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Award

**P22**

The NHS Commissioning Board (operating under the name of NHS England)

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-017758

Procurement identifier (OCID): ocds-h6vhtk-02cccc

Published 27 July 2021, 10:48am

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

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

The NHS Commissioning Board (operating under the name of NHS England)

2nd Floor, Rutland House

Runcorn

WA7 2ES

#### **Email**

[nhsi.procureconstruction@nhs.net](mailto:nhsi.procureconstruction@nhs.net)

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

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

Main address

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

Buyer's address

<https://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**

P22

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

- 45000000 - Construction work

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

Works

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

This notice is to indicate that the NHS Commissioning Board (operating as NHS England) and the NHS Trust Development Authority (NHS TDA) intends to extend the existing P22 framework agreement. The CWAS2 framework is currently expected to be awarded in 2021, however, the Authority is extending P22 to 30th June 2022 as a contingency in the event that CWAS2 takes longer to award, but with the provision that, if CWAS2 is awarded earlier, the Authority may exercise a contractual right to terminate P22 at an earlier date.

#### **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: £4,700,000,000

**II.2) Description****II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

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

P22 is intended as a collaborative procurement method, allowing NHS Trusts to use a framework of principal supply chain partners (framework suppliers) to deliver their capital investment schemes using common principles, practices and tools. The PSCP represents the interests of a broad range of supply chain members involved in the strategic planning, design and construction of capital investment schemes for the NHS from the start of design to completion of build and handover.

The capital investment schemes for the NHS largely consist of the design and construction of new hospitals and refurbishment of existing structures, clinical and specialist facilities (i.e. primary care facilities, community hospitals, cardio-thoracic units, mental health facilities et al) and from master/healthcare planning through design to completion of build and handover of any capital investment required to meet the strategic business objectives of the DHSC and its associated arms length bodies, NHS or other organisations delivering health or social care.

The original contract notice can be found here: <https://ted.europa.eu/udl>

**II.2.11) Information about options**

Options: 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 P22 framework provides a health and social care specific route to market for design and construction services for the NHS. The framework is due to expire on 30th September 2021, and will be succeeded by Lots 1, 2 and 3 of the Construction Works and Associated Works 2 (CWAS2) framework. These three lots will collectively be called P23, as the fourth iteration of the ProCure route to market for NHS capital projects in England.

In line with cross Government guidance on major capital works procurement, P23 will now be delivered to market on the NHS's behalf by Crown Commercial Services, and will align with the key Government policy areas of Modern Methods of Construction, net zero carbon targets, social value and smart infrastructure. By delivering P23 as part of the £30b CWAS2 framework, P23 will be part of the largest single framework procurement in the UK. This will allow NHS bodies to lever the benefits of central Government buying power and create a Crown Commercial Services assured and monitored supply chain, but with the same NHS support as previous ProCure frameworks. As P23 was originally intended to be delivered as a stand-alone framework, the partnership with Crown Commercial Services has required that the P23 documents set, based on the previous ProCure documents, is aligned with the CWAS2 framework terms and conditions. The CWAS2 framework Prior Information Notice has been published, and the Invitation to Tender is currently planned for release in August 2021. CWAS2 is planned to end in October 2026, ensuring that the investment and contribution of suppliers to the pipeline of health and social care capital projects is fully realised.

The ability of the market to respond to the P23 opportunity remains heavily affected by the organisational challenges of the pandemic, and so to ensure that all organisations have an effective opportunity to participate in the procurement, the ITT release date of the CWAS framework will coincide with the period after the Government plans to end the majority of Covid 19 restrictions in July 2021. As the procurement is currently not expected to be concluded before the current expiry of P22, there is a risk that the current pipeline of NHS estates works, much of which has been delayed by Covid 19 and is required for urgent operational improvements, cannot be delivered through the option of an assured NHS managed framework.

The CWAS2 framework is currently expected to be awarded in 2021, however, the Authority is extending P22 to 30th June 2022 as a contingency in the event that CWAS2 takes longer to award, but with the provision that, if CWAS2 is awarded earlier, the Authority may exercise a contractual right to terminate P22 at an earlier date.

#### **IV.1.3) Information about a framework agreement**

The procurement involves the establishment of a framework agreement

#### **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: [2020/S 065-156359](#)

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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**

28 September 2016

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

The contract has been awarded to a group of economic operators: Yes

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

BAM Construction Limited

BREAKSPEAR PARK, BREAKSPEAR WAY

HEMEL HEMPSTEAD

HP2 4FL

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<http://www.bam.co.uk>

The contractor/concessionaire is an SME

No

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

GALLIFORD TRY HPS LIMITED

BLAKE HOUSE 3 FRAYSWATER PLACE, Cowley Business Park

UXBRIDGE

UB8 2AD

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<http://www.gallifordtry.co.uk>

The contractor/concessionaire is an SME

Yes

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

GRAHAM CONSTRUCTION LIMITED

68 COPPICE DRIVE NETHERTON

HUDDERSFIELD

HD4 7WW

Country

United Kingdom

NUTS code

- UKE4 - West Yorkshire

The contractor/concessionaire is an SME

Yes

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

Integrated Health Projects

ASTRAL HOUSE IMPERIAL WAY

WATFORD

WD24 4WW

Country

United Kingdom

NUTS code

- UKH2 - Bedfordshire and Hertfordshire

The contractor/concessionaire is an SME

No

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

KIER INFRASTRUCTURE AND OVERSEAS LIMITED

2ND FLOOR OPTIMUM HOUSE CLIPPERS QUAY

SALFORD

M50 3XP

Country

United Kingdom

NUTS code

- UKD3 - Greater Manchester

Internet address

<http://www.kier.co.uk>

The contractor/concessionaire is an SME

No

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

TILBURY DOUGLAS CONSTRUCTION LIMITED (formerly Interserve)  
INGENUITY HOUSE ELMDON TRADING ESTATE BICKENHILL LANE  
BIRMINGHAM  
B37 7HQ

Country

United Kingdom

NUTS code

- UKG3 - West Midlands

Internet address

<http://www.interserve.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: £4,700,000,000

Total value of the contract/lot/concession: £4,700,000,000

**V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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## **Section VI. Complementary information**

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

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

The High Court

Strand

London

WC2A 2LL

Email

[generaloffice@administrativecourtoffice.justice.gov.uk](mailto:generaloffice@administrativecourtoffice.justice.gov.uk)

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals>