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Award

Surrey and Borders Partnership NHS Trust - Hard Facilities Management (FM)

Surrey and Borders Partnership NHS Foundation Trust

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-007286

Procurement identifier (OCID): ocids-h6vhtk-03b267

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Section I: Contracting authority/entity

I.1) Name and addresses

Surrey and Borders Partnership NHS Foundation Trust

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Leatherhead

KT22 7FG

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Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

www.sabp.nhs.uk

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Surrey and Borders Partnership NHS Trust - Hard Facilities Management (FM)

II.1.2) Main CPV code

- 79993100 - Facilities management services

II.1.3) Type of contract

Services

II.1.4) Short description

Surrey and Borders Partnership NHS Foundation Trust ("the Trust") awarded a contract to Bouygues E&S FM UK Ltd ("Bouygues") in 2016 following a procurement for waste management services. The procurement was advertised in the OJEU Contract Notice 2015/S 140-258496. The contract commenced on 1 April 2016 and was for an initial period of five years with an option to extend for up to two years, which has been invoked. The contract is due to expire on 31 March 2023. The Trust is intending to extend the contract for a period of 12 months.

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: £16,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The contract commenced on 1 April 2016 and had an estimated value of £16,000,000 and a maximum duration of seven years. The proposed modification will extend the duration of

the contract by a further 12 months, to 31 March 2024. The estimated value of the proposed modification is £1,675,000.

The reason for the proposed modification is that the Trust intends to in-house the provision of hard FM services, and to engage specialist contractors to support the Trust in that provision. It is intended that the transition to in-house provision will introduce significant improvements to the fabric and operation of hard FM services at the Trust.

The transitional phase of this strategic shift in delivery presents a tangible risk to service delivery and patient safety. Therefore, to ensure consistency in the hard FM service, the Trust will be extending the current provision for twelve (12) months, whilst this phase is completed.

The Trust has concluded that a period of stability is required in delivering the hard FM services without disruption to the transformational staff structure plans.

Pre-planning for the engagement of separate hard FM specialist contractor support from April 2024 has begun. It is anticipated that these tender exercises will begin in the summer of 2023, and will result in several new hard FM related service contracts being in place to commence on from 1st April 2024.

II.2.5) Award criteria

Cost criterion - Name: Cost / Weighting: 40

Cost criterion - Name: Quality / Weighting: 60

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:

The Trust considers that it is permissible to extend the contract on the basis that the proposed modification falls within the scope of Regulation 72(1)(b) of the Public Contracts Regulations 2015 (as amended) ("PCR") which permits additional services to be provided by the original contractor where those additional services have become necessary, and where a change of contractor cannot be made for economic or technical reasons, and where a change of contractor would cause significant inconvenience or duplication of cost. The proposed modification amounts to a short extension covering an interim period prior to the in-sourcing of the services. It would cause significant disruption, inconvenience, and duplicated (and wasted) costs, for a new contractor to be procured and to have to mobilise for that short interim period.

Furthermore, the Trust considers that the proposed modification is not "substantial" within the meaning of Regulation 72(1)(e) and 72(8) of the PCR. The proposed modification does not render the contract materially different in character to the one initially concluded. The proposed modification (in effect changing a 5+2 term to a 5+3 term) would not have affected the participation in, or outcome of, the original procurement. The proposed modification does not alter the economic

balance of the contract in favour of Bouygues. It is a short extension during which the same services will be delivered for the same price.

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

13 March 2023

V.2.2) Information about tenders

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

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

Bouygues E&S FM UK Ltd

Becket House, 1 Lambeth Palace Road

London

SE1 7EU

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Lowest offer: £1,675,000 / Highest offer: £1,675,000 taken into consideration

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Surrey and Borders NHS Trust

Leatherhead

Country

United Kingdom