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Award

Provision of Occupational Health Services for LFB Employees

London Fire Commissioner

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-036169

Procurement identifier (OCID): ocds-h6vhtk-0422a4

Published 8 December 2023, 10:19am

Section I: Contracting authority/entity

I.1) Name and addresses

London Fire Commissioner

3 Floor West, 169 Union Street

LONDON

SE1 0LL

Contact

Anthea Simon

Email

anthea.simon@london-fire.gov.uk

Telephone

+44 7928561771

Country

United Kingdom

Region code

UKI - London

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.london-fire.gov.uk>

Buyer's address

<https://www.london-fire.gov.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of Occupational Health Services for LFB Employees

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Provision of Occupational Health services for employees of London Fire Brigade to ensure the continued provision of health, safety and welfare of all its Employees as its most valuable resource. This VEAT notice is in respect of a direct award of a contract. See additional information at Sections II.2.4 and IV.1.1.

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: £2,347,804

II.2) Description

II.2.2) Additional CPV code(s)

- 85100000 - Health services

II.2.3) Place of performance

NUTS codes

- UKI - London

Main site or place of performance

London Fire Brigade

169 Union Street, London SE1 0LL

II.2.4) Description of the procurement

LFB intends to award a contract to the incumbent contractor Health Management Limited for a term of 12 months. See further information at IV.1.1.

II.2.11) Information about options

Options: 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 notice relates to the award of a new contract without prior publication pursuant to Regulation 32(2)(c) and (b)(ii) Public Contracts Regulations 2015 for the reasons set out in this Section IV 1.1. Namely that the direct award of the new contract is strictly necessary for reasons of extreme urgency brought about by events unforeseeable to LFB and the time limit for the open, restricted or competitive procedures cannot be complied with. Further that due to the nature of the IT systems required for the provision of the Services and the time scales involved only the incumbent contractor is able to provide the services and IT solutions within the required timescales and as such competition is absent for technical reasons.

Regulation 32(2)(c) PCR has been satisfied for the following reasons:

The London Fire Commissioner's current contract for occupational health services is due to cease on 4th March 2024. LFB commenced a procurement for a new contract due to commence in March 2024. However due to unforeseen issues arising during the procurement exercise, that tender exercise was abandoned. There is insufficient time to procure a new contract, following an open, restricted or competitive procedure, and for the IT solution to be implemented before the expiry of the current contract.

The service is a critical service for LFB employees and a break in service provision is not a viable option. From the aborted procurement exercise it is clear to LFB that contractors require a period of between 42 and 52 weeks for implementation of a new IT system which, with the support of LFB, would have to be implemented prior to the commencement of the services, in addition the new contractor will need to acquire/lease suitable premises for the provision of the Services. The timescales available between now and the expiry of the current contract do not permit this.

In order to ensure the service may continue without interruption it is concluded that only the current contractor, Health Management Limited, is capable of providing the services within the timescales available. LFB intends to directly award a short-term contract to the incumbent supplier, whilst a new open tender exercise is re-started for a longer-term

contract.

LFB considers that a 12-month contract will provide sufficient time for the concurrent procurement exercise to conclude and a new IT infrastructure/system to be implemented to ensure a go live date of the new service on 5th March 2025.

Further it is considered that pursuant to Regulation 32(2)(b)(ii) competition is absent for technical reasons for the following reasons:

As set out above the IT infrastructure and implementation is likely to take between 42 and 52 weeks to implement. The current contract expires on 4th March 2024 and therefore there is insufficient time to implement a new system to align with the current contract. The current LFB IT solutions are bespoke systems and an alternative supplier would not be in a position to take over and implement a new integrated system. Accordingly the only provider who would be in a position to commence the services on 5th March 2024 would be the incumbent contractor and as such competition is absent for technical reasons and no reasonable alternative or substitute solution exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement. As described above, the aborted procurement has demonstrated that the services can only be provided by the incumbent contractor from 5th March 2024.

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

6 December 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

Health Management Limited

Northampton, England

Country

United Kingdom

NUTS code

- UKF2 - Leicestershire, Rutland and Northamptonshire

Companies House

04369949

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: £2,347,804

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court London

Royal Courts of Justice , Holborn

London

WC2A 2LL

Country

United Kingdom