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Contract

Orthodontic Services in Oxford, Thame, Eastleigh and Dover

NHS England

F21: Social and other specific services – public contracts

Contract award notice

Notice identifier: 2023/S 000-022487

Procurement identifier (OCID): ocids-h6vhtk-033fe9

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Section I: Contracting authority

I.1) Name and addresses

NHS England

York House, 18-20 Massetts Road

Horley

RH6 7DE

Contact

Hannah Morley

Email

Scwcsu.procurement@nhs.net

Country

United Kingdom

Region code

UKJ2 - Surrey, East and West Sussex

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

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

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Orthodontic Services in Oxford, Thame, Eastleigh and Dover

Reference number

WA12375

II.1.2) Main CPV code

- 85130000 - Dental practice and related services

II.1.3) Type of contract

Services

II.1.4) Short description

NHS England South East (the Commissioner) sought to recommission Level 2 and 3a NHS Orthodontic Services in the Oxford, Thame, Eastleigh and Dover areas. Adverts were placed on Contracts Finder and the Find a Tender Service and an Invitation to Tender (ITT) process, based on the Open procedure, was undertaken during summer / autumn 2022 to identify the Most Economically Advantageous Tender and therefore determine the incoming provider.

The procurement was split into four lots, as follows so as to provide maximum flexibility to both the Commissioner and Bidders and interested parties were able to bid for one or two lots;

- Lot 1: Oxford
- Lot 2: Thame
- Lot 3: Eastleigh
- Lot 4: Dover

Orthodontics is the dental specialty concerned with facial growth, development of the dentition and occlusion, and the assessment, diagnosis, interception and treatment of malocclusions and facial irregularities.

The overall aim of the service is to provide equitable, accessible, high quality and cost effective specialist orthodontic services, in line with the National Guide for Commissioning Orthodontics, 2015 and NHS Personal Dental Services (PDS) Agreements Regulations 2005.

Orthodontics is mainly provided for children and adolescents who meet the agreed criteria for NHS treatment and for adults where there is clinical justification and where prior approval has been agreed with the commissioner.

The service includes:

- Assessment and treatment delivered according to each patient's clinical needs, including interceptive treatment and in hours urgent care
- Treatment includes examination, taking of radiographs, diagnosis, preventative care, advice, planning of orthodontic treatment, supply and repair of orthodontic appliances including retainers for a period of 12 months following the completion of active orthodontic

treatment

- Appropriate referral to other healthcare providers for mandatory or advanced mandatory services or any other appropriate and necessary healthcare
- Advice to the patient and other clinicians where appropriate

The contracts are limited to orthodontic treatment within complexity Level 2 and 3a and excludes all mandatory services and the following additional services:

- Sedation services
- Domiciliary services
- Minor oral surgery
- Dental public health services
- Orthodontic complexity level 1 and 3b cases

This procurement has been carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £21,538,440

II.2) Description

II.2.1) Title

Orthodontic Services in Oxford

Lot No

Ortho-1

II.2.2) Additional CPV code(s)

- 85131100 - Orthodontic services

II.2.3) Place of performance

NUTS codes

- UKJ14 - Oxfordshire

II.2.4) Description of the procurement

NHS England South East (the Commissioner) recommissioned Level 2 and 3a NHS Orthodontic Services in Oxford at an activity level of 12,000 Units of Orthodontic Activity (UOAs) per annum. Adverts were placed on Contracts Finder and the Find a Tender Service and an Invitation to Tender (ITT) process, based on the Open procedure, was undertaken during summer / autumn 2022 to identify the Most Economically Advantageous Tender and therefore determine the incoming provider.

Orthodontics is the dental specialty concerned with facial growth, development of the dentition and occlusion, and the assessment, diagnosis, interception and treatment of malocclusions and facial irregularities.

The overall aim of the service is to provide equitable, accessible, high quality and cost effective specialist orthodontic services, in line with the National Guide for Commissioning Orthodontics, 2015 and NHS Personal Dental Services (PDS) Agreements Regulations 2005.

Orthodontics is mainly provided for children and adolescents who meet the agreed criteria for NHS treatment and for adults where there is clinical justification and where prior approval has been agreed with the commissioner.

The service includes:

- Assessment and treatment delivered according to each patient's clinical needs, including interceptive treatment and in hours urgent care
- Treatment includes examination, taking of radiographs, diagnosis, preventative care, advice, planning of orthodontic treatment, supply and repair of orthodontic appliances including retainers for a period of 12 months following the completion of active orthodontic treatment
- Appropriate referral to other healthcare providers for mandatory or advanced mandatory services or any other appropriate and necessary healthcare
- Advice to the patient and other clinicians where appropriate

The contracts are limited to orthodontic treatment within complexity Level 2 and 3a and excludes all mandatory services and the following additional services:

- Sedation services
- Domiciliary services
- Minor oral surgery
- Dental public health services
- Orthodontic complexity level 1 and 3b cases

The contract has been awarded to Oxford Orthodontics Practice Ltd (previously DCG Trading 3 Ltd). The contract commenced on 12th June 2023 and has been awarded for an initial term of 7 years, with an option to extend for a further 2 years at the sole discretion of the Commissioner.

The anticipated annual contract value is £723,360.00. This value is based on 21/22 prices and will be subject to Dentist and Doctor Pay Review (DDRB) adjustments in the period up to April 2023 and annually thereafter.

This procurement has been carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

II.2.14) Additional information

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations") which are not subject to the full regime of the Regulations, but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

II.2) Description

II.2.1) Title

Orthodontic Services in Thame

Lot No

Ortho-2

II.2.2) Additional CPV code(s)

- 85131100 - Orthodontic services

II.2.3) Place of performance

NUTS codes

- UKJ14 - Oxfordshire

II.2.4) Description of the procurement

NHS England South East (the Commissioner) recommissioned Level 2 and 3a NHS Orthodontic Services in Thame at an activity level of 4,000 Units of Orthodontic Activity (UOAs) per annum. Adverts were placed on Contracts Finder and the Find a Tender Service and an Invitation to Tender (ITT) process, based on the Open procedure, was undertaken during summer / autumn 2022 to identify the Most Economically Advantageous Tender and therefore determine the incoming provider.

Orthodontics is the dental specialty concerned with facial growth, development of the dentition and occlusion, and the assessment, diagnosis, interception and treatment of malocclusions and facial irregularities.

The overall aim of the service is to provide equitable, accessible, high quality and cost effective specialist orthodontic services, in line with the National Guide for Commissioning Orthodontics, 2015 and NHS Personal Dental Services (PDS) Agreements Regulations 2005.

Orthodontics is mainly provided for children and adolescents who meet the agreed criteria for NHS treatment and for adults where there is clinical justification and where prior approval has been agreed with the commissioner.

The service includes:

- Assessment and treatment delivered according to each patient's clinical needs, including interceptive treatment and in hours urgent care
- Treatment includes examination, taking of radiographs, diagnosis, preventative care, advice, planning of orthodontic treatment, supply and repair of orthodontic appliances including retainers for a period of 12 months following the completion of active orthodontic treatment
- Appropriate referral to other healthcare providers for mandatory or advanced mandatory services or any other appropriate and necessary healthcare
- Advice to the patient and other clinicians where appropriate

The contracts are limited to orthodontic treatment within complexity Level 2 and 3a and excludes all mandatory services and the following additional services:

- Sedation services
- Domiciliary services
- Minor oral surgery
- Dental public health services
- Orthodontic complexity level 1 and 3b cases

The contract has been awarded to Oxford Orthodontics Ltd. The contract commenced on 19th July 2023 and has been awarded for an initial term of 6 years, 8 months and 13 days with an option to extend for a further 2 years at the sole discretion of the Commissioner.

The annual contract value is £241,120.00. This value is based on 21/22 prices and will be subject to Dentist and Doctor Pay Review (DDRB) adjustments in the period up to April 2023 and annually thereafter.

This procurement has been carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

II.2.14) Additional information

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations") which are not subject to the full regime of the Regulations, but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

II.2) Description

II.2.1) Title

Orthodontic Services in Eastleigh

Lot No

Ortho-3

II.2.2) Additional CPV code(s)

- 85131100 - Orthodontic services

II.2.3) Place of performance

NUTS codes

- UKJ3 - Hampshire and Isle of Wight

II.2.4) Description of the procurement

NHS England South East (the Commissioner) recommissioned Level 2 and 3a NHS Orthodontic Services in Eastleigh at an activity level of 10,000 Units of Orthodontic Activity (UOAs) per annum. Adverts were placed on Contracts Finder and the Find a Tender Service and an Invitation to Tender (ITT) process, based on the Open procedure, was undertaken during summer / autumn 2022 to identify the Most Economically Advantageous Tender and therefore determine the incoming provider.

Orthodontics is the dental specialty concerned with facial growth, development of the dentition and occlusion, and the assessment, diagnosis, interception and treatment of malocclusions and facial irregularities.

The overall aim of the service is to provide equitable, accessible, high quality and cost effective specialist orthodontic services, in line with the National Guide for Commissioning Orthodontics, 2015 and NHS Personal Dental Services (PDS) Agreements Regulations 2005.

Orthodontics is mainly provided for children and adolescents who meet the agreed criteria for NHS treatment and for adults where there is clinical justification and where prior approval has been agreed with the commissioner.

The service includes:

- Assessment and treatment delivered according to each patient's clinical needs, including interceptive treatment and in hours urgent care
- Treatment includes examination, taking of radiographs, diagnosis, preventative care, advice, planning of orthodontic treatment, supply and repair of orthodontic appliances including retainers for a period of 12 months following the completion of active orthodontic treatment
- Appropriate referral to other healthcare providers for mandatory or advanced mandatory services or any other appropriate and necessary healthcare
- Advice to the patient and other clinicians where appropriate

The contracts are limited to orthodontic treatment within complexity Level 2 and 3a and excludes all mandatory services and the following additional services:

- Sedation services
- Domiciliary services
- Minor oral surgery
- Dental public health services
- Orthodontic complexity level 1 and 3b cases

The contract has been awarded to Smile Care Eastleigh Ltd. The contract commenced on 1st April 2023 and has been awarded for an initial term of 7 years, with an option to extend for a further 2 years at the sole discretion of the Commissioner.

The annual contract value is £602,800.00. This value is based on 21/22 prices and will be subject to Dentist and Doctor Pay Review (DDRB) adjustments in the period up to April 2023 and annually thereafter.

This procurement has been carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

II.2.14) Additional information

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations") which are not subject to the full regime of the Regulations, but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

II.2) Description

II.2.1) Title

Orthodontic Services in Dover

Lot No

Ortho-4

II.2.2) Additional CPV code(s)

- 85131100 - Orthodontic services

II.2.3) Place of performance

NUTS codes

- UKJ4 - Kent

II.2.4) Description of the procurement

NHS England South East (the Commissioner) sought to commission Level 2 and 3a NHS Orthodontic Services in Dover at an activity level of 11,000 Units of Orthodontic Activity (UOAs) per annum. Adverts were placed on Contracts Finder and the Find a Tender Service and an Invitation to Tender (ITT) process, based on the Open procedure, was undertaken during summer / autumn 2022 to identify the Most Economically Advantageous Tender and therefore determine the incoming provider. No bids were received for this area and a contract has not been awarded.

This procurement has been carried out by NHS South, Central and West Commissioning Support Unit (SCW) on behalf of the Commissioners.

II.2.14) Additional information

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations") which are not subject to the full regime of the Regulations, but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Open procedure

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2022/S 000-014659](#)

Section V. Award of contract

Lot No

Ortho-1

Title

Orthodontic Services in Oxford

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

12 June 2023

V.2.2) Information about tenders

Number of tenders received: 6

Number of tenders received by electronic means: 6

V.2.3) Name and address of the contractor

Oxford Orthodontics Practice Ltd (previously DCG Trading 3 Ltd)

C/O Francis Clark LLP, North Quay House, Sutton Harbour

Plymouth

PL4 0RA

Country

United Kingdom

NUTS code

- UKK41 - Plymouth

Companies House

14027602

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

Initial estimated total value of the contract/lot: £6,985,440

Total value of the contract/lot: £6,510,240

Section V. Award of contract

Lot No

Ortho-2

Title

Orthodontic Services in Thame

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

19 July 2023

V.2.2) Information about tenders

Number of tenders received: 4

Number of tenders received by electronic means: 4

V.2.3) Name and address of the contractor

Oxford Orthodontics Ltd

Sixty Six, North Quay

Great Yarmouth

NR30 1HE

Country

United Kingdom

NUTS code

- UKH1 - East Anglia

Companies House

09597711

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

Initial estimated total value of the contract/lot: £2,328,480

Total value of the contract/lot: £2,170,080

Section V. Award of contract

Lot No

Ortho-3

Title

Orthodontic Services in Eastleigh

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

1 April 2023

V.2.2) Information about tenders

Number of tenders received: 4

Number of tenders received by electronic means: 4

V.2.3) Name and address of the contractor

Smile Care Eastleigh Ltd

Walnut Tree House, Court Lane, Burnham

Slough

SL1 8DN

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

Companies House

11897565

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

Initial estimated total value of the contract/lot: £5,821,200

Total value of the contract/lot: £5,425,200

Section V. Award of contract

Lot No

Ortho-4

Title

Orthodontic Services in Dover

A contract/lot is awarded: No

V.1) Information on non-award

The contract/lot is not awarded

No tenders or requests to participate were received or all were rejected

Section VI. Complementary information

VI.3) Additional information

The services are healthcare services falling within Schedule 3 to the Public Contracts Regulations 2015 ("the Regulations") which are not subject to the full regime of the Regulations, but are instead governed by the "Light Touch Regime" contained within Chapter 3, Section 7 of the Regulations (Regulations 74 to 77).

The tendering process has been conducted in accordance with the requirements and flexibilities provided by Articles 74 to 76 of the Directive, and Regulations 74 to 76 of the Regulations. The Authority ran a transparent tender process, treating all Bidders equally. For the avoidance of doubt, the Authority will not be bound by the Regulations or the Treaty on the Functioning of the European Union or any other regulations or legislation except for the specific parts or circumstances that apply to the procurement of these Services.

Neither the inclusion of a selection stage, nor the use of any language or terms found in the Directive or Regulations, nor the description of the procedure voluntarily adopted by the Authority ("Open", "Restricted", "Competitive Procedure with Negotiation", "Competitive Dialogue" or any other description), nor any other indication, shall be taken to mean that the Authority intends to hold itself bound by the Directive or Regulations, save by the provisions applicable to services coming within the scope of Annex XIV of the Directive / Schedule 3 of the Regulations.

The Contracting Authority has voluntarily observed the award decision notices provisions and held a 10 day standstill period as described in Regulation 87 of the Regulations.

VI.4) Procedures for review

VI.4.1) Review body

High Court London

London

Country

United Kingdom