

ICB Primary Care Commissioning Committee

May 2024

Withnell Procurement Evaluation Process

1. Procurement

The procurement shall be run using the Competitive Process under the Provider Selection Regime as a single staged procurement. The evaluation of the selection (Basic Selection Criteria) and award (Key Criteria) requirements as defined in the PES will happen in parallel.

2. Advertisement

The procurement will be advertised using the “Find a Tender Service” in accordance with the requirements of the PSR.

SCHEDULE 8
Content of notice inviting offers

Regulation 11(4)

1. The contract or framework agreement title and reference.
2. A description of the relevant health care services to which the contract or framework agreement will relate, including the most relevant CPV code.
3. The intended or estimated dates—
 - (a) between which the services must be provided and the duration of the contract including potential extensions beyond the initial term; or
 - (b) of the term of the framework agreement.
4. The approximate lifetime value of the contract or framework agreement.
5. The contract or framework award criteria.
6. Where the notice relates to a proposed framework agreement, the relevant authorities which will be able to use the framework agreement.
7. A statement as to how offers must be made, which must be by electronic means.
8. A statement as to how offers will be assessed, including whether the assessment will be in stages.

The procurement documents will be published on the NHS SBS procurement portal.

3. Procurement Documents

The following documents will be published:

Document	Purpose
Bidder Instructions and Guidance	The ITT guidance and instructions to bidders. Sets out the process and timetable.

Appendix 3

Service Specification	For information and incorporation into the final contract.
APMS Draft Contract	For information.
Basic Selection Criteria Questionnaire	For bidder completion and submission describing how a bidder meets the Basic Selection Criteria.
Award Questionnaire (PES)	For bidder completion and submission describing how a bidder meets the Key Criteria.
Bidder Declarations	For bidder completion and submission to declare that the bidder does not itself have a conflict of interest.
Patient engagement report	For information on the views of patients regarding the provision of the service.

It is also proposed that a bidder briefing session is held once all of the above documentation has been published.

4. The Procurement Evaluation Strategy

The Core PES has been adopted for use in the Withnell Health Centre procurement and updated to ensure alignment with the PSR.

5. Overall composition of the evaluation panel

The evaluation panel shall be made up of relevant subject matter experts from across the ICB, alongside patients and a clinician.

It is proposed that the ICB subject matter experts be sourced from another local ICB to minimise any concerns about involvement in the previous procurement process.

The full panel will consist of individuals with the following subject matter expertise / status:

- Patient representatives
- Sustainability / Social Value
- Digital
- Finance
- HR / workforce
- Primary Care Commissioning
- Quality
- Safeguarding
- Clinical Governance
- Information Governance

Appendix 3

6. Allocation of questions

Each question will be evaluated by at least two evaluators with a target of no more than three evaluators per question. Where a patient representative is evaluating a question then they will be in addition to the subject matter experts.

The questions will be allocated to evaluators to match their relevant expertise.

7. Conflict of interests and Confidentiality Undertaking

Conflicts of interest will be managed in compliance with Regulation 21 of the PSR. Each potential evaluator will be required to sign a conflict-of-interest declaration form.

Evaluators with a conflict of interest in relation to any provider taking part in the procurement will be unable to continue as part of the evaluation panel and removed from the process.

Any member of the committee who is an employee, director, partner or otherwise holding a position within a provider who is taking part in the procurement process will be required to recuse themselves from being involved in the decision-making process.

The conflict of interest declaration form also requires any individual signing it to keep any information they receive as part of the evaluation process confidential and not to disclose any information to a third party.

8. Patient involvement

Patients will be involved in the evaluation exercise, focusing on the award criteria that relates most to the findings of the patient engagement as identified in the "PES to patient needs mapping" document. These areas are:

- 1.1 Provision of Essential Services and Additional Services
- 1.4 Health Promotion and Disease Prevention
- 1.5 Referral Management
- 2.1 Workforce
- 4.1 Digital Enablement
- 4.2 Patient Centred Care
- 4.4 System Working and Collaboration

Patients will evaluate these questions alongside relevant subject matter experts.

In order to balance any perception of patient conflict of interest in relation to any provider, two patients currently registered with the Withnell Health Centre and another patient registered with a practice in a geographically distant part of the ICB will be asked take part in the evaluation.

Appendix 3

The ICB will liaise with the Withnell Health Centre Patient Steering Group to identify volunteers to take part in the evaluation. The ICB will work with its existing patient groups to identify another patient volunteer from a geographically remote part of the ICB to be involved in the evaluation. The expectations will be clearly set out to patients and any conflicts of interest which may determine eligibility.

9. Evaluation training

All evaluators will be required to attend an evaluation training session provided by NHS SBS. The session will cover the evaluation process and the expectations and obligations of an evaluator to act in accordance with the PSR procurement principles. The session will cover the PES, and particularly the application of the scoring methodology.

10. Evaluation process

The evaluation will involve individual and consensus scoring. Evaluators will initially evaluate the bids independently and record the reasons for the score they awarded.

Evaluators will then attend a moderation meeting for each of the criteria they scored, where they will discuss their scores with other evaluators and seek to agree a consensus score and reasons for that consensus score, including any specific reasons for an evaluator agreeing to a consensus score which is different to the score they awarded initially. NHS SBS will chair or facilitate the moderation meeting and maintain records of the outcome. The reasons for the scores for each bid will inform the feedback that is sent to bidders when they are notified of the outcome.

The moderation process seeks to ensure that the scoring methodology is applied in accordance with the procurement documents, and the process is carried out to ensure that decisions made are in accordance with the PSR procurement principles.

The weighting will be applied to the consensus score to determine a ranked list of bidders.

11. Award recommendation report

The highest ranked bidder will be recommended for contract award and a full preferred bidder report presented to the Primary Care Commissioning Committee. This report will not be anonymous.

Appendix 3

12. Notifying bidders

Subject to Primary Care Commissioning Committee approval, bidders will be notified of the outcome of the procurement via letter through the NHS SBS procurement portal.

In accordance with the PSR Statutory Guidance, the letters to unsuccessful bidders will provide:

- The reasons why the unsuccessful bid was unsuccessful including a breakdown of the scores awarded to it including what was done well and what could be improved.
- The reasons why the successful bid was successful including a breakdown of the scores awarded to it.
- Information on the start and end of the standstill period and instructions on what to do if the bidder wishes to make a representation where they are aggrieved and feel there has been a failure by the ICB to comply with the PSR.

13. Publication of Intention to Award Notice

Once the bidders have been notified, an 'Intention to Award' notice will be published in the Find a Tender Service. This information shall contain the information required by Schedule 11 of the PSR:

SCHEDULE 11

Regulation 11(17)(a)

Content of notice following a competition under the Competitive Process

1. A statement that the award follows a competition under the Competitive Process.
2. The contract or framework agreement title and reference.
3. The name and address of the registered office or principal place of business of the provider to whom the contract has been awarded or with whom a framework agreement has been concluded.
4. A description of the relevant health care services to which the contract or framework agreement relates, including the most relevant CPV code.
5. Where the notice relates to the award of a contract, the lifetime value of the contract or, where it is not known, the amounts payable to the provider under the contract.
6. Where the notice relates to the conclusion of a framework agreement, the duration of the framework agreement, the relevant authorities which will be able to use the framework agreement and the lifetime value of the framework agreement.
7. Where the notice relates to the award of a contract, the dates between which the contract provides for the services to be provided.
8. Details of the decision-makers.
9. Any declared conflicts or potential conflicts of interest.
10. Information as to how any conflicts or potential conflicts of interest were managed.

14. Standstill Period

The Standstill Period commences on the working day after the date of publication of the Intention to Award Notice and ends on the 8th working day following the notice.