

United Kingdom-Stoke-on-Trent: Health services
OJ S 203/2020 19/10/2020
Contract award notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: NHS Midlands and Lancashire CSU on behalf of NHS Shropshire Clinical Commissioning Group and NHS Telford and Wrekin Clinical Commissioning Group

Postal address: Heron House, 120 Grove Road

Town: Stoke-on-Trent

NUTS code: UKG23 Stoke-on-Trent

Postal code: ST4 4LX

Country: United Kingdom

E-mail: h.smith27@nhs.net

Telephone: +44 7770493216

Internet address(es):

Main address: <https://mlcsu.bravosolution.co.uk>

I.1. Name and addresses

Official name: NHS Shropshire Clinical Commissioning Group

Postal address: William Farr House, Mytton Oak Road

Town: Shrewsbury

NUTS code: UKG22 Shropshire CC

Postal code: SY3 8XL

Country: United Kingdom

Contact person: Hayley Smith

E-mail: h.smith27@nhs.net

Internet address(es):

Main address: <https://www.shropshireccg.nhs.uk/>

I.1. Name and addresses

Official name: NHS Telford and Wrekin Clinical Commissioning Group

Postal address: Halesfield 6, Halesfield

Town: Telford

NUTS code: UKG21 Telford and Wrekin

Postal code: TF7 4BF

Country: United Kingdom

Contact person: Hayley Smith

E-mail: h.smith27@nhs.net

Internet address(es):

Main address: <https://www.telfordccg.nhs.uk/>

I.2. Information about joint procurement

The contract involves joint procurement

The contract is awarded by a central purchasing body

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

Neurology Services

Reference number: STW-18-26

II.1.2. Main CPV code

85100000 Health services

II.1.3. Type of contract

Services

II.1.4. Short description

NHS Midlands and Lancashire Commissioning Support Unit (MLCSU) on behalf of the commissioners, NHS Shropshire Clinical Commissioning Group and NHS Telford and Wrekin Clinical Commissioning Group are awarding a contract for Neurology Services to the Royal Wolverhampton NHS Trust. This Award Notice is being issued for transparency purposes.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 8 716 900,00 GBP

II.2. Description

II.2.2. Additional CPV code(s)

85100000 Health services, 85121200 Medical specialist services - RA14, 85323000 Community health services

II.2.3. Place of performance

NUTS code: UKG21 Telford and Wrekin

NUTS code: UKG22 Shropshire CC

Main site or place of performance: Geographic region of Shropshire.

II.2.4. Description of the procurement

NHS Shropshire Clinical Commissioning Group and NHS Telford and Wrekin Clinical Commissioning Group are awarding a contract to the Royal Wolverhampton NHS Trust for Neurology Services, in accordance with the Public Contract Regulations 2015, Regulation 12, Part 7 — Contracts which establish or implement co-operation between contract authorities. Shropshire Clinical Commissioning Group and Telford and Wrekin Clinical Commissioning Group wish to award a contract for both acute and community neurology services for registered patients. The service will be based on best practice and will provide appropriate

outpatient appointments, access to diagnostics, diagnosis, care planning, inpatient provision, community services, follow up treatment, review, discharge and access to specialist nursing advice and support.

Royal Wolverhampton NHS Trust (RWT) have supported Shrewsbury and Telford Hospital NHS Trust (SATH) in delivering this service for the past 2 years, in which SATH have been unable to independently continue delivering this service. RWT will be required to work collaboratively with existing providers as part of an integrated, evidence-based approach to patient care.

The commissioning intention is to continue the co-operative approach with RWT, under a formal contract structure. Regulation 12, Part 7 of the Public Contract Regulations 2015 enables this approach to working as long as 3 tests are met:

- 1) The contract establishes or implements a co-operation between the participating contracting authorities with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common;
- 2) The implementation of that co-operation is governed solely by considerations relating to the public interest; and
- 3) The participating contracting authorities perform on the open market less than 20 % of the activities concerned by the cooperation.

This service delivery agreement is being formalised in the best interest of the patients within the geographic area for Shropshire. The continuation of the service ensures patients have access at the point of need and still in the county of Shropshire as delivery locations shall remain within the current NHS Estate within Shropshire as agreed between RWT and SATH. If in any circumstance travel is required the impact shall be minimised due to the close locality and regular public transport available to Wolverhampton. RWT are already part of the current Neurology Service patient pathway and have been managing the treatment of existing SATH patients. However, the referral of new patients has been limited resulting in a backlog of patients, the continued support from RWT is essential in expanding this care to all patients. Additional staffing is required to cover the full service therefore, it is important to have the correct governance in place to enable the ongoing co-operation and access to funding. In September 2018 a PIN Notice and Market Engagement was undertaken for Neurology Services which attracted very little market interest, it is also acknowledged that Neurology Services are high in demand with very limited capacity available on the open market. The Commissioner is intending to work with RWT for a period of 3 years with the option to continue the relationship for an additional 12 month period, this is reflected in the potential contract value. The annual value is estimated to be GBP 2 179 214 per annum.

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

These services are light touch regime services for the purpose of the Public Contracts Regulations 2015 as specified in Schedule 3 of the Regulations ('Regulations'). Accordingly, the contracting authority is only bound by those parts of the Regulations detailed in Chapter 3 Particular Procurement Regimes Section 7.

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

- The procurement falls outside the scope of application of the directive

Explanation:

Royal Wolverhampton NHS Trust (RWT) have supported Shrewsbury and Telford Hospital NHS Trust (SATH) in delivering this service for the past 2 years, in which SATH have been unable to independently continue delivering this service. RWT will be required to work collaboratively with existing providers as part of an integrated, evidence based approach to patient care.

This service delivery agreement is being formalised in the best interest of the patients within the geographic area for Shropshire. The continuation of the service ensures patients have access at the point of need and still in the county of Shropshire as delivery locations shall remain within the current NHS Estate within Shropshire as agreed between RWT and SATH. If in any circumstance travel is required the impact shall be minimised due to the close locality and regular public transport available to Wolverhampton. RWT are already part of the current Neurology Service patient pathway and have been managing the treatment of existing SATH patients. However, the referral of new patients has been limited resulting in a backlog of patients, the continued support from RWT is essential in expanding this care to all patients. The Commissioning intention is to proceed with a co-operative approach with RWT, through use of Regulation 12, Part 7 of the Public Contract Regulations 2015, which stipulates:

- 1) The contract establishes or implements a co-operation between the participating contracting authorities with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common;
- 2) The implementation of that co-operation is governed solely by considerations relating to the public interest; and
- 3) The participating contracting authorities perform on the open market less than 20 % of the activities concerned by the cooperation.

The Commissioners have provided justification as to why the above 3 tests are met. To be clear this award notice is for transparency purposes, Regulation 12 does not stipulate the need to publish any such notice and it has been done to maintain good practice and transparency.

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.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2018/S 164-374699](#)

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

Contract No: STW-18-26

Title:

Neurology Services

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

13/10/2020

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: The Royal Wolverhampton NHS Trust

Postal address: New Cross Hospital, Wolverhampton Road

Town: Wolverhampton

NUTS code: UKG39 Wolverhampton

Postal code: WV10 0QP

Country: United Kingdom

The contractor is an SME: no

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

Total value of the contract/lot: 8 716 900,00 GBP

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

This contract is for clinical services which are light touch regime services for the purpose of the Public Contracts Regulations 2015 as specified in Schedule 3 of the Regulations ('Regulations'). Accordingly, the contracting authority is only bound by those parts of the Regulations detailed in Chapter 3 Particular Procurement Regimes Section 7. The contracting authority is not voluntarily following any other part of the regulations.

As the CCG is a relevant body for the purpose of the National Health Service (Procurement, Patient Choice and Competition) (No 2) Regulations 2013 these regulations also apply to this procurement. All dates, time periods and values specified in this notice are provisional and the contracting authority reserves the right to change these.

Transparency: the contracting authority is subject to the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) and may be required to disclose information received in the course of this service under FOIA or the EIR. In addition, and in accordance with the UK Government's policies on transparency. This service may be subject to possible redactions at the discretion of the contracting Authority. Any redactions, whether in relation to information requests under FOIA, the EIR or policies on transparency will be in accordance with those grounds prescribed under the Freedom of Information Act 2000

and the Environmental Information Regulations 2004. Further information on transparency can be found at: <https://www.gov.uk/government/publications/procurement-and-contracting-transparency-requirements> guidance.

VI.4. Procedures for review

VI.4.1. Review body

Official name: NHS Telford and Wrekin Clinical Commissioning Group

Postal address: Halesfield 6, Halesfield

Town: Telford

Postal code: TF7 4BF

Country: United Kingdom

VI.5. Date of dispatch of this notice

14/10/2020