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Contract

## **Corneal Tissue**

NHS England

F03: Contract award notice

Notice identifier: 2024/S 000-016628

Procurement identifier (OCID): ocds-h6vhtk-046bbf

Published 28 May 2024, 2:57pm

## **Section I: Contracting authority**

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

NHS England

7-8 Wellington Place

Leeds

LS1 4AP

### **Contact**

Collette Palmer

### **Email**

[collette.palmer@nhs.net](mailto:collette.palmer@nhs.net)

### **Country**

United Kingdom

**Region code**

UKE - Yorkshire and the Humber

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

[www.england.nhs.uk](http://www.england.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**

Corneal Tissue

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

- 85000000 - Health and social work services

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

Services

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

To increase corneal tissue supply and create a sustainable supply for the future to meet the clinical demand for this potentially sight saving surgery.

NHS England has agreed a national contract and centralised budget for the supply of corneal tissue, including non-recurrent investment to enable NHSBT to expand specialist eye donation teams in England.

#### **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: £43,000,000

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

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

NUTS codes

- UK - United Kingdom

Main site or place of performance

NHS Blood and Transplant

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

Contract award for corneal tissue to NHS Blood and Transplant (NHSBT) under the urgent circumstances provision - Regulation 14 (2), in line with the Provider Selection Regime (PSR):

(a) an award or modification must be made urgently,

(b) the reason for the urgency was not foreseeable by and not attributable to the relevant authority, and

(c) delaying the award of the contract or modification to satisfy the requirements of regulations 6 to 13 would be likely to pose a risk to patient or public safety,

For the avoidance of doubt, the provisions of the Public Contracts Regulations 2015 do not apply to this award.

The annual contract value is approximately £8.8million and is variable depending on the volume supplied) and the lifetime value of the contract over the full (potential) 7 years is £43,000,000. The service start date is 1st April 2024 and the end date is 31st March 3031, assuming options to extend are taken up.

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

Quality criterion - Name: to address immediate risks to safety and quality of care / Weighting: 100

Price - Weighting: 0

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

Options: Yes

Description of options

There is an option to extend the initial 5 year contract period by an additional 2 years

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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:

This contract is awarded under the urgent circumstances provision - Regulation 14 (2):

(a) an award or modification must be made urgently,

(b) the reason for the urgency was not foreseeable by and not attributable to the relevant authority, and

(c) delaying the award of the contract or modification to satisfy the requirements of regulations 6 to 13 would be likely to pose a risk to patient or public safety,

For the avoidance of doubt, the provisions of the Public Contracts Regulations 2015 do not apply to this award

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

The procurement is covered by the Government Procurement Agreement: Yes

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## Section V. Award of contract

A contract/lot is awarded: Yes

### V.2) Award of contract

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

1 April 2024

#### 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**

NHS Blood and Transplant

500 North Bristol Park

Filton, Bristol

BS34 7QH

Country

United Kingdom

NUTS code

- UKK - South West (England)

Justification for not providing organisation identifier

Not on any register

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £43,000,000

Total value of the contract/lot: £43,000,000

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## Section VI. Complementary information

### VI.3) Additional information

This contract has been awarded under the urgent circumstances provision of the Provider Selection Regime (PSR). This contract has been awarded under the Health Care Services (Provider Selection Regime) Regulations 2023. For the avoidance of doubt, the provisions of the Public Contracts Regulations 2015 do not apply to this award.

An award under urgent circumstance was necessary due to the need for NHSBT to make urgent changes to increase the supply of corneal tissue. A delay in the award of this contract would likely result in continued tissue shortage and resulting excess patient waits for access to potentially sight saving surgery. This urgent circumstance award means that investment plans can be built in to a contract for the required increase corneal tissue supply and that the required financial adjustments could be made within ICB allocations.

The contract length is greater than 12 months as the requirement to increase corneal supply extends beyond a year given the lead in time to establish the eye retrieval services and current clinical demand / donated tissue supply. The contract also facilitates national strategic planning between NHS England and NHSBT for the provision of corneal tissue.

The decision was approved on 26th March 2024 by the Delegated Commissioning Group (DCG). No conflicts of interest were identified.

### VI.4) Procedures for review

#### VI.4.1) Review body

NHS Arden and GEM CSU

St Johns House

Leicester

LE1 6NB

Email

[collette.palmer@nhs.net](mailto:collette.palmer@nhs.net)

Country

United Kingdom

Internet address

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

**VI.4.2) Body responsible for mediation procedures**

NHS Arden and GEM CSU

Leicester

Country

United Kingdom

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

NHS Arden and GEM CSU

Leicester

Country

United Kingdom