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**United Kingdom-Stoke on Trent: Health services
2020/S 142-350894**

Voluntary ex ante transparency notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority/entity

I.1) Name and addresses

Official name: NHS Midlands and Lancashire CSU on behalf of NHS Telford and Wrekin Clinical Commissioning Group and NHS Shropshire 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 782872500

Internet address(es):

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

Adult ADHD Services

Reference number: STW-19-03

II.1.2) Main CPV code

85100000 Health services

II.1.3) Type of contract

Services

II.1.4) Short description:

This is a Voluntary Ex Ante Transparency notice for the purpose of transparency and is not a call for competition.

NHS Telford and Wrekin CCG and NHS Shropshire CCG wish to publish their intent with regards to the following service — Adult ADHD services.

The Adult ADHD service supports individuals who require diagnosis and or post diagnosis support. This service is a bespoke specialist service not part of a mental health contract.

The intent is to award this contract to Mental Health and Wellbeing Services Ltd. Providers are invited to express comment or interest on this intent.

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: 818 000.00 GBP

II.2) **Description**

II.2.1) **Title:**

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

85000000 Health and social work services

85100000 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:

County of Shropshire.

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

This notice aims at providing voluntary prior transparency as referred to in Article 2d(4) of Directives 89/665/EEC and 92/13/EEC on Remedies and Article 60(4) of Directive 2009/81/EC (information on the award of the

contract without prior publication of a contract notice in the Official Journal of the European Union). This is a Voluntary Ex Ante notice for the purpose of transparency and is not a call for competition. NHS Telford and Wrekin CCG and NHS Shropshire CCG wish to publish their intent with regards to the following service — Adult ADHD services.

Working with the national prevalence data the CCG's would expect 7 000 adults across the STP area to have ADHD with up to 60 % requiring some specialist support at some time during their lives. Local data indicates that nearly 400 people in Telford and Wrekin alone have been referred to the local service over the past 4 years.

Aim:

To provide a specialist assessment and diagnostic service to adults with a suspected ADHD and those with a confirmed diagnosis residing in Shropshire, Telford, and Wrekin.

Service objectives:

- to enable adults with suspected ADHD who do not have a diagnosed learning disability to obtain a timely diagnosis of their condition;
- to provide a local, weekly clinic, for the review and ongoing treatment of complex and non-complex patients, to include prescribing and monitoring;
- to signpost people with ADHD to other agencies and sources of support as appropriate;
- to provide guidance on self-help strategies and recommendations for patients in support of self-care;
- to signpost patients with an unconfirmed diagnosis to appropriate services and support networks.

The adult specialist ADHD service shall provide a local assessment and diagnosis service to support people with suspected ADHD and those with a diagnosis of ADHD to include prescribing.

The service shall aim to complete an assessment within 18 weeks of receiving a referral for an individual.

The provider shall be required to undertake shared care in relation to prescribing medication with the patient's GP, where the GPs have signed up to the shared care agreement.

A PIN as a call for competition was issued September 2019, in which four potential providers expressed interest and were invited through to the tender stage. During the tender stage only two bids were received, of which one of the bidders provided written withdrawal from the process. This meant only one suitable tender was received. The procurement was aborted with the intention to re-procure, however due to lack of interest in the original procurement the CCG are confident the interested bidder has the ability to provide an efficient an effective service.

This service is deemed an essential service, the service needs to be maintained and patient medication managed. The current circumstances within the healthcare environment, Covid-19, could negatively affect patients should change happen now. The incumbent provider Health and Wellbeing Ltd is an SME with the requirement to enter into new-lease agreements, therefore the CCG's need to ensure ongoing service stability until the pandemic is controlled, in order to ensure patient safety.

ADHD is a mental health disorder and patients will already be destabilised by the Covid-19 pandemic and it would be not within the interest of the patients to cause more anxiety by destabilising the incumbent provider, nor would it be deemed clinically good practice. The direct award enables recovery from the pandemic and stability for the patient's health conditions, with the intention of procuring the service in the future.

The service contract shall be for a period of 18 months. The contract will start on the 1 September 2020. The contract value is estimated to be GBP 818 000.00 over the 18 month period.

The prevailing NHS standard contract terms and conditions shall apply.

II.2.5) **Award criteria**

Quality criterion - Name: Quality / Weighting: N/A

Cost criterion - Name: Cost / Weighting: N/A

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**

Negotiated procedure without prior publication

- No tenders or no suitable tenders/requests to participate in response to restricted procedure
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons
- Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive
- New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the directive

Explanation:

Reasons for not going out to competition include the following:

- 1) A PIN as a call for competition was previously issued which resulted in only two tender submissions, of which one of the bidders have confirmed in writing their withdrawal. Therefore, in accordance with Regulation 32 no tenders or suitable tenders, no requests or suitable requests to participate were received.
- 2) This service is deemed an essential service, the service needs to be maintained and patient medication managed. The current circumstances within the healthcare environment, Covid-19, could negatively affect patients should change happen right now. The incumbent Provider Health and Wellbeing Ltd is an SME with the requirement to enter into new-lease agreements, therefore the CCG's need to ensure ongoing service stability until the pandemic is controlled, in order to ensure patient safety.
- 3) ADHD is a mental health disorder and patients will already be destabilised by the Covid-19 pandemic and it would be not within the interest of the patients to cause more anxiety by destabilising the incumbent provider, nor would it be deemed clinically good. The direct award enables recovery from the pandemic and stability for the patient's health conditions, with the intention of procuring the service in the future. Therefore in accordance with Regulation 32, points 2/3 above have been brought around through extreme urgency by an unforeseeable event — of which it would not be in the patients interest to change service provider due to the Covid-19 pandemic.
- 4) This is a specialist service and following market testing there is a limited market for this specialist community service and proven lack of interest in this contract in particular.

IV.1.3) **Information about framework agreement**

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**

Section V: Award of contract/concession

Contract No: STW-19-03

Title:

Adult ADHD Services

V.2) **Award of contract/concession**

V.2.1) **Date of contract award decision:**

20/07/2020

V.2.2) **Information about tenders**

The contract has been awarded to a group of economic operators: no

V.2.3) **Name and address of the contractor/concessionaire**

Official name: Mental Health and Wellbeing Services Ltd

Postal address: 2 Charlesworth Court, Battlefield Enterprise Park

Town: Shrewsbury

NUTS code: UKG22 Shropshire CC

Postal code: SY1 3AB

Country: United Kingdom

Internet address: <https://www.mentalhealthandwellbeing.co.uk/>

The contractor/concessionaire will be an SME: yes

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

Total value of the contract/lot/concession: 818 000.00 GBP

V.2.5) **Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

Section VI: Complementary information

VI.3) **Additional information:**

This VEAT Notice is published under the Public Contract Regulations 2015. It 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>
Award of a contract without prior publication of a contract notice in the Official Journal of the European Union (in the cases listed in Section 2 of Annexes D1, D2 or D3 as appropriate).

Justification for the choice of the negotiated procedure without prior publication of a contract notice in the OJEU in accordance with Directive 2004/18/EC.

The works/goods/services can be provided only by a particular tenderer for reasons that are: technical.

The direct award has been brought about in extreme urgency by unforeseeable events: yes.

No suitable tenders or tenders: yes.

New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the Directive: yes.

Following the publication of this VEAT notice on 20 July 2020 there will be a 10-day standstill period, following this period NHS Telford and Wrekin CCG and NHS Shropshire CCG will enter into a contract for a period of 18 months, with Mental Health and Wellbeing Services Ltd. The contract will start on the 1 September 2020.

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 4QQ

Country: United Kingdom

E-mail: gail.fortesmayer@nhs.net

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:**

22/07/2020