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Award

## **DoF — Occupational Health Service — Independent Specialist Assessment Service.**

Department of Finance

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-015857

Procurement identifier (OCID): ocids-h6vhtk-03d3b7

Published 5 June 2023, 2:42pm

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

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

Department of Finance

303 Airport Road West

BELFAST

BT3 9ED

#### **Email**

[ssd.admin@finance-ni.gov.uk](mailto:ssd.admin@finance-ni.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

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

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

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

Body governed by public law

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

General public services

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## **Section II: Object**

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

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

DoF — Occupational Health Service — Independent Specialist Assessment Service.

Reference number

775878

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

- 85000000 - Health and social work services

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

Services

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

The Department of Finance is placing this voluntary transparency notice to alert economic operators of its

intention to modify the DOF Independent Specialist Assessment Service Contract in accordance with Regulation 72 (1) (b) and 72(1) (c) of the Public Contracts Regulations 2015. This transparency notice does not place any obligation on the Authority to enter into this modification

#### **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: £3,467,203

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

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

- 85100000 - Health services
- 85120000 - Medical practice and related services

- 85110000 - Hospital and related services
- 85111000 - Hospital services
- 85111200 - Medical hospital services
- 85112000 - Hospital support services
- 85140000 - Miscellaneous health services
- 85141000 - Services provided by medical personnel
- 85147000 - Company health services

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

NUTS codes

- UKN - Northern Ireland

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

The Department have a contract with 3FiveTwo Healthcare to provide medical support services

### **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

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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 Regulations permit the modification of a contract where the changes proposed meet one or more of the prescribed tests as set out in Regulation 72. Having considered the information provided there would appear to be convincing reasons to modify this contract in accordance with;

Regulation 72(1)(b) Additional works, services or supplies “have become necessary” and were not included in the initial procurement and a change of supplier would not be practicable (for economic, technical or interoperability reasons) and would involve substantial inconvenience/duplication of costs - provided the change does not exceed 50% of the value of the original contract and;

Regulation 72(1)(c) whereby the need for the change could not have been foreseen by a “diligent” Department provided the changes do not affect the overall nature of the contract or exceed 50% of the value of the original contract value.

This is on the basis that this is an essential frontline service, to meet statutory obligations and is clearly in the public interest ; therefore there is no option to do nothing nor have a break in service.

Continuity of service is critical. These are complex , niche services. There is a very small market and capacity and capability are an issue.

This contract will be modified by £862,500 for a 19 month period – 1 July 2023 to 31 January 2025. Approval of this request will allow DVA to continue delivering this vital service during a period of change.

#### **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 169-347568](#)

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

A contract/lot is awarded: Yes

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

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

1 October 2017

**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**

3fivetwo Healthcare

Belfast

Email

[info@3fivetwo.com](mailto:info@3fivetwo.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.3fivetwohealthcare.com/>

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: £3,467,203

Total value of the contract/lot/concession: £3,467,203

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## **Section VI. Complementary information**

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

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

The UK does not have any special review body with responsibility for appeal/mediation procedures in public procurement competitions. Instead, any challenges are dealt with by the High Court, Commercial Division, to which proceedings may be issued regarding alleged breaches of the PCR2015 as amended.

belfast

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The Public Contract Regulations 2015 (as amended) 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, Wales and Northern Ireland). The authority will incorporate a standstill period (i.e. a minimum of 10 calendar days) before this contract is modified.