

**United Kingdom-Canterbury: Pathology services**

**OJ S 111/2014 12/06/2014**

**Contract notice**

**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: East Kent Hospitals University NHS Foundation Trust

Postal address: Kent and Canterbury Hospital, Ethelbert Road

Town: Canterbury

Postal code: CT1 3NG

Country: United Kingdom

For the attention of: Sarah Charman

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address

**I.2. Type of the contracting authority**

National or federal agency/office

**I.3. Main activity**

Health

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: yes

Official name: Kent at multiple site

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

Pathology Managed Service Contract.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 25: Health and social services

Main site or place of performance: Kent at Multiple Sites.

NUTS code UKJ4 Kent

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

**II.1.4. Information about framework agreement**

**II.1.5.**

## **Short description of the contract or purchase(s)**

East Kent Hospitals University NHS Foundation Trust (EKHUFT) and Maidstone and Tunbridge Wells NHS Trust (MTW) have formed a joint venture for delivery of fully integrated pathology service, known as the Kent Pathology Partnership (KPP).

The Contracting Authority (EKHUFT host organisation) on behalf of KPP aims to have a pathology service that is integrated, maximises innovation and technology, and drives efficiencies and effectiveness. The Authority wishes to procure from a suitable, experienced and qualified provider a Pathology Managed Service. The Service Provider will provide services across two Centralised Service Laboratories ("CSL") and associated Essential Service Laboratories ("ESL"). This will include (but is not guaranteed to, nor be limited to) the provision of new and replacement pathology automated and non-automated, pre/post analytical equipment, supply of reagents/consumables, maintenance, upgrades, interfacing and training. The system(s) must be capable of interfacing with the associated analysers and be capable of undertaking all processes from receipt of the sample through to an integrated sample archive. It is essential that equivalent analysers are provided for the ESL's to ensure consistency of results.

As a consequence, the services proposed to be provided in the contract will be across multiple acute hospital sites in Kent. The service will be subject to on-going review and development by the Authority and the Service Provider is to take note of emerging best practice and advances in approach throughout the life of the contract. There is a clear expectation that the service provider will work closely with the authority and strive to continuously improve service delivery, embrace innovation and provide a flexible service which can readily respond to the changing needs of the Authority and the NHS in the short and long term. The contracting authority reserve the right to add to, vary, reduce or remove from the scope of services anticipated to be required at any time up to the award of the contract.

The Service Provider will not be expected to provide staff or staff management, phlebotomy, infection control, facilities management or the Laboratory Information Management System ("LIMS"). Estates works will be limited to some enabling works.

Payment for such services will be subject to certain financial penalties and deductions that may arise from the provider's failure to achieve certain key performance indicators and standards that shall be set out in the contract. In addition, the contract will contain termination rights for EKHUFT in the event of serious failure to perform and breach including detailed exit and transition arrangements.

The Contracting Authority will require from potential providers at the ITT stage separate offers for two different contract period options.

Option 1: the contract period being 7 years from contract commencement with an up to 7 year extension (with certain modifications related to the scope of services and their price being permitted at extension) at the Contracting Authority's sole option from contract commencement.

Option 2: the contract period will be 10 years with an up to 7 year extension (with certain modifications related to the scope of services and their price being permitted at extension) at the Contracting Authority's sole option from contract commencement.

### **II.1.6. CPV code(s)**

85111800 Pathology services

### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

### **II.1.8. Lots**

This contract is divided into lots: no

### **II.1.9. Information about variants**

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

Excluding VAT, the value range of the contract is expected to be between 56 000 000 GBP and 80 000 000 GBP depending on whether the 7 or 10 year contract period is utilised.

Estimated value excluding VAT:

Range: between 56 000 000 and 80 000 000 GBP

### **II.2.2. Information about options**

### **II.2.3. Information about renewals**

## **II.3. Duration of the contract or time limit for completion**

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

Parent company guarantee and performance bonds.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

Joint and several liability.

#### **III.1.4. Contract performance conditions**

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: Suppliers Instructions How to Express Interest in this Tender~:

1. Register your company on the eSourcing portal (this is only required once) - Browse to the eSourcing Portal: <https://commercialsolutions.bravosolution.co.uk> and click the link to register - Accept the terms and conditions and click 'continue' - Enter your correct business and user details - Note the username you chose and click 'Save' when complete - You will shortly receive an email with your unique password (please keep this secure);
2. Express an Interest in the tender - Login to the portal with the username/password - Click the 'PQQs / ITTs Open To All Suppliers' link. (These are Pre-Qualification Questionnaires or Invitations to Tender open to any registered supplier) - Click on the relevant PQQ/ ITT to access the content. - Click the 'Express Interest' button at the top of the page. - This will move the PQQ /ITT into your 'My PQQs/ My ITTs' page. (This is a secure area reserved for your projects only) -You can now access any attachments by clicking 'Buyer Attachments' in the 'PQQ/ ITT Details' box;
3. Responding to the tender - Click 'My Response' under 'PQQ/ ITT Details', you can choose to 'Create Response' or to 'Decline to Respond' (please give a reason if declining) - You can now use the 'Messages' function to communicate with the buyer and seek any clarification - Note the deadline for completion, then follow the onscreen instructions to complete the PQQ/

ITT - There may be a mixture of online and offline actions for you to perform (there is detailed online help available) You must then submit your reply using the 'Submit Response' button at the top of the page. If you require any further assistance please consult the online help, or contact the eTendering help desk.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: Please see tender documentation.

Minimum level(s) of standards possibly required: Please see tender documentation.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

Please see tender documentation.

Minimum level(s) of standards possibly required:

Please see tender documentation.

### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

##### **III.3.2. Information about staff responsible for the performance of the contract**

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Restricted

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **IV.2.2. Information about electronic auction**

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

Project\_1089 - Pathology Managed Service Contract for Kent Pathology Partnership  
East Kent Hospitals University NHS Foundation Trust

Tender Reference Number: T/EKH/628

#### **IV.3.2. Previous publication concerning this procedure**

#### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

#### **IV.3.4.**

## **Time limit for receipt of tenders or requests to participate**

8.7.2014 - 12:00

### **IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

### **IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

### **IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

### **IV.3.8. Conditions for opening of tenders**

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

### **VI.2. Information about European Union funds**

### **VI.3. Additional information**

The services under service category 25 are often seen as Part B (of Schedule 3 to the Public Contracts Regulations 2006[2] (as amended) (the Regulations) and Annex IIB to Council Directive 2004/18/EC), otherwise known as Residual Services. In this case, however, the Awarding Authority is advertising this opportunity as a Part A (Priority) Service, meaning that the full scope of the relevant regulations will apply.

The Contracting Authority intends to use an eTendering system in this procurement exercise and reserves the right to use a reverse auction.

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

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

#### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The Authority will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers. That notification will provide full information on the award decision. The standstill period, which will be for a minimum of 10 calendar days, provides time for unsuccessful tenderers to challenge the award decision before the contract is entered into. The Public Contracts Regulations 2006 (SI 2006 No 5), as amended by the Public Contracts (Amendment) Regulations 2009 and the Public Contracts (Miscellaneous Amendments) Regulations 2011, provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

#### **VI.4.3. Service from which information about the review procedure may be obtained**

### **VI.5. Date of dispatch of this notice**

6.6.2014