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Contract

Medicines Management Service

University Hospitals of Leicester NHS Trust

F03: Contract award notice

Notice identifier: 2021/S 000-008234

Procurement identifier (OCID): ocds-h6vhtk-02a79b

Published 19 April 2021, 3:49pm

Section I: Contracting authority

I.1) Name and addresses

University Hospitals of Leicester NHS Trust

c/o Leicestershire County Council Room G60, Glenfield

Leicester

LE3 8TB

Contact

Mr David Streets

Email

david.j.streets@uhl-tr.nhs.uk

Telephone

+44 1162588540

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<http://www.leicestershospitals.nhs.uk/>

Buyer's address

<http://www.leicestershospitals.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**

Medicines Management Service

Reference number

DN80148

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

The provision of a Medicines Management Service for a period of 15 years from the Services Commencement Date as further described in II.2.4.

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: £29,500,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKF2 - Leicestershire, Rutland and Northamptonshire

II.2.4) Description of the procurement

The Trust intends to award a contract to to IBSL (UK) LTD and Deenova SrL (the "Suppliers") for the provision of a Medicines Management Service which is an integrated IT, robotic and automated medicines storage and delivery solution that includes:

- the provision of an off-site Unit Dose Laboratory (UDL) including enabling works
- provision of UDL staff,
- all enabling works at the Trust
- installation and maintenance of automated medicines cabinets on wards
- integration with the Trust pharmacy ordering and receipt system
- integration with the Trust e-prescribing system

- integration with the Trust patient admission, discharge and transfer system
- integration with the Trust pharmacy ordering and receipt system
- equipment and hardware (robotics, carts, trolleys, devices)
- enabling works – through a sub-contractor, to be approved by the Authority
- transportation from the UDL to the Leicester Royal Infirmary, Leicester General Hospital & Glenfield Hospital (any other sites in the future that may be under the control of the Trust)
- training of Trust staff

For the avoidance of doubt the contract will have an enabling phase and the 15 year term shall not start until the "Services Commencement Date" when the Trust will pay a monthly service charge in line with the Contract.

The Trust will enter into a contract following a minimum 10 day standstill period starting the day after this notice is published in the Official Journal of the European Union.

II.2.5) Award criteria

Quality criterion - Name: N/A / Weighting: 0

Price - Weighting: 100

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 services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Trust is awarding a contract without prior publication of a call for competition in the Official Journal of the European Union. It considers that the contract with the Suppliers falls outside the scope of the Public Contracts Regulations 2015 (the “Regulations”), because the award of a contract without prior publication of a call for competition in the Official Journal of the European Union is permitted pursuant to Regulation 32(2)(b)(ii) of the Regulations i.e. where the works, supplies or services can be provided only by a particular economic operator by reason of absence of competition for technical reasons, and no reasonable alternative or substitute exists.

For the reasons explained below, the Trust is of the view that the Contract can only be awarded to the Suppliers because competition is absent for technical reasons, and no reasonable alternative or substitute exists.

Following a successful pilot at the Leicester General Hospital the Trust published a Prior Information Notice 2015/S 234-425081 to establish the level interest and ability in the market place to support the Trust to deliver a Trust wide solution.

Following that PIN, a number of potential suppliers expressed an interest, only 4 then provided a proposal and 2 of those were not able to provide a solution. The Trust considered the relevant market and took the view that if it had sought to procure the services covered by the contract by way of an advertised procurement process, competition would have been absent for technical reasons because no supplier in the relevant market other than the Suppliers would, in practice, have been able to put forward a viable bid that would have met the Trust’s lawful requirements.

This is because this is the first solution (as described at II2.4 above) of its kind within the

NHS in the UK.

The Suppliers hold the exclusive UK license for the software solution and the hardware required to deliver the solution required by the Trust.

The Trust considers that it would have been unrealistic to have expected any suppliers other than the Suppliers to have the intellectual property rights to be able to deliver the solution and fulfil the Trust's requirements. The Trust also considers that the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

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

The procurement is covered by the Government Procurement Agreement: No

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2015/S 234-425081](#)

Section V. Award of contract

Contract No

DN80148

Title

Provision of a Medicines Management Service

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

6 April 2021

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

IBSL (UK) LTD

72a High Street

Battle

TN33 0AG

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

07697495

The contractor is an SME

Yes

V.2.3) Name and address of the contractor

Deenova SrL

Via Vittime della Strada n.2

GRAGNANO TREBBIENSE

29010 - PC

Country

Italy

NUTS code

- IT - Italy

National registration number

01699700330

The contractor is an SME

No

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

Total value of the contract/lot: 29,500,000 AED

Section VI. Complementary information

VI.3) Additional information

V.2.1 sets out the date on which the Trust awarded the contract and that as noted in II.2.4 it has not entered into the contract.

VI.4) Procedures for review

VI.4.1) Review body

High Court (Technology and Construction Court)

7 Rolls Buildings, Fetter Lane

London

EC4A 1NL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

In accordance with Part 3 of the Public Contracts Regulations 2015