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Contract

The provision of freight services for the supply of personal protective equipment and medical equipment

Department of Health and Social Care

F20: Modification notice

Notice identifier: 2021/S 000-008260

Procurement identifier (OCID): ocids-h6vhtk-02a7b5

Published 19 April 2021, 5:17pm

Section I: Contracting authority/entity

I.1) Name and addresses

Department of Health and Social Care

39 Victoria Street

London

SW1H 0EU

Email

FreightContractNotices@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

The provision of freight services for the supply of personal protective equipment and medical equipment

Reference number

C15743

II.1.2) Main CPV code

- 63521000 - Freight transport agency services

II.1.3) Type of contract

Services

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:

Direct Award under Reg 32 of the Public Contracts Regulation 2015 for COVID-19 response. Contract Award Notice Reference: 2020/S 232-573975. Link:

<https://ted.europa.eu/udl?uri=TED:NOTICE:573975-2020:HTML:EN:HTML&tabId=1&tabLang=en>.

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

concession

Start date

30 March 2020

End date

31 March 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 232-573975](#)

Section V. Award of contract/concession

Contract No

C15743

Title

Contract for the provision of freight services for the supply of personal protective equipment and medical equipment

V.2) Award of contract/concession

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

30 March 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

Uniserve

London Mega Terminal, Thurrock Park Way

Tilbury

RM18 7HD

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

Uniserve Group

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: £473,390,310

Section VI. Complementary information

VI.3) Additional information

DHSC awarded a contract on 30 March 2020 to Uniserve Limited for the provision of freight services for the supply of personal protective equipment (PPE) and medical equipment in response to COVID-19 (Contract Award Notice reference 2020/S 232-573975:

<https://ted.europa.eu/udl?uri=TED:NOTICE:573975-2020:HTML:EN:HTML&tabId=1&tabLang=en>, Contracts Finder Awarded Opportunity Notice:

<https://www.contractsfinder.service.gov.uk/Notice/1bf4f122-e452-4c32-bf49-d4e002206198>). DHSC has agreed to extend the existing agreement by an additional 9 months to now expire on 31.12 2021. DHSC is extending the contract relying on Regulation 72(1)(b) of the Public Contracts Regulations 2015 to: a) Ensure continuity of services whilst competed contracts are fully mobilised, and; b) Enable goods in transit to complete their journey to long term warehousing including the unloading and release of PPE storage containers. This will include an increase in contract value under this agreement of £99,500,000.

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>

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 63521000 - Freight transport agency services

VII.1.3) Place of performance

NUTS code

- UK - United Kingdom

VII.1.4) Description of the procurement:

Direct Award under Reg 32 of the Public Contracts Regulation 2015 for COVID-19 response. The Authority has agreed to extend the agreement by an additional 9 months under Regulation 72(1)(b) of the Public Contracts Regulation 2015.

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

Start date

30 March 2020

End date

31 December 2021

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

Total value of the contract/lot/concession:

£572,890,310

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

Uniserve

London Mega Terminal, Thurrock Park Way

Tilbury

RM18 7HD

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

Uniserve Group

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):

DHSC has agreed to extend the existing agreement by an additional 9 months to now expire on 31.12 2021, under Regulation 72(1)(b) of the Public Contracts Regulation 2015. Regulation 72(1)(b) states: contracts may be modified without a new procurement procedure for additional works, services or suppliers by the original contract that have become necessary and were not included in the initial procurement, where a change of contractor (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, [and] (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract. (a) The duration and severity of the COVID 19 pandemic has prompted high levels of demand for various international freight and storage requirements. At this time high volumes of goods are in transit, many in containers awaiting palletisation and transportation to final warehousing storage. The extension of the existing agreement to 31.12.2021 has become necessary to ensure that all of the containers currently in transit are unloaded and returned to their owners, and to ensure that the goods once unloaded are transported to warehousing for longer term storage. (b) Uniserve has in place arrangements with a number of third parties to facilitate these Services under bookings entered in to by it with third parties within the transport logistics chain. Interchangeability with existing services is not possible for practical reasons and to attempt to do so would cause significant inconvenience and substantial duplication in costs for DHSC. Without the extension DHSC will be forced to transfer responsibility for goods in transit including containers from Uniserve on expiry of

the contract.(c) DHSC has currently awarded contracts for International Freight and Logistics services under an advertised competitive tender procedure (open procedure) (Contract Notice reference 2020/S 247-615613), which have not yet been fully mobilised. The extension to the existing agreement with Uniserve will preserve continuity of services whilst newly awarded tendered contracts are fully mobilised.(d) the value of the modification is £99,500,000, which is less than 50 % of the original contract value.Note that the modification does not alter the overall nature of the Uniserve agreement. The Services available to the Authority will remain consistent with that upon contract extension.

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 30 March 2020 to Uniserve Limited for the provision of freight services for the supply of personal protective equipment (PPE) and medical equipment in response to COVID-19 (Contract Award Notice reference 2020/S 232-573975). DHSC is extending the contract relying on Regulation 72(1)(b) of the Public Contracts Regulations 2015 to:a) Ensure continuity of services whilst competed contracts are fully mobilised, and;b) Enable goods in transit to complete their journey to long term warehousing including the unloading and release of PPE storage containers.Given that COVID-19 is a new virus, there was no historic data upon which to base requirements at Contract Award. A failure to extend the agreement would cause significant inconvenience and substantial duplication of costs for DHSC.

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: £473,390,310

Total contract value after the modifications

Value excluding VAT: £572,890,310