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Award

## **NP610524 Out of Hours (Urgent and Unscheduled Care) System**

NHS National Services Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-021416

Procurement identifier (OCID): ocids-h6vhtk-047cf7

Published 12 July 2024, 12:09pm

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

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

NHS National Services Scotland

Gyle Square

Edinburgh

EH12 9EB

#### **Contact**

Jim Binnie

#### **Email**

[jim.binnie@nhs.scot](mailto:jim.binnie@nhs.scot)

#### **Country**

United Kingdom

#### **NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

**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**

NP610524 Out of Hours (Urgent and Unscheduled Care) System

**II.1.2) Main CPV code**

- 72000000 - IT services: consulting, software development, Internet and support

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

Upgrade of Advanced Out of Hours Urgent and Unscheduled Care System

**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: £155,000

## **II.2) Description**

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

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

Upgrade of Out of Hours (Urgent and Unscheduled Care) System for NHS Health Boards.

### **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:

Negotiated procedure without prior publication.

Use of Regulation 33(1)(b)

- The works, supplies or services can be provided only by a particular economic operator for the following reason: protection of exclusive rights, including intellectual property rights

Explanation:

The contracting authority is putting in place a one off agreement for the upgrade of an Out of Hours (Urgent and Unscheduled Care) System. The system is in place in a significant number of NHS Health Boards. The proposed contract will provide continuity of service based upon the existing solution in which there has been significant prior investment, development of expertise within the user community and on which current operational processes rely. As a result there is no financially or administratively reasonable or viable alternative to the current system.

#### **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/concession**

A contract/lot is awarded: Yes

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

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

1 July 2024

#### **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**

One Advanced

The Mailbox 101 Wharfside Street

Birmingham

B1 1RF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £155,000

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## **Section VI. Complementary information**

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

(SC Ref:772270)

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

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

Edinburgh Sheriff Court, Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1DL

Email

[edinburgh@scotcourts.gov.uk](mailto:edinburgh@scotcourts.gov.uk)

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which the Authority despatches the VEAT notice and the date on which the Authority proposes to conclude the relevant framework agreement.

The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer.

The bringing of court proceedings against the authority after the framework agreement has been entered into will not affect the framework agreement unless grounds for the imposition of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise, the remedies that may be awarded by the courts where the framework agreement has been entered into are limited to the award of damages.