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Award

The Supply of Needle Exchange Goods and Naloxone

DERBY CITY COUNCIL

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-028211

Procurement identifier (OCID): ocids-h6vhtk-04036c

Published 25 September 2023, 2:13pm

Section I: Contracting authority/entity

I.1) Name and addresses

DERBY CITY COUNCIL

Corporation Street

Derby

DE1 2FS

Email

procurement@derby.gov.uk

Telephone

+44 1332640768

Country

United Kingdom

Region code

UKF11 - Derby

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.derby.gov.uk

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

The Supply of Needle Exchange Goods and Naloxone

Reference number

TD2067

II.1.2) Main CPV code

- 33000000 - Medical equipments, pharmaceuticals and personal care products

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Council intends to enter into an agreement for the Supply of Needle Exchange Goods and Naloxone from 01/04/2024 to community pharmacies delivering Needle Exchange

Services on behalf of Derby City Council for the period of 3 years with option to extend for 2 years subject to performance and budgetary approval

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: £550,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKF - East Midlands (England)

II.2.4) Description of the procurement

The supply of needle and syringe goods:

- Needles
- Syringes
- other equipment used to prepare and take drugs e.g. filters and mixing containers
- Naloxone (Prenoxad and Nyxoid)
- Sharps containers for client use

As part of a needle and syringe programme (NSPs) this supply contributes to a reduction in the transmission of blood-borne viruses and other infections caused by sharing injecting equipment, such as HIV, hepatitis B and C and forms part of the wider integrated drug and alcohol treatment and recovery system which aims to discharge the following for Derby City Council:

- Statutory service delivery in line with the conditions of Public Health Grant allocation in respect of substance misuse (section 31(4) of the Local Government Act 2003)
- The duty to improve public health and address inequalities (steps considered appropriate for improving the health of the people in its area) (Health & Social Care Act 2012, s.12)

- Deliver drug and alcohol treatment as a statutory requirement under the Crime and Disorder Act 1998 (un-repealed) in accordance with the Council's Constitution.
- Deliver a world-class treatment and recovery system as detailed in the national drug strategy From Harm to Hope: A 10-year drugs plan to cut crime and save lives (H.M. Government 2022) and the Dame Carol Black Independent Review of Drugs part two: prevention, treatment, and recovery.
- Delivery against Joined Up Care Derbyshire and the Health and Wellbeing Boards objectives in respect of reducing alcohol related harm.

In addition, the service will contribute to the substance misuse partnership priorities of:

- Reducing drug and alcohol related deaths
- Increasing the number of people recovering from addiction.

The service will also aim to:

- Reduce the level of harm caused to individuals, families and the wider community as a result of drug misuse.
- Improve the physical and mental health of complex substance misusing clients and work to address inequalities for priority vulnerable groups including women, underserved ethnic groups and those experiencing homelessness.
- Address the ambitions of the Supplemental Substance Misuse Grant and the Rough Sleeper Drug and Alcohol Treatment Grant 22-25 and any subsequent funding objectives.

II.2.11) Information about options

Options: Yes

Description of options

Further 2 x 12 month extensions to a maximum contract period of 5 years

II.2.14) Additional information

The Council will observe a 10 day standstill period from 26/09/2023 to 05/10/2023

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons
- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - Cost of change is prohibitive for new providers
- Extreme urgency brought about by events unforeseeable for the contracting authority
- New works/services, constituting a repetition of existing works/services

Explanation:

We are awarding the contract without prior publication under paragraphs 2(b)(ii), 2(c) and 9 of Article 32 of Directive 2014/24/EU.

The technical reason (2(b)(ii)) is that there will be significant cost and inconvenience to the Authority and economic operators associated with tendering for the following reasons:

- The service requires significant logistics, supplies already in the community at contract handover will need to be replaced and this will occur again at the end of the contract period, causing inconvenience to service users and additional cost for the Council and economic operators. Stock would need to be collected at the end of the current contract and destroyed at cost, new stock delivered up front of contract start
- Cost of retraining pharmacy staff due to changes in stock ordering systems and needle exchange pack changes

- Cost of monitoring claims with changes in packs and ordering system
- Familiarising service users with new packs - potential increase in harm with reduced uptake of the needle and syringe programme
- Pharmacy disruption - pharmacies are going through a significant period of change, this would add to their workload and damage provider, pharmacist, service user and commissioner relationships
- Uncertainty regarding the supply of naloxone by the same provider - economies of scale

Cost of change is therefore prohibitive for new providers.

The urgency(2(c)) has been brought about as a result of:

- Delays in establishing the Provider Selection Regime (PSR) after the establishment of Integrated Care Boards - all stakeholders expected PSR to have been established mid 2022 therefore not expecting a tender
- Procurement do not have capacity to support a procurement process
- Public Health do not have capacity to support full commissioning and procurement process

The Council need to ensure provision is maintained, a gap in service provision would break the law - these are statutory requirements.

In accordance with paragraph 9 of Article 32 of Directive 2014/24/EU the new contract will provide identical services to those being delivered by the economic operator under their current contract, which was procured in accordance with Article 26 of Directive 2014/24/EU.

The service provider forms part of the local integrated care system and thereby being part of the local health economy that needs stability after the recent turmoil of the pandemic, changes to legislation and the economic crisis. Therefore, direct award also prevents further instability in the market.

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

The procurement is covered by the Government Procurement Agreement: Yes

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

25 September 2023

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

Frontier NX Limited

Blackwood

NP12 2YN

Country

United Kingdom

NUTS code

- UKF11 - Derby

Companies House

10403680

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: £550,000

Total value of the contract/lot/concession: £550,000

Section VI. Complementary information

VI.3) Additional information

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The Council will observe a 10 day standstill period from the publication of this notice.

VI.4) Procedures for review

VI.4.1) Review body

Derby City Council

Derby

DE1 2FS

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

Derby City Council

Derby

DE1 2FS

Country

United Kingdom

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

Derby City Council

Derby

DE1 2FS

Country

United Kingdom