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Award

## **A Provision of Nutritional Supplies, Associated Products and Support Services**

NHS Hampshire and Isle of Wight Integrated Care Board

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-012385

Procurement identifier (OCID): ocids-h6vhtk-03c552

Published 28 April 2023, 4:38pm

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

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

NHS Hampshire and Isle of Wight Integrated Care Board

Eastleigh

#### **Email**

[Emily.Harwood@soeprocurement.nhs.uk](mailto:Emily.Harwood@soeprocurement.nhs.uk)

#### **Country**

United Kingdom

#### **Region code**

UKJ3 - Hampshire and Isle of Wight

#### **NHS Organisation Data Service**

QRL

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

Main address

<https://www.hantsiowhealthandcare.org.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**

A Provision of Nutritional Supplies, Associated Products and Support Services

Reference number

F6866

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

- 33692300 - Enteral feeds

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

Supplies

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

In consideration of the impact of the COVID-19 pandemic and post pandemic recovery, NHS Hampshire and Isle of Wight Integrated Care Board (ICB) is extending the current contract for the Supply of Enteral Feeds & Associated Products into the Community & Secondary Care for Southampton and Winchester with Nutricia Limited. This includes supply to and associated services for Hampshire Hospitals NHS FT, University Hospitals Southampton NHS FT, Solent NHS Trust & Southern Health NHS FT. The contract is being extended for a period of 12 months, until 30th April 2024.

#### **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: £2,435,230

## **II.2) Description**

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

- 33692300 - Enteral feeds

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

NUTS codes

- UKJ3 - Hampshire and Isle of Wight

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

In consideration of the impact of the COVID-19 pandemic and post pandemic recovery, NHS Hampshire and Isle of Wight Integrated Care Board (ICB) is extending the current contract for the Supply of Enteral Feeds & Associated Products into the Community & Secondary Care for Southampton and Winchester with Nutricia Limited. This includes supply to and associated services for Hampshire Hospitals NHS FT, University Hospitals Southampton NHS FT, Solent NHS Trust & Southern Health NHS FT. The contract is being extended for a period of 12 months, until 30th April 2024.

The value of the proposed extension has been based on 2021-22 spend, for all the contracting authorities, at £2,435,230 including VAT. The specification remains unchanged

from that published in the invitation to tender (ITT), except as amended by relevant bidder clarification questions raised during the Tender.

The contract expiry date remains coterminous with the rest of the enteral feed contracts in the Hampshire geography, which will be re-procured via a single upcoming tender process.

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

Options: No

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

The Contracting Authorities consider that an extension of the Contract is permitted in accordance with Regulation 72(1) (c) of the Public Contract Regulations 2015. COVID-19 has brought about circumstances which the Contracting Authorities could not have foreseen, that the modification does not alter the overall nature of the contract and any increase in price does not exceed 50% of the value of the original contract or framework agreement. Accordingly, NHS Hampshire and Isle of Wight ICB has decided to continue with the current contract with Nutricia Limited for a further 12 months, for the following reasons:

- Access to clinical teams to undertake a review of the service specification has continued to be impacted by pressures relating to Covid 19 and the post pandemic recovery, resulting in significant patient flow and bed pressures which have burdened our acute settings
- The Contracting Authorities wish to ensure a suitable mobilisation period for the new service, because:
  - A change of provider will require a changeover of feed pumps in both the hospitals and for service users in the home, requiring hospital clinical oversight and, availability of all hospital staff to undertake equipment and product training during post pandemic recovery;
  - A change of provider before NHS services have greater certainty around post pandemic recovery, could disrupt continuity and, would be to the detriment of patient care and the local health system. The exit and mobilisation period will be a key consideration for ensuring there is sufficient clinical cover to safely transfer patients across from one service to the next;
  - Given the current status of the global availability of many products, a reasonable length mobilisation period will give a new provider a buffer of additional time to secure new feed pumps.

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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 procurement falls outside the scope of application of the regulations

Explanation:

The regulation relied upon to justify the extension with Nutricia Limited by 12 months is:

Regulation 72(1)(c) provides that:

where all of the following conditions are fulfilled:-

(i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;

(i) the modification does not alter the overall nature of the contract;

(ii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

The following additional rationale justifies the extension.

The Contracting Authorities consider that an extension of the Contract is permitted in accordance with Regulation 72(1) (c) of the Public Contract Regulations 2015. COVID-19 has

brought about circumstances which the Contracting Authorities could not have foreseen, that the modification does not alter the overall nature of the contract and any increase in price does not exceed 50% of the value of the original contract or framework agreement.

#### **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: [2017/S 078-151371](#)

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

### **Contract No**

F6866

### **Lot No**

2

### **Title**

Enteral Feeds and Associated Products

A contract/lot is awarded: Yes

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

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

28 April 2023

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

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

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

Nutricia Limited

Trowbridge

Country

United Kingdom

NUTS code

- UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

Companies House

00275552

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £2,435,230

Total value of the contract/lot/concession: £2,435,230

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**Section VI. Complementary information**

**VI.3) Additional information**

A corresponding modification notice has been published in relation to this contract extension.

**VI.4) Procedures for review**

**VI.4.1) Review body**

NHS England

London

Country

United Kingdom