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Contract

## **Termination of Pregnancy Services (TOPS) for NHS MSE ICB**

NHS Mid and South Essex Integrated Care Board

F03: Contract award notice

Notice identifier: 2023/S 000-018826

Procurement identifier (OCID): ocids-h6vhtk-0399f6

Published 3 July 2023, 12:46pm

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

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

NHS Mid and South Essex Integrated Care Board

Phoenix House, Christopher Martin Rd,

Basildon

SS14 3HG

#### **Contact**

NHS Mid and South Essex Integrated Care Board

#### **Email**

[cariad.burgess@attain.co.uk](mailto:cariad.burgess@attain.co.uk)

#### **Country**

United Kingdom

#### **Region code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://www.midandsouthessex.ics.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

Termination of Pregnancy Services (TOPS) for NHS MSE ICB

Reference number

ACE-0652-2022-MSE

#### II.1.2) Main CPV code

- 85100000 - Health services

#### II.1.3) Type of contract

Services

#### II.1.4) Short description

NHS Mid and South Essex Integrated Care Board (NHS MSE ICB) (the Authority) invites suitably qualified providers to tender for this Termination of Pregnancy Services (TOPs).

The Contract will be for a term of 60 months (5 years) with the possibility of extending the term for a period of 24 additional months (2 years) beyond the initial contracted duration by agreement between the Authority and the Bidder. The proposed service commencement date is 01st August 2023 - 31st July 2028.

The annual value of the contract is based upon activity spend 2021/22 of £2,373,441.50 Sterling. The aggregate value of the contract (including extensions) as advertised in the FTS notice is £16,614,090.50 Sterling. The aggregate value of the contract (excluding extensions) is £11,867,207.50 Sterling.

At the time the opportunity notice was first issued, all tender documentation was free and available via the e-procurement portal at <https://attain.bravosolution.co.uk/> under the ITT Code: itt\_119 - Termination of Pregnancy Services (TOPS) for NHS MSE ICB

It was noted that all interested providers must submit a compliant bid submission in accordance with the Process Overview document by the ITT response deadline 17/02/23 at 17:30hrs.

#### 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: £16,614,090.50

## **II.2) Description**

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

- 85100000 - Health services

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

NUTS codes

- UKH3 - Essex

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

NHS Mid and South Essex Integrated Care Board (NHS MSE ICB) (the Authority) invites suitably qualified providers to tender for this Termination of Pregnancy Services (TOPs).

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The annual value of the contract is based upon activity spend 2021/22 of £2,373,441.50 Sterling. The aggregate value of the contract (including extensions) as advertised in the FTS notice is £16,614,090.50 Sterling. The aggregate value of the contract (excluding extensions) is £11,867,207.50 Sterling.

TOPS will operate a Tariff as outlined in the Document 7 - Commercial Offer Template. The contract shall be paid upon provision of service and there is no guarantee of activity. The Authority has entered expectant activity levels in the '2023/24 estimated activity column' of the Commercial Offer Template, however, it should be stipulated that this is not guaranteed activity for the contract duration.

The key objectives of the service are:

- To offer high quality, impartial support and advice to all women/children who request a termination of pregnancy, regardless of age, ethnicity, language, disability, sexual orientation, religious or personal circumstances.

- To provide women/children with access to a termination of pregnancy as early as possible.
- To provide termination of pregnancy methods clinically appropriate for a women/children's gestation and clinical circumstances.
- To improve the sexual health of women/children through providing sexual health screening and treatment as appropriate for sexually transmitted infections (STIs) and HIV.
- To provide information and advice on all methods of contraception, and the supply of reversible contraceptive methods locally available.

Other key considerations:

The NCA is not available to publish, however the total spend equates to 2021/22 = £11,661.41 and 2022/23 (up to December 22) = £36,434.53.

Annual adjustments for inflation/efficiency will be made to the tariffs each year in line with the contract terms. Demographic growth will be applied to the activity plan as detailed in the Commercial Offer Template. The procurement will utilise a cost and volume model. Growth will be driven and applied based on actual activity year on year. The Authority intends to award this contract to a single successful bidder.

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

Quality criterion - Name: Quality / Weighting: 90

Quality criterion - Name: Price / Weighting: 10

Price - Weighting: 100

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

Options: Yes

Description of options

The Authority retains the option to extend for a further 24 months (from the 01st August 2028 - 31st July 2030).

#### **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**

Open procedure

Accelerated procedure

Justification:

Within the original opportunity notice, confirmation that an accelerated process was adopted by the commissioning Authority was issued, in line with Regulation 27(5) as the receipt of requests to participate in this procurement that is shorter than the minimum specified in regulation 28(2) due to a state of urgency duly substantiated by the contracting authority renders impracticable the time limit laid down in paragraph (2). The Authority shall in accordance with Regulation 27(5) ensure that the time limit for the receipt of tenders in response to this contract notice being published shall be not less than 15 days.

#### **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: [2023/S 000-002081](#)

#### **IV.2.9) Information about termination of call for competition in the form of a prior information notice**

The contracting authority will not award any further contracts based on the above prior information notice

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

### **Title**

Termination of Pregnancy Services (TOPS) for NHS Mid and South Essex ICB

A contract/lot is awarded: Yes

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

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

17 April 2023

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

Number of tenders received: 2

Number of tenders received from SMEs: 2

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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

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

MSI Reproductive Choices

1 Conway Street

London

W1T 6LP

Country

United Kingdom

NUTS code

- UKH - East of England

National registration number

01102208

Internet address

[www.msichoice.org.uk](http://www.msichoice.org.uk)

The contractor is an SME

Yes

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

Initial estimated total value of the contract/lot: £16,614,090.50

Total value of the contract/lot: £16,614,090.50



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## **Section VI. Complementary information**

### **VI.3) Additional information**

We note as a condition of this form that a minimum of at least '1' must be stated for the following:

“Number of tenders received from tenderers from other EU Member States”

To meet the requirements of this form, a figure of 1 has been represented against each. It is noted that the true value for each of the above is in fact 0.

“Number of tenders received:” It is noted that the true value for this field is 2.

The Service to which this procurement relates fall within Schedule 3 of the Public Contracts Regulations 2015 as amended by as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020, (the "Regulations"). As such, the Contracting Authority does not intend to hold itself bound by any of the Regulations, save those applicable to Schedule 3 Services.

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

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

High Court of Justice of England and Wales

Strand

London

WC2A 2LL

Country

United Kingdom