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Contract

## **Tier 2 Endoscopy Service for NHS MSE ICB**

NHS Mid and South Essex Integrated Care Board

F03: Contract award notice

Notice identifier: 2023/S 000-033706

Procurement identifier (OCID): ocids-h6vhtk-041098

Published 14 November 2023, 11:28pm

### **Section I: Contracting authority**

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

NHS Mid and South Essex Integrated Care Board

Phoenix House, Christopher Martin Rd,

Basildon

SS14 3HG

#### **Contact**

NHS Mid and South Essex Integrated Care Board

#### **Email**

[cariad.burgess@attain.co.uk](mailto:cariad.burgess@attain.co.uk)

#### **Country**

United Kingdom

#### **Region code**

UKH3 - Essex

**Internet address(es)**

Main address

<https://www.midandsouthessex.ics.nhs.uk>

**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**

Tier 2 Endoscopy Service for NHS MSE ICB

Reference number

ACE-0721-2023-MSE

#### **II.1.2) Main CPV code**

- 85100000 - Health services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

This is a contract award notice and is intended to provide notice of NHS Mid and South Essex Integrated Care Board (herein "the Authority")'s intention to award a contract to deliver Tier 2 Endoscopy Services to the patients within Mid and South Essex's geographical footprint. This contract award notice is made following the Authority's publication of the voluntary ex ante transparency notice (Notice Number: 2023/S 000-032164) on the 31st October 2023 which outlined the rationale and reasoning for the Authority's decision to award this contract, under Regulation 32 (2) (c) of the Public Contract Regulations 2015 ("PCR 2015") (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020).

In line with best practice, the Authority has observed the 10-day standstill period from the publication date of the voluntary ex-ante transparency notice before awarding the contract, pursuant to Regulation 99 (3) (c) of the Public Contract Regulations 2015 (as amended (EU Exit) 2020 etc.)

The Authority intends to enter into a contract for 6 months, with the option to extend for a further 6 months, from 01st April 2023 - 31st March 2024 . The aggregate contract value is forecasted at £2,381,000.

#### **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: £2,381,000

**II.2) Description****II.2.3) Place of performance**

NUTS codes

- UKH3 - Essex

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

This is a contract award notice and is intended to provide notice of NHS Mid and South Essex Integrated Care Board (herein "the Authority")'s intention to award a contract to deliver Tier 2 Endoscopy Services to the patients within Mid and South Essex's geographical footprint. This contract award notice is made following the Authority's publication of the voluntary ex ante transparency notice (Notice Number: 2023/S 000-032164) on the 31st October 2023 which outlined the rationale and reasoning for the Authority's decision to award this contract, under Regulation 32 (2) (c) of the Public Contract Regulations 2015 ("PCR 2015") (as amended The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020).

In line with best practice, the Authority has observed the 10-day standstill period from the publication date of the voluntary ex-ante transparency notice before awarding the contract, pursuant to Regulation 99 (3) (c) of the Public Contract Regulations 2015 (as amended (EU Exit) 2020 etc.)

As outlined in the VEAT notice; from the 01st July 2022 the Integrated Care Board (ICB) was formed and replaced the previous Clinical Commissioning Groups (CCGs). NHS MSE ICB superseded the 5 CCGs and the ICB is undergoing an organisational restructure and at the current time, longer-term strategies across all sectors are under discussion and longer term commissioning decisions and or procurements cannot take place until these legal arrangements are confirmed. As a result, the Authority will then have to review, assess and align services that were previously commissioned by the CCGs within their own localities and covering various contract terms across the Mid and South Essex footprint.

The Authority has therefore taken the decision to award this Tier 2 Endoscopy Service (which was previously for Basildon and Brentwood CCG and Thurrock CCG) to incumbent provider Eastwood. The provider is considered most technically capable of providing the most economically advantageous solution to the Authority under the current environment whilst the ICB undergoes restructure, review and alignment of contracts. The Authority is applying the NHS Standard Contract Terms and Conditions to support a combination of

services, all of which are part funded under a single clinical contract, to ensure appropriate clinical governance and service delivery quality as well as consistency of service to patients.

The contract will be for 6 months, with the option to extend for a further 6 months, from 01st April 2023 - 31st March 2024 . The aggregate contract value is forecasted at £2,381,000.

The Service to which this procurement relates fall within Schedule 3 of the Public Contracts Regulations 2015 as amended by as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020, (the "Regulations"). As such, the Authority does not intend to hold itself bound by any of the Regulations, save those applicable to Schedule 3 Services.

#### **II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 100

Price - Weighting: 100

#### **II.2.11) Information about options**

Options: Yes

Description of options

Option to extend for a further 6 months

(01/04/23 - 31/03/24)

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

#### **II.2.14) Additional information**

The Service to which this procurement relates fall within Schedule 3 of the Public Contracts Regulations 2015 as amended by as amended by The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020, (the "Regulations"). As such, the Contracting Authority does not intend to hold itself bound by any of the Regulations, save those applicable to Schedule 3 Services.

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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

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

As detailed in the voluntary ex-ante notice (Notice Number: 2023/S 000-032164) that was published by the Authority on the 31st October 2023. A 10 day standstill period has been observed by the Authority.

The Authority has taken a decision to award a contract to the incumbent provider as it is considered to be the most technically capable provider in the current environment, whilst the ICB undergoes organisational structural transition period. This award is made to ensure quality, safety and consistency in provision of care that meet the needs of the population during this transition period. The Authority will publish appropriate Notices accordingly to communicate any such future changes and opportunities to the market, once final.

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

The procurement is covered by the Government Procurement Agreement: No

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-032164](#)

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## 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

16 October 2023

**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**

Eastwood

348 Rayleigh Road

Leigh-on-Sea

SS9 5PU

Country

United Kingdom

NUTS code

- UKH3 - Essex

Internet address

<https://www.eastwoodendoscopycentre.co.uk/contact-us/>

The contractor is an SME

No

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

Total value of the contract/lot: £2,381,000

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## **Section VI. Complementary information**

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

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

High Court of Justice of England and Wales

Strand

London

WC2A 2LL

Country

United Kingdom

#### **VI.4.2) Body responsible for mediation procedures**

NHS Mid and South Essex Integrated Care Board

Phoenix House, Christopher Martin Rd,

Basildon

SS14 3HG

Email

[cariad.burgess@attain.co.uk](mailto:cariad.burgess@attain.co.uk)

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