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**United Kingdom-London: Visors
2020/S 137-338131**

Contract award notice

Results of the procurement procedure

Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1) Name and addresses

Official name: Department of Health and Social Care

Postal address: 39 Victoria Street

Town: London

NUTS code: UK UNITED KINGDOM

Postal code: SW1H 0EU

Country: United Kingdom

E-mail: procurement.operations@dhsc.gov.uk

Telephone: +44 2072104850

Internet address(es):

Main address: <https://www.gov.uk/government/organisations/department-of-health-and-social-care>

I.2) Information about joint procurement

I.4) Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

Supply of Personal Protective Equipment for Healthcare Workers for the Care of Patients with Suspected or Confirmed Novel Coronavirus (Covid-19)

Reference number: 546911

II.1.2) Main CPV code

18443500 Visors

II.1.3) Type of contract

Supplies

II.1.4) Short description:

The Department of Health and Social Care (the 'Authority') has awarded a contract to Photocentric Ltd for the supply of personal protective equipment (single use face visors) to protect health and care workers from contracting the Covid-19 disease.

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: 15 340 000.00 GBP

II.2) **Description**

II.2.1) **Title:**

II.2.2) **Additional CPV code(s)**

II.2.3) **Place of performance**

NUTS code: UK UNITED KINGDOM

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

The Department of Health and Social Care (the 'Authority') has awarded a contract to Photocentric Ltd for the supply of personal protective equipment (single use face visors) to protect health and care workers from contracting the Covid-19 disease.

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:

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, in this case, single use face visors, 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:

DHSC 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.1.6) Information about electronic auction

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

The procurement is covered by the Government Procurement Agreement: yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

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

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:

14/05/2020

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: Photocentric Ltd

Postal address: Cambridge House, Oxney Road

Town: Peterborough

NUTS code: UK UNITED KINGDOM

Postal code: PE15YW

Country: United Kingdom

The contractor is an SME: yes

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

Total value of the contract/lot: 15 340 000.00 GBP

V.2.5) **Information about subcontracting**

Section VI: Complementary information

VI.3) **Additional information:**

More information can be found at: <https://www.contractsfinder.service.gov.uk/Notice/f002df14-33f7-49e6-8254-462e21b38a90>

VI.4) **Procedures for review**

VI.4.1) **Review body**

Official name: High Court

Town: London

Country: United Kingdom

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

VI.4.3) **Review procedure**

VI.4.4) **Service from which information about the review procedure may be obtained**

VI.5) **Date of dispatch of this notice:**

15/07/2020