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Contract

SARS-CoV-2 Antigen Rapid Qualitative Test Kits

Department of Health and Social Care

F20: Modification notice

Notice identifier: 2021/S 000-005897

Procurement identifier (OCID): ocids-h6vhtk-029e7a

Published 23 March 2021, 4:42pm

Section I: Contracting authority/entity

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>

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.2) Description

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement at the time of conclusion of the contract:

Provision of lateral flow test kits and associated consumables.

II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession

Start date

6 October 2020

End date

14 January 2021

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.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2020/S 217-533961](#)

Section V. Award of contract/concession

Contract No

C13385

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract/concession award decision:

24 December 2020

V.2.2) Information about tenders

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

V.2.3) Name and address of the contractor/concessionaire

INNOVA MEDICAL GROUP INC

718 S. Primrose Ave

Monrovia

91016

Country

United States

NUTS code

- 00 - Other NUTS code

The contractor/concessionaire is an SME

No

V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £496,080,000

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 and to supplement diagnostics capacity.

VI.4) Procedures for review

VI.4.1) Review body

The High Court

Strand

London

WC2A 2LL

Email

generaloffice@administrativecourtoffice.justice.gov.uk

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals>

VI.4.4) Service from which information about the review procedure may be obtained

The High Court

Strand

London

WC2A 2LL

Email

generaloffice@administrativecourtoffice.justice.gov.uk

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals>

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 33124130 - Diagnostic supplies

VII.1.3) Place of performance

NUTS code

- UK - UNITED KINGDOM

VII.1.4) Description of the procurement:

Provision of lateral flow test kits and associated consumables.

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Start date

24 December 2020

End date

14 January 2021

VII.1.6) Information on value of the contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession:

£874,538,016.84

VII.1.7) Name and address of the contractor/concessionaire

INNOVA MEDICAL GROUP INC

718 S. Primrose Ave

Monrovia

91016

Country

United States

NUTS code

- 00 - Other NUTS code

The contractor/concessionaire is an SME

No

VII.2) Information about modifications

VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

VII.2.2 Reasons for modification 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.

VII.2.2) Reasons for modification

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

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 reference: 2020/S 253-639081)

VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £722,051,003.41

Total contract value after the modifications

Value excluding VAT: £874,538,016.84