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**United Kingdom-London: Sport-related services  
2020/S 247-615593**

**Prior information notice**

**This notice is for prior information only**

**Services**

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

**I.1) Name and addresses**

Official name: UK Anti-Doping  
National registration number: 6990867  
Postal address: Fleetbank House, 2-6 Salisbury Square  
Town: London  
NUTS code: UKI31 Camden and City of London  
Postal code: EC4Y 8AE  
Country: United Kingdom  
Contact person: Philip Bunt  
E-mail: [ukad@ukad.org.uk](mailto:ukad@ukad.org.uk)  
Telephone: +44 2078423450

**Internet address(es):**

Main address: [www.ukad.org.uk](http://www.ukad.org.uk)

**I.3) Communication**

Additional information can be obtained from the abovementioned address

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Recreation, culture and religion

**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title:**

Laboratory Testing – UK Athlete Blood and Urine Testing

**II.1.2) Main CPV code**

92620000 Sport-related services

**II.1.3) Type of contract**

Services

**II.1.4) Short description:**

United Kingdom Anti-Doping Ltd (UKAD) is a non-departmental public body accountable to Parliament through the Department for Digital, Culture, Media and Sport. UKAD is the UK National Anti-Doping Organisation and provides testing services as well as case management, anti-doping intelligence and education services. UKAD

wishes to appoint a laboratory services provider to analyse UK athletes' urine and blood samples in accordance with the World Anti-Doping Code. UKAD believes that only one provider can fulfil the contract requirements, however wishes to understand whether this assumption is correct.

II.1.5) **Estimated total value**

Value excluding VAT: 12 000 000.00 GBP

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

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

71600000 Technical testing, analysis and consultancy services

71610000 Composition and purity testing and analysis services

71900000 Laboratory services

73111000 Research laboratory services

II.2.3) **Place of performance**

NUTS code: UKI LONDON

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

UKAD is an active participant in the global fight against doping in sport and is the national body responsible for creating a UK-wide environment of confidence in clean sport. In the UK, UKAD ensures that sports bodies comply with the World Anti-Doping Code through implementation and management of the UK's National Anti-Doping Policy.

A significant part of ensuring such compliance is the implementation of a robust testing regime. Since 2009, UKAD has outsourced its blood and urine testing requirements in respect of professional athletes to the King's College London Drug Control Centre (DCC), the only laboratory in the UK which holds a World Anti-Doping Agency (WADA) accreditation. This arrangement is due to expire in March 2021 and therefore UKAD wishes to finalise its arrangements in respect of the next iteration of this contract.

In terms of the scope of the new contract, it is envisaged that this will be made up of an initial duration of 3 years, followed by the option to renew the contract for a further three one-year extensions. In terms of contract value, UKAD estimates that this will be approximately GBP 2 million per year.

In light of the fact that:

(i) a laboratory utilised to perform such testing must hold a WADA accreditation (as stipulated by WADA); and  
(ii) such laboratory needs to be located in the UK to ensure that tests can be transported quickly from the site at which the sample is taken from the athlete to the laboratory (to avoid degradation of the sample), UKAD's current view is that it is unlikely that any entity, other than DCC, could fulfil the contract requirements. To that end, UKAD is considering utilising the negotiated procedure without prior publication of a contract notice to agree arrangements with DCC for the next iteration of the contract, in accordance with regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 (PCRs) (i.e. competition is absent for technical reasons).

However, prior to commencing the procedure described above, UKAD wishes to understand whether other entities which provide laboratory testing services (whether located in the UK or beyond) believe it would be possible to deliver the contract requirements. If UKAD is presented with responses which demonstrate that other viable providers may exist, it may (but will not be obliged to) consider alternative options to procure the required services.

To assist those considering responding to this prior information notice (PIN), UKAD has set out its further analysis in Section VI.3) below, so that respondees have a fuller understanding of why UKAD believes that the

circumstances justify use of the negotiated procedure without prior publication of a contract notice. Respondees are invited to comment on these points, including providing an alternative perspective, as necessary.

UKAD would ask that those who wish to submit a response to this PIN provide their comments by email to [philip.bunt@ukad.org.uk](mailto:philip.bunt@ukad.org.uk) no later than 14 January 2021. UKAD will consider such comments and based on those comments, reserves the right to:

- (i) undertake preliminary discussions with some/all respondents if deemed necessary;
- (ii) advertise the opportunity and undertake a competition without further notice;
- (iii) enter into direct negotiation with DCC pursuant to regulation 32 of the PCRs without further notice; or
- (iv) not to award any contract related to the services described in this PIN.

II.2.14) **Additional information**

II.3) **Estimated date of publication of contract notice:**

31/01/2021

**Section IV: Procedure**

IV.1) **Description**

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

The procurement is covered by the Government Procurement Agreement: yes

**Section VI: Complementary information**

VI.3) **Additional information:**

As described in Section II.2.4) above, UKAD believes that in respect of this opportunity, competition is absent for technical reasons, as:

WADA accreditation would be a pre-requisite: in the event that UKAD did undertake an open competition, candidates would be required to self-certify that if identified as the successful bidder, the laboratory from which the services would be performed (a laboratory which must be based within the UK as explained below) will have in place a current WADA accreditation at contract award. UKAD understands that securing accreditation could be prohibitively expensive when compared against the contract value and further, that the process could take as long as two years to complete. This would not leave sufficient time for a non-accredited supplier to mobilise between contract award and commencement of the services.

The services must be performed within the UK – UKAD is aware that there are other suppliers outside of the UK which provide similar services to DCC and whose laboratories hold WADA accreditation. However, due to the timescales involved in transporting blood samples to a laboratory outside of the UK (which essentially spoil after a period of 48 hours), UKAD believes it would be impossible to work with such suppliers in practice. This would be a particular concern from 1 January 2021, where it appears very likely that delays at the UK border could result in the degradation of blood samples. Such samples can also be taken at various locations within the UK, not all of which are within easy access to a port. If a sample is analysed after the expiry of the minimum timescales stipulated by WADA, this could result in UKAD being unable to prosecute an athlete notwithstanding the fact that there are indications that they may have utilised performance enhancing drugs. It seems likely therefore that a non-UK based supplier, interested in this opportunity, would be required to establish a laboratory within the UK and obtain a separate WADA accreditation in respect of that laboratory to perform the contract. For the reasons stated above, UKAD believes that it would not be commercially viable, or possible within the timescales, for a non-UK based supplier to adopt this approach.

Separation of blood samples and urine samples: while the timescales related to analysing urine samples are much more flexible, UKAD would not be able to separately award contracts for blood sample analysis and urine sample analysis. This is because in order to receive WADA accreditation, a laboratory must undertake a programme which analyses at least 3,000 samples per year. If a laboratory analysed only one type of sample (e.g. blood samples), the quantity would not be sufficient to meet the minimum 3 000 samples required. While

there may be certain periods when the laboratory may be testing a high number of blood samples which may exceed 3 000, this would constitute an exceptional scenario. Therefore, UKAD would not be able to guarantee a minimum sample volume will be processed through the supplier's (UK) laboratory, in order for that laboratory to retain its WADA accreditation. As a result, dividing the contract into two separate contracts (i.e. one contract to process blood samples and another contract to process urine samples) does not present a viable option for UKAD.

In terms of the consequences of utilising a laboratory which was not accredited by WADA, or the WADA accreditation was withdrawn, this would invalidate the UK's testing programme and it is highly likely that the UK would not be in a position to host international sporting events which in turn, would give rise to significant economic and political consequences.

Disclaimer: by issuing a PIN, this should not be construed as an intention by UKAD to subsequently advertise and/or award a contract in respect of the services described in this notice. As explained above, the purpose of this PIN is to establish whether competition with DCC is absent.

VI.5) **Date of dispatch of this notice:**  
15/12/2020