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Contract

Provision of Services for Clinical Assurance

NHS Digital

F03: Contract award notice

Notice identifier: 2022/S 000-028300

Procurement identifier (OCID): ocds-h6vhtk-03740b

Published 7 October 2022, 3:50pm

Section I: Contracting authority

I.1) Name and addresses

NHS Digital

7 & 8 Wellington Place

Leeds

LS1 4AP

Email

NHSDcontractmanagement@nhs.net

Country

United Kingdom

Region code

UKE42 - Leeds

Internet address(es)

Main address

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

Buyer's address

<https://www.digital.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

Provision of Services for Clinical Assurance

Reference number

C102370

II.1.2) Main CPV code

- 85100000 - Health services

II.1.3) Type of contract

Services

II.1.4) Short description

NHS Digital (NHSD) writes clinical content to support the Patient Pathways and 111 Online

services. It is critical that this content is up to date and reflective of the most up to date treatment advice.

This contract establishes the formal assurance of clinical information and content and with it, the provision of specialist development expertise across a broader spectrum of conditions and relevant subject matter experts. Initially focussed on NHS Pathways and NHS 111 Online, the assurance will include a review of new content ('prospective content'), but also a review (over a 5-year period) of current and legacy content ('retrospective content').

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: £2,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Direct award (Reg 32) - negotiated procedure without prior publication

II.2.5) Award criteria

Price

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:

This case for this STA relies on Regulation 32 and specifically 32(b) which provides:

(b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:

(i) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance,

(ii) competition is absent for technical reasons,

(iii) the protection of exclusive rights, including intellectual property rights,

but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;

In line with the (i) and (ii) above, outlined below is the rationale as to why the proposed supplier is uniquely positioned to provide the service, and how AoMRC is positioned against these:

AoMRC Unique Position:

AoMRC are uniquely positioned to engage with a broad range of medical and non-medical colleges and offer ultimate integrity to clinical assurance processes

AoMRC are the only organisation which has overall oversight for the various colleges of clinical staff which will be needed to input into the digital content. Although other organisations may be able to provide a discreet element of the services, they will not have the ability to ensure cross organisation collaboration to ensure that all the relevant clinical

expertise is considered when updating our online content

With the Academy's overarching role, they are the preferred partner in providing enhanced independent and neutral assurance for NHS Pathways and 111 Online clinical content, based on their standing and role in the wider clinical community.

With a membership of 24 organisations, and as referred to above, there are no other organisations that could offer the breadth, consistency and formality of service, hence the Programme advocating a Single Tender Award

Alternatives:

No other organisation sits across or has access to all of the other medical colleges and faculties that AoMRC does. AoMRC can provide access to colleges and faculties such as those below (<https://www.aomrc.org.uk/about-us/academy-members/>):

Royal College of Physicians

Royal College of Emergency Medicine

Faculty of Intensive Care Medicine

Royal College of Paediatrics & Child Health

RCGP can provide access to clinicians as it does today, but this is to a narrower range of SMEs and does not meet the requirement of a broader range of expertise as per the above

Contracting for clinician time would have to be on a college-to-college basis and such activity is likely to be prohibitive across c.24 organisations. Overarching body to college is an existing relationship through the membership arrangement

Whilst the administrative task of arranging meetings and chairing them could be undertaken by A N Other party, any commercial or other organisation would not have the links to colleges or, indeed, the authority to engage with colleges

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

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

8 September 2022

V.2.2) Information about tenders

Number of tenders received: 1

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

V.2.3) Name and address of the contractor

Academy of Medical Royal Colleges

10 Dallington Street

London

ECV1 0DB

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £2,000,000

Lowest offer: £2,000,000 / Highest offer: £2,000,000 taken into consideration

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court (Technology and Construction Court)

Rolls Building, Fetter Lane

London

EC4A 1NL

Country

United Kingdom

Internet address

<https://www.gov.uk/courts-tribunals/technology-and-construction-court>

VI.4.2) Body responsible for mediation procedures

NHS Digital

7 & 8 Wellington Place

Leeds

LS1 4AP

Country

United Kingdom

Internet address

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