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Contract

## **Mid and South Essex Mental Health Services**

NHS Mid Essex Clinical Commissioning Group

F20: Modification notice

Notice identifier: 2022/S 000-010753

Procurement identifier (OCID): ocids-h6vhtk-03309f

Published 26 April 2022, 4:13pm

### **Section I: Contracting authority/entity**

#### **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/>

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## **Section II: Object**

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

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

Mid and South Essex Mental Health Services

Reference number

ACE-0581-2022-ALC

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

- 85100000 - Health services

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

Services

### **II.2) Description**

#### **II.2.1) Title**

Mid and South Essex Mental Health Services

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

- 85120000 - Medical practice and related services
- 85140000 - Miscellaneous health services
- 85323000 - Community health services

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

NUTS codes

- UKH3 - Essex

Main site or place of performance

Mid Essex, Basildon and Brentwood, Thurrock, Southend-on Sea and Castle Point and Rochford

**II.2.4) Description of the procurement at the time of conclusion of the contract:**

The participating Contracting Authorities associated with this Modification Notice are NHS Mid Essex Clinical Commissioning Group (CCG), NHS Basildon and Brentwood CCG, NHS Castle Point and Rochford CCG, NHS Southend CCG, NHS Thurrock CCG (herein referred to as the 'Authority').

The Authority awarded a contract to Essex Partnership University NHS Foundation Trust (EPUT) for provision of Mental Health Services from 1st April 2019 to 31 March 2024 at an aggregate value of £555,684,000 over the 5 year term.

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

Duration in months

60

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

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

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**Section V. Award of contract/concession**
**Contract No**

CV34 - 19/24 Mental Health

**Title**

Mid and South Essex Mental Health Services

**V.2) Award of contract/concession****V.2.1) Date of conclusion of the contract/concession award decision:**

1 April 2019

**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**

Essex Partnership University NHS Foundation Trust

The Lodge, Lodge Approach, Runwell

Wickford

SS11 7XX

Country

United Kingdom

NUTS code

- UKH3 - Essex

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: £555,684,000

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## **Section VI. Complementary information**

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

The Contracting Authorities participating in the publication of this Modification Notice communicated herein are:

NHS Mid Essex Clinical Commissioning Group

Wren House, Colchester Road

Chelmsford

CM2 5PF

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

NHS Basildon & Brentwood Clinical Commissioning Group

Phoenix House, Christopher Martin Road, Basildon , SS14 3HG

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

NHS Castle Point and Rochford Clinical Commissioning Group

Pearl House, 12 Castle Road, Rayleigh. SS6 7QF

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

NHS Southend Clinical Commissioning Group

6th Floor, Civic Centre, Victoria Avenue, Southend-on-Sea, SS1 9SB

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

NHS Thurrock Clinical Commissioning Group

Civic Offices 2nd Floor, New Road, Grays. RM17 6SL

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

NHS North East Essex Clinical Commissioning Group

Severalls Business Park, Aspen House Stephenson Road

Colchester

CO4 9QR

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

NHS Ipswich and East Suffolk Clinical Commissioning Group

Endeavour House

8 Russell Road

Ipswich

IP1 2BX

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

NHS West Suffolk Clinical Commissioning Group

West Suffolk House

Western Way

Bury St Edmunds

Suffolk

IP33 3YU

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

## **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

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

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

Internet address

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

## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 85100000 - Health services

#### **VII.1.3) Place of performance**

NUTS code

- UKH3 - Essex

Main site or place of performance

Ipswich and East Suffolk, West Suffolk, North East Essex, Mid Essex, Basildon and Brentwood, Thurrock, Southend-on Sea and Castle Point and Rochford

#### **VII.1.4) Description of the procurement:**

During 2021/22 a Mental Health Taskforce was formed to review the mental health commissioning arrangements in Essex, to identify any gaps in process and make recommendations to improve the commissioning of mental health services across the County. One of the key recommendations was to streamline commissioning and contract management processes, with Accountable Officers making the commitment to a single contractual approach for the incumbent Provider, Essex Partnership University NHS Foundation Trust (EPUT).

As a result, the Authority has taken a decision to vary it's existing contract with EPUT for provision of Mental Health Services, from 1st April 2022 , to include the scope of mental health services for NHS North East Essex CCG, NHS Ipswich and East Suffolk CCG and NHS West Suffolk CCG, for the remaining term of two years, until 31st March 2024.

NHS Mid Essex CCG on behalf of the Authority, will be the lead commissioner, and NHS North East Essex CCG, NHS Ipswich and East Suffolk CCG and NHS West Suffolk CCG will be associates to the contract, managed via a Collaborative Commissioning Agreement.

The scope of additional mental health services being varied into the MSE Contract for Mental Health Services includes;

Non-Psychotic Mental Health Care Clusters 1 - 8

Specialist Perinatal Mental Health Community Service



Individual Placement and Support

Mild Cognitive Impairment

Dementia Enhanced Care Home Liaison Service

MH ANP GP pilot service – Advanced Nurse Practitioner

Adult Community Crisis Resolution and Home Treatment Service

Crisis Café Covering both Clacton and Tendring

Infant MH

Intensive Psychology Support Unit

Core 24 Mental Health Liaison Service

Eating Disorders

ADHD Services

The Authority may wish to introduce additional services during the remaining term of the contract ("Contract modifications"). Such contract modifications will be contemplated where additional requirements are similar and or complementary to the services already included in the Specification, at any given time. Such expansion would be by the addition of services commissioned by the Authority as named in the Contract Award Notice. To this end, the market should be aware that there is a possibility that the incumbent provider may be offered a variation to the contract to include (but not be limited to) the following list of Services in accordance with Regulation 72 (1) (a) of the Public Contracts Regulations 2015 (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020). Any such modifications will be accompanied accordingly with appropriate Notice(s).

Inpatient Beds

Community Neighbourhood Mental Health

Primary care MH service

Early Intervention to Psychosis

Dementia Memory Assessment

Dementia Intensive Support Service

Personality Disorder and Complex Needs

Health and Housing

Individual Placement & Support (NEE / Suffolk)

Community Dementia Care Home Nurses

Mild Cognitive Impairment

Rehab pathway

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

Duration in months

24

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

Total value of the contract/lot/concession:

£90,008,000

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

Essex Partnership University NHS Foundation Trust

The Lodge, Lodge Approach, Runwell

Wickford

SS11 7XX

Country

United Kingdom

NUTS code

- UKH3 - Essex

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):

When the original contract was awarded there was no reference within it to creation of or delivery within an Integrated Care Systems (ICS) as the concept had not been fully developed by NHSE yet. The NHS England current guidance is that where there are multiple commissioners for one provider, their preference is for one contract via collaborative arrangements in line with the establishment of ICSs. As such, these circumstances which have rendered the modification necessary are deemed unforeseen by the Authority.

The current MSE contract for Mental Health Services with EPUT has been varied to:

- i) add North East Essex (NEE)CCG as an additional contracting authority (associate) to the contract,
- ii) incorporate the Mental Health Services required by NEE CCG
- iii) add Ipswich and East Suffolk CCG and West Suffolk CCG as an additional contracting authorities (associates) to the contract, and
- iv) incorporate the Mental Health Services required by Ipswich and East Suffolk CCG and West Suffolk CCG.

The Authority deems that such modifications meet the grounds under Regulation 72 (1) (C) that they do not change the overall nature of the contract, for Mental Health Service delivery.

- The value of the North East Essex MH services are approx. £43.519 million per annum
- The value of the Ipswich and East Suffolk MH Services are £912,000 per annum
- The value of the West Suffolk MH Services are £573,000 per annum

The aggregated contract value associated with the scope of services above (pertaining to the element of the contract being modified), based on the remaining two years of the existing term is approx. £90,008,000 million. The total aggregate contract value of the

existing mental health service contract over the five year term is £555,684,000. The proposed modification represents 16.2% of the original contract value and is therefore under the 50% threshold within Regulation 72 (1) (c) of the Public Contract Regulations 2015.

The new aggregate value of the contract over the entire duration of it's term, including modifications is therefore £645,692,000.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

When the original contract was awarded there was no reference within it to creation of or delivery within Integrated Care Systems (ICS) as the concept had not been fully developed by NHSE yet. The NHS England current guidance is that where there are multiple commissioners for one provider, their preference is for one contract via collaborative arrangements in line with the establishment of ICSs. The Essex MH Taskforce has thus recommended streamlined contract management and commissioning arrangements in order to align similar / complementary contracts which will reducing the risk of a misaligned approach to managing providers, which could result in a failure to understand themes that cut across the provider and respective CCG geographies. The Authority deems that such modifications meet the grounds under Regulation 72(1)(c) that they do not change the overall nature of the Contract, and represents 16.2% of the original contract value so is under the 50% threshold Regulation 72(1)(c).

### **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: £555,684,000

Total contract value after the modifications

Value excluding VAT: £645,692,000