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Tender

## **Pan Essex Urgent Primary Medical Care PDPS re-opening (Round 2)**

NHS Castle Point and Rochford Clinical Commissioning Group  
NHS Basildon and Brentwood Clinical Commissioning Group  
NHS North East Essex Clinical Commissioning Group  
NHS Southend Clinical Commissioning Group  
NHS Thurrock Clinical Commissioning Group  
NHS West Essex Clinical Commissioning Group  
NHS Mid Essex Clinical Commissioning Group

F02: Contract notice

Notice identifier: 2022/S 000-008790

Procurement identifier (OCID): ocids-h6vhtk-03129a

Published 1 April 2022, 10:39am

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NHS Castle Point and Rochford Clinical Commissioning Group

Pearl House, 12 Castle Road

Rayleigh

SS6 7QF

#### **Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

#### **Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://castlepointandrochfordccg.nhs.uk/>

**I.1) Name and addresses**

NHS Basildon and Brentwood Clinical Commissioning Group

Phoenix House, Christopher Martin Road

Basildon

SS14 3HG

**Contact**

Amy Wilson

**Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

**Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://basildonandbrentwoodccg.nhs.uk/>

**I.1) Name and addresses**

NHS North East Essex Clinical Commissioning Group

Aspen House, Stephenson Road

Colchester

CO4 9QR

**Contact**

Amy Wilson

**Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

**Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://www.neessexccg.nhs.uk/>

**I.1) Name and addresses**

NHS Southend Clinical Commissioning Group

6th Floor, Civic Centre, Victoria Avenue

Southend-on-Sea

SS1 9SB

**Contact**

Amy Wilson

**Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

**Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://southendccg.nhs.uk/>

**I.1) Name and addresses**

NHS Thurrock Clinical Commissioning Group

Civic Offices 2nd Floor, New Road

Grays

RM17 6SL

**Contact**

Amy Wilson

**Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

**Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://www.thurrockccg.nhs.uk/>

### **I.1) Name and addresses**

NHS West Essex Clinical Commissioning Group

Building 4 Spencer Close, The Plain

Epping

CM16 6TN

#### **Contact**

Amy Wilson

#### **Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKH35 - West Essex

#### **Internet address(es)**

Main address

<https://westessexccg.nhs.uk/>

### **I.1) Name and addresses**

NHS Mid Essex Clinical Commissioning Group

Wren House, Colchester Road

Chelmsford

CM2 5PF

**Contact**

Amy Wilson

**Email**

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

**Country**

United Kingdom

**NUTS code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://midessexccg.nhs.uk/>

**I.2) Information about joint procurement**

The contract involves joint procurement

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://attain.bravosolution.co.uk/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://attain.bravosolution.co.uk/>

Tenders or requests to participate must be submitted to the above-mentioned address

**I.4) Type of the contracting authority**

Body governed by public law

### **I.5) Main activity**

Health

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Pan Essex Urgent Primary Medical Care PDPS re-opening (Round 2)

Reference number

ACE-0539-2022-ALC

#### **II.1.2) Main CPV code**

- 85100000 - Health services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The Authority are seeking to re-open the Pseudo Dynamic Purchasing System (PDPS) for the provision of Urgent (Parachute / Caretaking) Primary Medical Care Services in accordance with NHS England Standard General Medical Services Regulations and Alternative Provider Medical Services Directions and having full regard to the NHS England Primary Medical Care Policy and Guidance Manual (PGM). This PDPD was established on 18th November 2019.

Hereafter all references to the Authority incorporates these organisations: Basildon and Brentwood Clinical Commissioning Group, Castle Point & Rochford Clinical Commissioning Group, Mid Essex Clinical Commissioning Group, North East Essex Clinical Commissioning Group, Southend Clinical Commissioning Group, Thurrock Clinical Commissioning Group, West Essex Clinical Commissioning Group.

The Authority invites responses from suitably qualified and experienced Providers to apply to join the PDPS Approved Provider List.

Further information can be found at sections II.2.4 and VI.3.

#### **II.1.5) Estimated total value**

Value excluding VAT: £57,456,000

#### **II.1.6) Information about lots**



This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 85000000 - Health and social work services
- 85100000 - Health services
- 85120000 - Medical practice and related services
- 85121000 - Medical practice services
- 85140000 - Miscellaneous health services
- 85323000 - Community health services

### **II.2.3) Place of performance**

NUTS codes

- UKH3 - Essex
- UKH35 - West Essex

Main site or place of performance

Essex, including: North East Essex, West Essex, Mid Essex, Basildon & Brentwood, Thurrock, Southend-on-Sea and Castle Point and Rochford

### **II.2.4) Description of the procurement**

The Urgent (Parachute / Caretaking) Primary Medical Care Services under this PDPS fall within the light-touch regime (LTR - PCR 2015 Regulations 74-77). The PDPS in many respects looks and feel like a DPS set up under PCR 2015 Regulation 34, but the flexibility of the LTR will apply. None of the formal procedural rules have any direct application including the requirements of Regulation 34. The Contracting Authorities make this distinction to avoid implying that they will follow, or be bound by, the full procurement regime under PCR 2015 for this procurement.

This PDPS will be in place for a five-year term commencing 1st December 2019, with an option to extend for a further 12 months. It covers circumstances that may arise that require The Authority to put in place an Urgent Primary Medical Care Services contract where, due to the time limitations, the Authority opts not to undertake an individual procurement process. (This is sometimes also referred to as a Primary Medical Care 'Parachute' or 'Caretaking' service or 'Emergency Cover'). Bidders should therefore note

that this PDPS places no obligation on the Authority to procure Services during the term of this PDPS. Individual circumstances may include: unforeseen or short notice circumstances, such as; the unexpected death of a single-handed Provider, or the failure to comply with a contractual breach notice or Care Quality Commission (CQC) essential standards, a termination notice issued by existing Provider or partnership dissolution, or a failed procurement process leading to urgent requirement as result of contract expiry.

This Contract Notice communicates the Authority's intention to commence Round 2 of the procurement process to re-open the established PDPS. Potential Bidders can request to participate by completing a Selection Questionnaire to demonstrate how they meet the stated minimum selection criteria. In addition, Potential Bidders who wish to join the PDPS must provide information about their proposed ability to provide Urgent Primary Medical Care Services, in relation to a number of 'Categories' of information. The Authority will use this information to inform a Filtering Process during any Call-Off procedure. Bidders must score a minimum of 40% of the total available weighted quality marks in order for their Bid to be considered any further. On any question, a score of 0 will be considered a Fail and the bid may be rejected.

The tender documents issued by Authority for specific call-offs under this PDPS will fully confirm the specific terms and conditions applicable for the provision of Services. Call-Off Contracts will be awarded by either Direct Award or Further Competition via an Invitation to Tender issued by the Authority. Providing that a Potential Bidder on the Approved Provider List has been identified as eligible to bid for a particular Call-Off Contract via the PDPS Filtering Process, and they continue to meet the minimum selection criteria, they will be able to bid for the Call-Off Contract.

Each individual ITT for a Call-Off Contract will include the detailed Service Specification and any required service elements relating to such Call-Off Contract. The Procurement documentation includes the relevant terms and conditions that may be utilised by the parties for subsequent call-offs under the PDPS (albeit the Authority is permitted to incorporate their own preferred forms subject to their ongoing compliance with any relevant restrictions).

The PDPS in itself is therefore not a contract; contracts are only formed when Services are called-off under the PDPS.

Further details on the Filtering Process and the Call-Off Procedure can be found the procurement documentation pack available.

Further information also provided in section VI.3.

## **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement

documents

#### **II.2.6) Estimated value**

Value excluding VAT: £57,456,000

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

Duration in months

60

This contract is subject to renewal

Yes

Description of renewals

Annually, namely the 1st working day of the month of April. This date may be subject to change.

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: Yes

Description of options

The Authority reserves the right to extend the PDPS for an additional 12 month period at the Authority's sole discretion.

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

#### **II.2.14) Additional information**

See VI.3) Additional information

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

In accordance with Regulations 56 to 58 of The Public Contracts Regulations 2015 (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020) and as set out in the qualification envelope which is available with the procurement documents.

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

In accordance with Regulations 56 to 58 of The Public Contracts Regulations 2015 (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020) and as set out in the qualification envelope which is available with the procurement documents.

#### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

In accordance with Regulations 56 to 58 of The Public Contracts Regulations 2015 (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020) and as set out in the qualification envelope which is available with the procurement documents.

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

See the form of Contract supplied with the procurement documents.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the setting up of a dynamic purchasing system

#### **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: [2022/S 000-003072](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

11 May 2022

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

1 April 2022

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 6 (from the date stated for receipt of tender)

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Annually, namely the 1st working day of the month of April.

### **VI.3) Additional information**

Upon establishment of the PDPS, Potential Bidders wishing to apply to enter for the first time, or to re-apply may do so on an annual basis.

The Authority aims to re-open the PDPS each year on the first working day in April. The subsequent remaining opening dates are therefore: 01/04/2022 (this round), 03/04/2023, and if extended 01/04/2024. These dates may be subject to change from time to time. Potential bidders can apply to be added to the PDPS within the published annual timescales, until such time it is terminated. Closing dates for future rounds are: noon 11/05/2022, noon 11/05/2023, noon 13/05/2024, and if extended noon 12/05/2025. These dates may be subject to change from time. Potential Bidders can apply to be added to the PDPS within the published annual timescales, until such time it is terminated.

For this round, the closing date for submitting completed Selection Questionnaires is 12:00 noon on 11th May 2022.

Closing dates for future rounds are; noon 11/05/2023, noon 13/05/2024, and if extended noon 12/05/2025.

The Authority intends to allow Bidders who are successfully appointed to the PDPS during any of the Rounds to update the information they have provided in their PDPS SQ response annually, requests for which must be made by 30th September of each year. Please see Document 4 – 'PDPS Call Off Procedure' for further details on the Update Process.

It should be noted that the dates are expected dates at the time of issuing this PDPS SQ Process Overview and may be subject to change.

This PDPS is being created for Essex CCG's at point of issue, however, at some point in the future and during the term the Contracting Authorities reserve the right to open the PDPS up to Central Eastern including NHS Bedfordshire CCG, NHS Luton CCG and NHS Milton Keynes CCG. At such time a decision is made this Contract Notice and relevant procurement documentation will be updated accordingly.

During any Call-Off Procedure, Bidders will be required consider the implications and codes of practice relating to TUPE implications for staff. The Authority will endeavour to facilitate the transfer of data where relevant and lawful. Bidders are will be required to make their own assessment of whether TUPE applies and the consequences of TUPE.

During any Call-Off Procedure, Bidders will be expected to work closely with incumbent Providers and the Authority to secure legal access to any premises that may be made available for them for delivery of such services under any Call-Off Contract.

The Services within this PDPS procurement fall within Section 7 of the Public Contract Regulations 2015 (the "Regulations"). Neither the inclusion of the Bidder at Qualification Stage nor the use of the terms Process Overview, Selection Questionnaire, or Invitation to Tender nor any other indication shall be taken to mean that the Authority intends to hold themselves bound by any of the Regulations save those applicable to Public Contracts for social and other specific services listed in Schedule 3 of the Regulations (the "Light Touch" Regime).

Disclaimer: The Authority shall not be responsible for any costs or expenses incurred by respondents to this procurement in preparing and/or submitting such responses.

To access the procurement documentation, please go to the Attain eProcurement Portal (Bravo powered by Jaggaer) at: <https://attain.bravosolution.co.uk>

Click on 'Register here' and follow the on-screen instructions. You can access the SQ: 'sq\_62 - Urgent Primary Medical Care PDPS re-opening (Round 2) for Essex CCGs' by clicking on the link called 'View current opportunities' on the Home Page. Please note that the tender will not be accepted by any means other than through the Attain e-Procurement Portal.

Should you require any information regarding this PDPS in between rounds please contact the email address available in this Contract Notice.

## **VI.4) Procedures for review**

### **VI.4.1) Review body**

High Court of Justice of England and Wales

London

WC2A 2LL

Country

United Kingdom

Internet address

<https://www.justice.gov.uk>

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

NHS Castle Point and Rochford Clinical Commissioning Group

Pearl House, 12 Castle Rd

Rayleigh

SS6 7QF

Email

[amy.wilson@attain.co.uk](mailto:amy.wilson@attain.co.uk)

Country

United Kingdom

Internet address

<https://castlepointandrochfordccg.nhs.uk/>