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Tender

## **Procurement of SYB Pathology Managed Service**

Sheffield Teaching Hospitals NHS Foundation Trust

F02: Contract notice

Notice identifier: 2024/S 000-015758

Procurement identifier (OCID): ocds-h6vhtk-038ad8

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

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

Sheffield Teaching Hospitals NHS Foundation Trust

Royal Hallamshire Hospital, Glossop Road

Sheffield

S10 2JF

#### **Email**

[sth.pathologyprocurement@nhs.net](mailto:sth.pathologyprocurement@nhs.net)

#### **Country**

United Kingdom

#### **Region code**

UKE32 - Sheffield

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

Main address

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

Buyer's address

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

### **I.3) Communication**

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

<https://health-family.force.com/s/Welcome>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://health-family.force.com/s/Welcome>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://health-family.force.com/s/Welcome>

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

Other type

NHS Trust

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

Health

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## **Section II: Object**

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

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

Procurement of SYB Pathology Managed Service

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

- 85111800 - Pathology services

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

Services

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

This Contract Notice advertises a contract opportunity for the provision of a Pathology Managed Service Contract to the following five NHS Trusts working in partnership to deliver the South Yorkshire and Bassetlaw Pathology Service (SYB Pathology Service): (1) Barnsley Hospital NHS Foundation Trust (part of BRILS); (2) Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust; (3) The Rotherham NHS Foundation Trust; (4) Sheffield Children's NHS Foundation Trust and (5) Sheffield Teaching Hospitals NHS Foundation Trust (STHFT) (the "MSC"). During the term of the MSC, it is anticipated that Chesterfield Royal Hospital NHS Foundation Trust ("Chesterfield") may become an associate member of the SYB Pathology Partnership in relation to Histopathology and therefore the MSC may be varied to enable Chesterfield to get the benefit of the SYB Pathology Service. On 1st April 2024 a single pathology service was established governed and managed by STHFT as the Host Organisation on behalf of the partnership. Over the coming years SYB Pathology will transition to the Target Operating Model which will deliver significant quality and efficiency benefits longer term.

The establishment of the MSC will support transition to the target operating model and deliver significant quality and efficiency benefits for patients, clinicians, staff and wider stakeholders which includes the use of innovative and cutting-edge technologies. The MSC will cover all current and future workloads during its term and must meet all regulatory requirements and provide all integrated IT firmware, analysers, equipment, test kits, assays, reagents, chemicals, specific and general lab consumables and associated products and services to deliver the entire pathology and related hosted services across all sites and departments which form part of the SYB Pathology Service.

Any resulting contract from this procurement process will be entered into by STHFT on behalf of the five organisations aforementioned and references to the "Authority" in this

Contract Notice should be read as STHFT for and on behalf of the SYB Pathology partnership.

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

Value excluding VAT: £500,000,000

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

This contract is divided into lots: No

## **II.2) Description**

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

- 85111800 - Pathology services
- 51430000 - Installation services of laboratory equipment
- 71900000 - Laboratory services
- 45215146 - Pathology room construction work
- 85100000 - Health services
- 85111800 - Pathology services
- 45215100 - Construction work for buildings relating to health
- 38434520 - Blood analysers
- 33100000 - Medical equipments
- 33140000 - Medical consumables
- 33696000 - Reagents and contrast media
- 38434500 - Biochemical analysers
- 33110000 - Imaging equipment for medical, dental and veterinary use
- 38510000 - Microscopes
- 48000000 - Software package and information systems
- 72224000 - Project management consultancy services
- 79411000 - General management consultancy services

- 79418000 - Procurement consultancy services
- 79419000 - Evaluation consultancy services
- 33910000 - Pathology dissection instruments and supplies
- 33696500 - Laboratory reagents
- 33790000 - Laboratory, hygienic or pharmaceutical glassware
- 33793000 - Laboratory glassware
- 38000000 - Laboratory, optical and precision equipments (excl. glasses)
- 38437000 - Laboratory pipettes and accessories
- 38519500 - Laboratory microscope replacement bulbs
- 45214610 - Laboratory building construction work
- 39180000 - Laboratory furniture
- 39181000 - Laboratory benching
- 42122500 - Laboratory pumps and accessories
- 42300000 - Industrial or laboratory furnaces, incinerators and ovens
- 42671100 - Laboratory tool carriers
- 42931100 - Laboratory centrifuges and accessories
- 45214430 - Language laboratory construction work
- 51430000 - Installation services of laboratory equipment
- 71900000 - Laboratory services
- 73111000 - Research laboratory services
- 64120000 - Courier services

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

NUTS codes

- UKE3 - South Yorkshire

Main site or place of performance

All laboratory sites across SYB

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

The scope of the Services for the Managed Service includes the provision and maintenance of all pathology equipment and their associated IT, interfaces, and licences as well as the provision of all associated consumables; reagents, collection devices, test kits, quality control/calibration material essential for the delivery of the activity, as well as the transferring of existing assets and contracts and scope of services covered under this tender. In addition to this, the MSC provider will be responsible for the end-to-end management and delivery of the Supply Chain incorporating all products and the execution of a full Inventory Management System. Specialisms within scope of this procurement exercise as follows;

Managed Service Requirements  
 Pre & Post Analytics  
 Clinical Biochemistry & Viral Serology  
 Haematology  
 Coagulation  
 Blood Transfusion  
 Blood Cultures  
 IT, Interfacing and Data Management

The Authority is using the Competitive Procedure with Negotiation (CPN) in line with the Public Contract Regulations 2015 (as amended EU Exit (2020) etc.) to identify and define a solution which best addresses the Authority's requirements, as described within this suite of procurement documents.

The potential maximum aggregate value of the contract as advertised in the Find a Tender Service (FTS) is £500m. This is inclusive of all Phases and In Scope Services but also considers any potential modifications which may be made to this Contract throughout its life. As such, this is not a guaranteed value.

However, for the purposes of this procurement, the maximum price is £12.4m, a total value of the 15-year contract is £186m.

Prices submitted for year 1 of the contract will be adjusted by the inflationary uplift only throughout the life of the contract.

Bids submitted which exceed the maximum price will be considered as unaffordable and will be rejected.

The deadline for submitting a response to the Selection Questionnaire is 19th June 2024 at 12noon.

## **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: £500,000,000

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

Duration in months

180

This contract is subject to renewal

No

**II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 2

Maximum number: 3

Objective criteria for choosing the limited number of candidates:

See Additional Information located in Section VI)

**II.2.10) Information about variants**

Variants will be accepted: No

**II.2.11) Information about options**

Options: Yes

Description of options

The Authority require Bidders to submit Options for their responses to the Invitation to Tender Questions for the following specifications:

- Specification 4 – Haematology
- Specification 5 – Coagulation
- Specification 6 – Blood Transfusion
- Specification 7 – Blood Culture

By 'options' we mean submissions which are 'distinctly different'. Bidders are required to submit a minimum of 2 and a maximum of 3 options for each specialism identified.

Each option will be evaluated against the same evaluation criteria using the same evaluation scoring matrix as set out within the procurement documentation. Bidders are required to respond to all questions linked to the requirement for each option that they are submitting.

Bidders are required to submit a separate commercial offer for each combination of options submitted. In determining which Option has scored the highest and would be part of the subsequent awarded contract, the percentage score awarded for commercials will be added to moderated quality and social value scores. The award will be made on the highest scoring proposal, including quality, price and social value scores.

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

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

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

Selection criteria as stated in the procurement documents

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

Selection criteria as stated in the procurement documents

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### **Section IV. Procedure**

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

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



Competitive procedure with negotiation

**IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

**IV.1.5) Information about negotiation**

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

**IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

**IV.2) Administrative information**

**IV.2.1) Previous publication concerning this procedure**

Notice number: [2022/S 000-034419](#)

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

Date

19 June 2024

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

9 September 2024

**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: 12 (from the date stated for receipt of tender)

## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

The procurement exercise is initiated with the publication of the Contract Notice alongside the Selection Questionnaire (SQ) and full draft copy of the Invitation to Tender (ITT) documentation. Following evaluation of SQ responses, 3 (three) Bidders will be invited to submit Initial Tenders. The Authority reserves the right to award a Contract on the basis of an Initial Tender without negotiation. Should the Authority carry out a negotiation phase, there will be a period for negotiation. Bidders will then be invited to submit Final Tenders. All information will be published on the Atamis procurement Health Family Supplier Portal (Atamis) <https://atamis-1928.my.salesforce-sites.com>. Please ensure your organisation is registered on the Atamis e-Tendering website to access the procurement documents: <https://www.atamis.co.uk/registration> Please note that the tender will not be accepted by any means other than through the Attain e-Procurement Portal.

Following publication, interested parties will have the opportunity to attend a Bidder Information Event during the submission window for completion of the SQ. Details of the shortlisting criteria, award criteria, the applicable weightings and evaluation methodology can be found within the procurement documents available via Atamis. The dates in the procurement documents may be subject to change. Bidders will be required to 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 required to make their own assessment of whether TUPE applies and the consequences of TUPE.

The MSC will include Phases as set out in the procurement documents. The successful supplier in this procurement process (the “MSC Supplier”) will start with Phase 1 to fit in with the Authority’s roll out of its LIMS and is the establishment of the Pan Pathology Service to cover the entirety of the SYB Pathology Network’s services including associated hosted services across all SYB Pathology Network sites, and all current and future associated pathology and point of care testing (“POCT”) workloads within the term of the MSC. Phase 1 will also include the provision of all equipment, reagents, assays, equipment and assay related consumables, associated IT hardware and software (including middleware) associated with the provision of routine Blood Sciences (including Haematology, Coagulation, Clinical Biochemistry, Immunoassay, Viral Serology, Blood Transfusion) and Blood Culture Incubation (Microbiology) across all sites in SYB Pathology. The transfer of title of Phase 1 legacy equipment and the associated management of that equipment will be transferred to the MSC Supplier.

There are a number of current pathology managed service contracts, 3rd party contracts and pricing agreements held by the NHS Trusts within the SYB Pathology Network that

will be novated into the MSC at the earliest opportunity in order to maintain services provision and agreed pricing. These will include reagent rental contracts, equipment leasing contracts and associated service and maintenance agreements. Phase 2 is to commence on award of the MSC and will include a number of mini procurements to be carried out by the MSC Supplier for equipment, products and services listed in the procurement documents. Any resulting contracts in Phase 2 will be sub-contracts to the MSC. Phase 3 will include the transfer of title of other legacy equipment and the management of that equipment to the MSC Supplier and will include the ongoing 3rd part contract procurement is undertaken during the term of the MSC as well as the procurement of all other general consumables related to the services within scope of the MSC. Phase 3 may also include the procurement of a logistics provider and/or the novation of a logistics provider into the MSC so that the MSC Supplier manages the logistics provider. Such logistics will include the transportation of samples from GP practices and other sample collection points to laboratories, and also moving samples between laboratories, which is crucial to ensure sample integrity and support timely analysis and reporting.

During the term of the MSC, the Authority may wish to introduce changes and/or additional services and/or expand the services by varying the MSC where there are additional or changes to the requirements of the SYB Pathology Network (including but not limited to equipment, reagents, assays, assay related consumables, associated IT hardware and software (including middleware)) that are required for the operation of the SYB Pathology Network. These new requirements may be due to scientific developments and/or developments of new laboratory technologies and/or changes that impact the provision of the pathology services by the SYB Pathology Network and/or changes and developments in point of care testing and/or pathology accredited systems. Where any standards that the SYB Pathology Network are required to comply with change then any replacement equipment and/or changes to reflect any new standards will be in scope of the MSC. Any replacement equipment regarding digital pathology will also be within scope of the MSC. Under the MSC, there will be a need for on-going assessment, implementation of innovative changes and collaborative working across the SYB Pathology Network, the MSC Supplier and sub-contractors. The way the service looks at the end of the contract will likely be very different to the initial implementation. The contract value in section II.2.6 of this Contract Notice is reflective of potential variations during the term of the MSC.

The Authority reserves the right to (1) cancel the procurement process (or any part of it) at any point, make no award at all, award incrementally, change the basis of and the procedures for the procurement process at any time, or procure the subject matter of the contract by alternative means if it appears that it can be more advantageously procured by alternative means; (2) to verify the accuracy of any answers given by a Bidder as part of this procurement process (including, but not limited to, relating to the Bidder's financial stability) at any time during the procurement process; (3) incorporate any of the information given in the procurement process into the MSC which it enters into with any successful Bidder. The Authority is not liable for any costs resulting from any of the circumstances outlined above or for any other costs incurred by those participating in this

procurement process.”

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

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

High Court of Justice for England and Wales

The Strand

London

WC2A 2LL

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

STH shall in accordance with the Public Contracts (Amendment) Regulations 2015, incorporate a minimum 10 day standstill period commencing at the point that information on the intention to award the contract is sent to tenderers.

The Authority shall, as soon as possible after the decision has been made, inform the tenderers and candidates of its decision, and shall do so by notice in writing by the most rapid means of communication practicable.

Should additional information be required, please contact the person cited in paragraph I.1) of this form. If an appeal regarding the award of a contract has not been successfully resolved, Public Contracts Regulations 2015 (SI 2015 No 6) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England and Wales).

Any such action must be started within 30 days beginning with the date when the aggrieved party first knew or ought to have known that grounds for starting the proceedings had arisen. Where a contract has not been entered into the Court may order the setting aside of the award decision or order the authority to amend any document and may award damages. Following the 10 day standstill period, if no further debriefing has been requested, the Court may only award damages once the contract has been entered into.

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

Sheffield Teaching Hospitals NHS Foundation Trust

Herries Road,

Sheffield

S5 7AU

Country

United Kingdom

Internet address

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