

United Kingdom-London: Business and management consultancy and related services
OJ S 197/2013 10/10/2013
Contract award notice
Services

Directive 2004/18/EC**Section I: Contracting authority**

I.1. Name and addresses

Official name: Monitor

Postal address: 4 Matthew Parker Street

Town: London

Postal code: SW1H 9NP

Country: United Kingdom

Contact person: Department of Health - Procurement Centre of Expertise (PCOE)

E-mail: supplier.helpdesk@dh.gsi.gov.uk

Internet address(es):

General address of the contracting authority: <http://www.monitor-nhsft.gov.uk/>

Address of the buyer profile: <http://www.dh.gov.uk/health/about-us/bms/index.htm>

Electronic access to information: <http://www.dh.gov.uk/health/about-us/bms-dh-e-tendering-portal>

Electronic submission of tenders and requests to participate: <http://www.dh.gov.uk/health/about-us/bms-dh-e-tendering-portal>

I.2. Type of the contracting authority

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

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: The Department of Health

Postal address: Richmond House, 79 Whitehall

Town: London

Postal code: SW1A 2NS

Country: United Kingdom

Official name: NHS Trust Development Authority (NTDA)

Postal address: 9th Floor, 105 Victoria House

Town: London

Postal code: SW1E 6QT

Country: United Kingdom

Section II: Object of the contract

II.1. Description**II.1.1. Title**

Framework Agreement to Support the Assessment of Clinical Service Delivery & the Financial Viability of Healthcare Providers.

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

Services

Service category No 11: Management consulting services [6] and related services

Main site or place of performance: UK.

NUTS code UK United Kingdom

II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)

The procurement involves the establishment of a framework agreement

II.1.4. Short description of the contract or purchase(s)

Monitor wishes to set up a framework agreement and for the NHS Trust Development Authority (NHS TDA) to have access to it. Both have a responsibility to protect patient interests through the delivery of high quality, financially sustainable health services.

The objective of this framework agreement is for contractors to develop strategic options assessing financial viability of clinical services, when a healthcare Provider falls into financial distress/failure. In the event of this happening, Monitor/NTDA will appoint a Trust Special Administrator (TSA) or Monitor alone may appoint a Health Special Administrator (HSA). There are two separate routes to appointing TSA's, one for NHS Foundation Trusts and the other for NHS Trusts. A Health Special Administrator may also be appointed in the case of an independent sector provider entering administration. Details of the different routes and powers are provided in the ITT document.

Essentially, the appointed specialist will act as an advisor to Monitor/NTDA overseeing the delivery of the provider's services whilst a longer term solution is found. As such, parties to this framework agreement may be required to run healthcare providers – of all sizes – as a going concern in the interim. We anticipate that successful contractors will have expertise in running large companies, other public sector organisations or health organisations whilst they are in administration.

Further information about Monitor can be found at: <http://www.monitor-nhsft.gov.uk/> Further

Information about the NTDA can be found at: <http://www.ntda.nhs.uk/>

This Framework Agreement is subsequently divided into two lots: Lot 1: Strategic Recommendations, and Lot 2: Implementation of Strategic Recommendations.

Lot 1 (Strategic Recommendations)

The Contractor may be required to deploy up to two teams to the Provider's location – a Contingency Planning Team (CPT) and/or a Special Administration Team (SAT).

A CPT would identify options for restructuring, including identifying those specific services to be protected at the Provider. A troubled provider might not proceed to special administration where it is possible to secure a solvent restructuring.

Example duties of the Contingency Planning Team (CPT):

- To Support Commissioners to identify Protected Services (PS);
- To support the development of plans to ensure that PS are continued throughout an administration if a provider were to be placed in administration;
- To develop recommendations for non-protected services;
- Communication / stakeholder management.

In the event that a Special Administration Team (SAT) is required, the SAT will then have an Interim Report on which he or she is required by the Health and Social Care Act 2012 to consult. The Administrator may choose to either consult on the Interim Report immediately or to develop it further, prior to the consultation process required by the Act. In either case, whilst the Report is being developed, consulted upon and discussed with the Secretary of State, the Administrator, once appointed, is required to run the Provider as a going concern as would normally be expected in an administration process.

Example duties of the Special Administration Team (SAT)

Please note that these are example duties only and some may not be applicable in any particular special administration. The duration and precise nature of the duties required of a Contractor will be specified in greater detail at mini-competition stage.

- Strategy development;
- Stakeholder engagement – including managing the consultation process;
- Responding to creditors (as appropriate to Health Special Administration or Trust Special Administration);
- Trading matters;
- Patient Safety;
- Employee relations and management;
- Compliance and Statutory Matters;
- Communications Matters.

Further details of the tasks required are contained within the ITT document. The output of Lot 1 will be a strategic report providing details of the consultation.

CPT stage and SAT stage may be subject to individual mini-competitions however a direct award may be permissible under emergency situations. Details of this mechanism are provided in the ITT document. We would expect the direct award of contracts to Contractor's to be the exception, rather than the norm.

Lot 2 (Implementation of Strategic Recommendations)

Following the consultation and a process of acceptance of the final Report by Monitor and/or the Secretary of State as appropriate to the type of special administration, a new Contractor may be appointed

Typical activities that may be expected of a Contractor (whether acting as the TSA or as support to the TSA) at this stage mirror those that may be required in a corporate insolvency. These may include but are not limited to:

- Facilitation of contract renegotiations with suppliers and third parties;
- Reconfiguration and rationalisation of property held by the Provider;
- Reconfiguration of clinical service lines offered at the Provider's location;
- The development of new clinical service lines as recommended in the Report;
- The assessment of staffing and managerial levels and the facilitation of contractual negotiations, in accordance with the Transfer of Undertakings (Protection of Employment) Regulations where appropriate;
- The preparation of the Provider for a merger with another NHS Foundation Trust or for the transfer of its assets and liabilities to another NHS Foundation Trust or the Secretary of State or between another NHS Foundation Trust and the Secretary of State.

A mini competition will be held in most cases however the Authority does have the option to use a direct award mechanism however this option will only be used as a last resort.

The Contracting Authority reserves the right to discontinue the tendering process at any time and not award the contract.

The Contracting Authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). For the avoidance of doubt, the contracting authority points out that no weight will be attached to whether or not the economic operator is an SME in selecting economic operators to submit tenders or in assessing the most economically advantageous tender.

The Authority wishes to allow a maximum of 20 suppliers onto the framework agreement (Therefore a maximum of up to 10 suppliers per lot).

II.1.5. CPV code(s)

79400000 Business and management consultancy and related services, 66171000 Financial consultancy services, 79212100 Financial auditing services, 72221000 Business analysis consultancy services, 79411000 General management consultancy services, 79414000 Human resources management consultancy services, 72224000 Project management consultancy services, 79411100 Business development consultancy services, 79996000 Business organisation services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 73210000 Research consultancy services, 72246000 Systems consultancy services, 66121000 Mergers and acquisition services, 79221000 Tax consultancy services, 66519600 Actuarial services, 66600000 Treasury services, 79412000 Financial management consultancy services, 71241000 Feasibility study, advisory service, analysis, 79311400 Economic research services, 79330000 Statistical services, 79212200 Internal audit services, 79313000 Performance review services, 79100000 Legal services, 79110000 Legal advisory and representation services, 79140000 Legal advisory and information services, 79200000 Accounting, auditing and fiscal services, 79418000 Procurement consultancy services, 79990000 Miscellaneous business-related services, 79000000 Business services: law, marketing, consulting, recruitment, printing and security, 79212000 Auditing services, 72225000 System quality assurance assessment and review services, 79311410 Economic impact assessment, 79416100 Public relations management services, 90714200 Corporate environmental auditing services, 79212300 Statutory audit services, 79111000 Legal advisory services, 79421000 Project-management services other than for construction work, 85100000 Health services

II.1.6. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

II.2. Total value of the contract/lot

II.2.1. Total value of the contract/lot

Lowest offer 1 and Highest offer 210 000 000 GBP
excluding VAT

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of

1. Technical and management solution. Weighting 70
2. Price. Weighting 30

IV.2.2. Information about electronic auction

An electronic auction has been used: no

IV.3. Administrative information

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

1111 Framework Agreement to Support the Assessment of Clinical Service Delivery & the Financial Viability of Healthcare Providers.

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: 2012/S -167583 of 4.12.2012

Contract notice

Notice number in the OJ S: [2013/S 39-062696](#) of 23.2.2013

Other previous publications

Notice number in the OJ S: [2013/S 64-106062](#) of 30.3.2013

Section V: Award of contract

Contract No: 58777

Lot No: 1

- Lot title: Strategic Recommendations

V.1. Date of conclusion of the contract

28.8.2013

V.2. Information about tenders

Number of tenders received: 11

Number of tenders received by electronic means: 11

V.3. Name and address of the contractor

Official name: Bolt-HMP LLP

Postal address: 5th Floor Sussex House, 143 Long Acre, Leicester Square

Town: London

Postal code: WC2E 9AD

Country: United Kingdom

V.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot:

Value: 71 000 000 GBP

excluding VAT

Total value of the procurement:

Lowest offer 1 and Highest offer 71 000 000 GBP

excluding VAT

V.5. Information about subcontracting

The contract is likely to be subcontracted: yes

Value or proportion likely to be subcontracted to third parties:

Not known

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V.1. Date of conclusion of the contract

28.8.2013

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Number of tenders received: 11

Number of tenders received by electronic means: 11

V.3. Name and address of the contractor

Official name: Deloitte LLP
Postal address: 1 More London Place
Town: London
Postal code: SE1 2AF
Country: United Kingdom

V.4. Information on value of the contract/lot

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Value: 71 000 000 GBP
excluding VAT
Total value of the procurement:
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V.3. Name and address of the contractor

Official name: Ernst & Young LLP
Postal address: 1 More London Place
Town: London
Postal code: SE1 2AF
Country: United Kingdom

V.4. Information on value of the contract/lot

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Number of tenders received by electronic means: 11

V.3. Name and address of the contractor

Official name: FTI Consulting LLP

Postal address: Holborn Gate, 26 Southampton Buildings

Town: London

Postal code: WC2A 1PB

Country: United Kingdom

V.4. Information on value of the contract/lot

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V.3. Name and address of the contractor

Official name: KPMG LLP

Postal address: 15 Canada Square, Canary Wharf

Town: London

Postal code: E14 5GL

Country: United Kingdom

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V.3. Name and address of the contractor

Official name: McKinsey & Company, Inc. United Kingdom

Postal address: No.1 Jermyn Street

Town: London

Postal code: SW1Y 4UH

Country: United Kingdom

V.4. Information on value of the contract/lot

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V.3. Name and address of the contractor

Official name: Oliver Wyman Limited

Postal address: 1 Tower Place West, Tower Place

Town: London

Postal code: EC3R 5BU

Country: United Kingdom

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Initial estimated total value of the contract/lot:

Value: 71 000 000 GBP
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V.3. Name and address of the contractor

Official name: PricewaterhouseCoopers LLP
Postal address: 1 Embankment Place
Town: London
Postal code: WC2N 6RH
Country: United Kingdom

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V.3. Name and address of the contractor

Official name: Roland Berger Strategy Consultants Ltd
Postal address: 6th Floor, 55 Baker Street
Town: London
Postal code: W1U 8EW
Country: United Kingdom

V.4. Information on value of the contract/lot

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Value: 71 000 000 GBP
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V.3. Name and address of the contractor

Official name: TGKG Ltd
Postal address: 31A High Street
Town: Chesham
Postal code: HP5 1BW
Country: United Kingdom

V.4. Information on value of the contract/lot

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V.5. Information about subcontracting

The contract is likely to be subcontracted: yes
Value or proportion likely to be subcontracted to third parties:
Not known

Contract No: 58781

Lot No: 2

- Lot title: Implementation of Strategic Recommendations

V.1.

Date of conclusion of the contract

28.8.2013

V.2. Information about tenders

Number of tenders received: 11

Number of tenders received by electronic means: 11

V.3. Name and address of the contractor

Official name: Bolt-HMP LLP

Postal address: 5th Floor Sussex House, 143 Long Acre, Leicester Square

Town: London

Postal code: WC2E 9AD

Country: United Kingdom

V.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot:

Value: 139 000 000 GBP

excluding VAT

Total value of the procurement:

Lowest offer 1 and Highest offer 139 000 000 GBP

excluding VAT

V.5. Information about subcontracting

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Value or proportion likely to be subcontracted to third parties:

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Town: Chesham

Postal code: HP5 1BW

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Value or proportion likely to be subcontracted to third parties:

Not known

Section VI: Complementary information

VI.1. Information about European Union funds

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

VI.2. Additional information

Monitor is acting as a lead contracting authority on this collaborative procurement on behalf of itself, NTDA and Department of Health.

The Department of Health/Monitor reserves the right to discontinue the tendering process and not to award the contract.

Transparency:

Potential suppliers should note that, in accordance with the Government's policies on transparency, DH intends to publish the Invitation to Tender (ITT) document, and the text of any Framework Agreement/Contract awarded, subject to possible redactions at the discretion of DH/Monitor/NTDA. The terms of the proposed Framework Agreement will also permit a public sector contracting authority, awarding a contract under this Framework Agreement to

publish the text of that contract, subject to possible redactions at the discretion of the contracting authority. Further information on transparency can be found at:

<http://www.cabinetoffice.gov.uk/resource-library/guidance-transparency>

This procurement exercise will be completed via the DH eTendering portal (BMS) and candidates wishing to be considered for this (or any other) DH contract must submit their response via BMS. The BMS reference number for this exercise is Lot 1 - Strategic Recommendations: 58777, Lot 2: Implementation of Strategic Recommendations: 58781. Please note if suppliers wish to bid for both lots, Suppliers will need to complete a separate ITT document for each Lot and upload it to the corresponding ITT number on BMS.

Suppliers should visit <http://www.dh.gov.uk/en/Aboutus/Procurementandproposals/BMS/index.htm> to register and download instructions on how to respond.

If you require assistance, please contact the Supplier Helpdesk on +44 1132545777 or supplier.helpdesk@dh.gsi.gov.uk

This helpdesk is available 10:00 am to 16:00 pm, Monday to Friday excluding Bank Holidays. The Authority wishes to allow a maximum of 20 suppliers onto the framework agreement (Therefore a maximum of up to 10 suppliers per lot).

VI.3. Procedures for review

VI.3.1. Review body

VI.3.2. Review procedure

Precise information on deadline(s) for review procedures: Monitor will incorporate a standstill period at the point of information about the actual 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 (SI2006 No 5) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take action in the High Court.

VI.3.3. Service from which information about the review procedure may be obtained

Official name: Royal Courts of Justice

Postal address: Strand

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

Telephone: +44 2079477726

VI.4. Date of dispatch of this notice

8.10.2013