procurement exercise currently being conducted. B. There are genuine reasons for extreme urgency: The substantial increase in cases with multiple new variants resulting in a third national lockdown has led to an increased urgent requirement for mass testing. DHSC case modelling clearly shows that there will be a significant gap in the availability of tests before the tests supplied through the procurement exercise are available for use. DHSC also understands that any delay to placing an order may result in available capacity being taken by other customers, resulting in a significant delay before tests are delivered. Both these factors will impact the government's mass testing strategy. C. The events that have led to the need for extreme urgency were unforeseeable: The substantial increase in Covid-19 cases, the new variants, and the requirement for a new national lockdown were not foreseeable by DHSC. D. It is impossible to comply with the usual timescales in the PCR: It is not possible to comply with the timescales associated with another procedure due to the urgent requirement to ensure the volume of tests available 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

15 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

INNOVA MEDICAL GROUP INC

718 S. Primrose Ave, Monrovia,

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: £727,614,408.80

Total value of the contract/lot: £727,614,409

Section VI. Complementary information

VI.3) Additional information

INNOVA are providing Lateral flow test kits to support the UK Covid-19 testing strategy and to enable mass testing for C-19 through rapid testing. The Contract was originally awarded for tests in packs of 3, 7 and 25 with a contract value of £727,600,010. The results of the accelerated procurement procedure did not provide DHSC with a supply of MHRA approved LFD tests for self-use. In addition, there is a need to increase capacity of asymptomatic LFD based testing across the country. Therefore, in order to meet this demand, the contract was varied on 10 February 2021 to increase the volume of tests provided in the 7 pack size. DHSC is relying on Regulation 72(5) of the Public Contracts Regulations 2015 for this amendment. The variation increased the overall value of the contract by £14,399.20, which is below the relevant financial threshold for public supplies contract and within 10% of the initial contract value. The variation did not alter the overall scope of the contract, and did not therefore alter the overall nature of the contract.

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>