

United Kingdom-Macclesfield: Protective gear
OJ S 125/2020 01/07/2020
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: East Cheshire NHS Trust

Postal address: Macclesfield District General Hospital, Victoria Road, Cheshire

Town: Macclesfield

NUTS code: UKD6 Cheshire

Postal code: SK10 3BL

Country: United Kingdom

E-mail: janet.moore3@nhs.net

Telephone: +44 1625663095

Fax: +44 1625663091

Internet address(es):

Main address: <http://www.eastcheshire.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

PPE — Extreme Urgency Brought about by Events Unforeseeable for the Contracting Authority and in Accordance with the Strict Conditions Stated in the Directive

II.1.2. Main CPV code

18143000 Protective gear

II.1.3. Type of contract

Supplies

II.1.4. Short description

PPE — extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive supply of face mask protection.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 180 000,00 GBP

II.2. Description

II.2.3. Place of performance

NUTS code: UKD6 Cheshire

Main site or place of performance: Macclesfield District General Hospital Victoria Road, Macclesfield SK10 3BL.

II.2.4. Description of the procurement

Supply of PPE Equipment — extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive.

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

II.2.14. Additional information

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 Official Journal of the European Union in the cases listed below

- Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive

Explanation:

Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive.

Explanation:

1) The Coronavirus disease (Covid-19) is a serious infectious respiratory disease and its consequences pose a risk to life. The Covid-19 outbreak is a public health emergency of international concerns as declared by the World Health Organisation on 30 January 2020. The WHO Director General characterised Covid-19 as a pandemic on 11 March 2020, by this stage Europe was the centre of the pandemic.

2) The use of personal protective equipment (PPE) is critical in safeguarding the health and lives of the care professionals treating patients with Covid-19. Delays in procuring the PPE poses a risk to life of those on the front line and the likelihood of significantly increased death toll.

3) In March the NHS experienced severe shortages of PPE, modelling based the trajectory of other European countries forecast the need for significant and extremely rapid increase in the UK PPE capacity. Similar shortfalls in PPE stocks were identified globally. There was

immense demand for PPE, requiring the UK government to actively seek and create new supply chains rapidly to meet that demand. In these circumstances, a procurement following the usual timescales under the PCR 2015, including accelerated options, was impossible. PPE manufacturers and supply chains were under immediate and unprecedented global pressure to provide products. A delay in engaging with the market by running a usual procurement process ran the risk of failing to acquire the necessary stock of PPE equipment and presenting a significant risk to life.

4) The Department for Health and Social Care ('DHSC') is satisfied the tests permitting use of the negotiated procedure without prior publication (Regulation 32(2)(c)) were met:

A. As far as is strictly necessary:

PPE was identified as strictly necessary to meet anticipated demand on the NHS during the first wave of cases in the UK.

B. There are genuine reasons for extreme urgency:

DHSC are responding to Covid-19 immediately because of public health risks presenting a genuine emergency.

C. The events that have led to the need for extreme urgency were unforeseeable:

As the commission itself confirmed: 'the current Coronavirus crisis presents an extreme and unforeseeable urgency — precisely for such a situation our European rules enable public buyers to buy within a matter of days, even hours, if necessary.' (Commissioner Breton, Internal Market, 1 April 2020).

D. It was impossible to comply with the usual timescales in the PCR:

Due to the urgency of the situation there was no time to run an accelerated procurement under the open, restricted or competitive procedures with negotiation that would allow DHSC to secure delivery of products, particularly in light of the corresponding delays to timelines associated with securing supply of the PPE equipment.

E. The situation is not attributable to the contracting authority: East Cheshire NHS Trust has not caused or contributed to the Coronavirus crisis, which justifies the need for extreme urgency.

IV.1.3. Information about a framework agreement or a dynamic purchasing system

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.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

The contracting authority will not award any further contracts based on the above prior information notice

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

30/04/2020

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

Official name: GBUK Ltd

Postal address: Blackwood Hall, Business Park, North Duffield, North Yorkshire

Town: Selby

NUTS code: UKE2 North Yorkshire

Postal code: YO85DD

Country: United Kingdom

E-mail: info@GBUKhealthcare.com

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Total value of the contract/lot: 180 000,00 EUR

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

Official name: East Cheshire NHS Trust

Postal address: Macclesfield District General Hospital, Victoria Road

Town: Macclesfield

Postal code: SK10 3BL

Country: United Kingdom

VI.5. Date of dispatch of this notice

30/06/2020