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Contract

## **Mid and South Essex Termination of Pregnancy Services**

NHS Mid Essex Clinical Commissioning Group

F03: Contract award notice

Notice identifier: 2022/S 000-008833

Procurement identifier (OCID): ocids-h6vhtk-0323e1

Published 1 April 2022, 1:29pm

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

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

NHS Mid Essex Clinical Commissioning Group

Wren House, Colchester Road

Chelmsford

CM2 5PF

#### **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://middlessexccg.nhs.uk/>

#### **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**

Mid and South Essex Termination of Pregnancy Services

Reference number

ACE-0576-2022-MSE

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

- 85100000 - Health services

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

Services

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

This is a Contract Award Notice made by the Contracting Authority; NHS Mid Essex Clinical Commissioning Group (hereinafter referred to as “the Authority”) in compliance with their local standing financial instructions (SFIs), for delivery of Termination of Pregnancy Services covering the population of Mid and South Essex, for a period of 12 month, from 1st April 2022 – 31st March 2023.

This Contract Award Notice follows the Voluntary ex ante transparency notice (2022/S 000-007495) published: 18 March 2022.

The aggregate contract value is forecasted at £2,075,023 (including VAT) over the one-year term, equating to £1,729,186 (excluding VAT).

### **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: £1,729,186

## **II.2) Description**

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

NUTS codes

- UKH3 - Essex

Main site or place of performance

Mid and South Essex

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

This is a Contract Award Notice made by the Contracting Authority; NHS Mid Essex Clinical Commissioning Group (hereinafter referred to as “the Authority”) in compliance with their local standing financial instructions (SFIs), for delivery of Termination of Pregnancy Services covering the population of Mid and South Essex, for a period of 12 month, from 1st April 2022 – 31st March 2023.

This Contract Award Notice follows the Voluntary ex ante transparency notice (2022/S 000-007495) published: 18 March 2022.

The aggregate contract value is forecasted at £2,075,023 (including VAT) over the one-year term, equating to £1,729,186 (excluding VAT).

The Contracting Authority is yet to agree appropriate inflation and uplift for this contract for the period of 2022/23 and 2023/24. These will be dealt with as Contract Variations in accordance with the NHS Standard Contract Terms and Conditions. The Authority deems any such variations are not substantial or material changes, as they occur due to external causes beyond the Authority's control, including changes in contract value driven by changes in patient volume. The Authority will publish appropriate Notices accordingly to communicate any such future changes to the market, once final.

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

Quality criterion - Name: Quality / Weighting: 100

Price - Weighting: 0

**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

**II.2.14) Additional information**

The Service to which this procurement relates fall within Schedule 3 of the Public Contracts Regulations 2015 as amended by as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020, (the "Regulations"). As such, the Contracting Authority does not intend to hold itself bound by any of the Regulations, save those applicable to Schedule 3 Services.

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## 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 Service falls within Schedule 3 ('social and other specific services', also known as the "Light Touch" Regime) of the Public Contracts Regulations 2015 (PCR 2015) as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 ('PPAR 2020').

The Authority is currently in a transitional period with the expectation to be superseded as a statutory body, by an Integrated Care Board in late 2022. The organisation shall have a key function as part of the overall Integrated Care System. At the current time, longer-term strategies across all sectors are under discussion and longer term commissioning decisions and or procurements cannot take place until these legal arrangements are confirmed.

The Authority has therefore taken a decision to award a contract to the incumbent provider as it is considered to be the most technically capable provider in the current environment, whilst transitioning to the ICB, to ensure quality, safety and consistency in provision of care that meet the needs of the population during this transition period.

#### 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 000-007495](#)

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## **Section V. Award of contract**

### **Title**

Mid and South Essex Termination of Pregnancy Services

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

16 March 2022

#### **V.2.2) Information about tenders**

Number of tenders received: 1

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

#### **V.2.3) Name and address of the contractor**

MSI REPRODUCTIVE CHOICES

1 Conway Street, Fitzroy Square

London

W1T 6LP

Country

United Kingdom

NUTS code

- UKH3 - Essex

The contractor is an SME

No

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

Total value of the contract/lot: £1,729,186

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## **Section VI. Complementary information**

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

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

High Court of Justice of England and Wales

Strand

London

WC2A 2LL

Country

United Kingdom