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Award

GP Services (APMS) for The Limes Surgery, Hoddesdon, Hertfordshire

NHS East and North Hertfordshire Clinical Commissioning Group

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-028253

Procurement identifier (OCID): ocds-h6vhtk-02f5ca

Published 11 November 2021, 4:10pm

Section I: Contracting authority/entity

I.1) Name and addresses

NHS East and North Hertfordshire Clinical Commissioning Group

Charter House, Parkway, Welwyn Garden City

Hertfordshire

AL8 6JL

Contact

Ola Sijuwade

Email

o.sijuwade@nhs.net

Country

United Kingdom

NUTS code

UKH23 - Hertfordshire

National registration number

na

Internet address(es)

Main address

www.enhertsccg.pmcc@nhs.net

Buyer's address

www.enhertsccg.pmcc@nhs.net

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**

GP Services (APMS) for The Limes Surgery, Hoddesdon, Hertfordshire

Reference number

he Limes Surgery - Hertfordshire

II.1.2) Main CPV code

- 85121100 - General-practitioner services

II.1.3) Type of contract

Services

II.1.4) Short description

NHS England and NHS Improvement procured and awarded a contract for primary GP services (APMS) and other primary medical services for The Limes Surgery, Hoddesdon, Hertfordshire ('the Contract'). The Contract was awarded to Lea Valley Health Limited ('Lea Valley') and commenced on 1 February 2018 for an initial 2-year term. The Contract permitted an extension of up to 3 years, provided notice was served to extend the Contract no later than 6 months prior to the expiry date.

NHS East and North Hertfordshire CCG ('the CCG') achieved delegated status in April 2018 and assumed commissioner status for the contract. In March 2020, the Contract was extended by 2 years to 31 January 2022. The current APMS contract has an extension clause which would enable a further 1-year period extension to 31 January 2023. The parties now intend to extend the Contract by a further 1 year until 31 January 2023. The CCG and Lea Valley then intend to novate the Contract to Zenith Medicare Ltd.

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: £764,174

II.2) Description

II.2.2) Additional CPV code(s)

- 85121100 - General-practitioner services

II.2.3) Place of performance

NUTS codes

- UKH23 - Hertfordshire

Main site or place of performance

Hoddesdon

II.2.4) Description of the procurement

NHS England and NHS Improvement procured and awarded a contract for primary GP services (APMS) and other primary medical services for The Limes Surgery, Hoddesdon, Hertfordshire ('the Contract'). The Contract was awarded to Lea Valley Health Limited ('Lea Valley') and commenced on 1 February 2018 for an initial 2-year term. The Contract permitted an extension of up to 3 years, provided notice was served to extend the Contract no later than 6 months prior to the expiry date.

NHS East and North Hertfordshire CCG ('the CCG') achieved delegated status in April 2018 and assumed commissioner status for the contract. In March 2020, the Contract was extended by 2 years to 31 January 2022. The current APMS contract has an extension clause which would enable a further 1-year period extension to 31 January 2023.

Lea Valley have advised the Commissioners that they are winding down their operations in line with the current Contract expiry date of 31 January 2022. In order to maintain continuity of the care currently being delivered to patients registered at The Limes Surgery, the Contract is to be extended to 31 January 2023 and it will be novated to two of the salaried GPs, who are incorporated as Zenith Medicare Ltd. The Commissioners consider that such variations to the Contract are permitted without needing a new procurement in accordance with Regulations 72(1)(a) and 72(1)(d) of the Public Contracts Regulations 2015 for the reasons set out in this notice.

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

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 variations to the Contract described above are permitted without needing a new procurement procedure in accordance with Regulations 72(1)(a) (modifications stated in initial documents) and 72(1)(d)(ii) (replacement of contractor) of the Public Contract Regulations 2015 insofar as this Regulation is relevant to contracts that fall within Chapter 3, Section 7 of the PCR (contracts for social and other specific services).

Reg 72(1)(a) applies where a modification has been provided for in the initial procurement documents in clear, precise and unequivocal review clauses where these clauses state the scope and nature of possible modifications as well as the conditions under which they may be used. The proposed extension of the Contract to 31 January 2023 is permitted because at paragraph 1.5 of the ITT it is clear that the Contract was advertised on the basis that it could last a total of 5 years (2 + 2 + 1).

The proposed novation of the Contract to Zenith Medicare Ltd is permitted under 72(1)(d)(ii) as it would amount to a universal succession into the position of the initial contractor following a takeover by Zenith Medicare Ltd of Lea Valley's services. The sole purpose of the takeover by Zenith Medicare Ltd is to run the practice and therefore, by taking over the practice, there is a takeover of the entirety of the business activities of Lea Valley .

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

Contract No

Title

The Limes Surgery, Hoddesdon, Hertfordshire

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

16 September 2021

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

Zenith Medicare Ltd

8-14, Limes Court, Conduit lane

Hoddesdon

EN11 8EP

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: £76,417,400

Section VI. Complementary information

VI.3) Additional information

Whilst section V.2.1 of this notice refers to a contract award decision, the CCG is not in fact awarding a new contract, but is making an amendment to an existing one.

VI.4) Procedures for review

VI.4.1) Review body

Arden & GEM Commissioning Support Unit

10 Nottingham Road

Derby

DE1 3QT

Country

United Kingdom