

Equitable Access to Primary Medical Care

HEREFORDSHIRE PCT PROCUREMENT SCHEME

Memorandum of Information (MOI)

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1 PURPOSE, STRUCTURE AND NEXT STEPS FOR BIDDERS

1.1 Purpose of this document

This Memorandum of Information (**MOI**) provides an overview of the Herefordshire PCT Procurement and details of the:

- Procurement and its objectives;
- The Primary Care Trust (**PCT**) service requirements;
- Procurement process;
- Procurement commercial framework; and
- Procurement governance and administration requirements.

The purpose of this MOI is to provide potential Bidders with sufficient information on the Herefordshire PCT Procurement to enable them:

- To make an informed decision about whether they wish to participate; and
- To submit an Expression of Interest (**EOI**).

1.2 Organisation of this document

This MOI is organised into the following sections:

Section 1: Purpose, Structure and Next Steps for Bidders

Detailing the purpose and organisation of the MOI and the next steps for potential Bidders.

Section 2: Introduction and Overview

Detailing the background and objectives to the Herefordshire PCT Procurement, the scope of services to be procured, the bidder pool and the factors critical to the success of the Herefordshire PCT Procurement.

Section 3: Commissioning PCT

Details of the Commissioning PCT.

Section 4: Procurement Process Overview

Detailing the steps involved in the Herefordshire PCT Procurement.

Section 5: Commercial Framework

Detailing the key commercial terms and other legal and contractual arrangements for the Herefordshire PCT Procurement.

Section 6: Governance and Administration

Detailing key governance and administration requirements of the Herefordshire PCT Procurement.

Section 7: Glossary of Terms and Abbreviations

Providing a glossary of the terms used in the MOI.

Annexes: Annex A

Detailing specific summary information for Herefordshire PCT Countywide medical out of hours (“OOH”), dental OOH and a GP Led Health Centre.

1.3 Next Steps for Bidders

Interested parties wishing to participate in the Herefordshire PCT Procurement **must** submit an EOI, via Bravo the e-procurement system to be used for this procurement by using the hyperlink <https://hpc.bravosolution.com>

Potential Bidders may bid for one or more of the services, however the PCT’s preferred solution is a single Provider unless separate providers can demonstrate connectivity and cost effectiveness.

EOIs should arrive before 12 noon on 9th June 2008.

Herefordshire PCT will not consider any potential Bidder who does not meet the deadline.

2 INTRODUCTION AND OVERVIEW

2.1 Background and Context to Equitable Access to Primary Medical Care

The NHS Next Stage Review Interim Report (October 2007) carried out by Lord Darzi (the Report), reported that, despite sustained investment and improvement in the NHS over the past ten years, access to primary medical care services and the quality of those services, continues to vary significantly across the country. Many of the poorest communities experience the worst health outcomes and major inequalities exist within England in life expectancy, infant mortality and cancer mortality. Further, the gap in life expectancy between the most deprived and least deprived areas has widened, despite improvements in life expectancy in the most deprived areas.

The Report identifies improving access to primary care as a key priority if we are to deliver more personalised care that meets the needs of individuals and communities, especially those in more disadvantaged or deprived areas. This builds on the work that the Strategic Health Authorities are already doing with PCTs to improve access, responsiveness and choice in primary medical care in response to the GP patient survey (Your Doctor, Your Experience, Your Say) results in 2007.

Equitable Access to Primary Medical Care (EAPMC) will play a significant role in achieving more personalised care set out by Lord Darzi. It is essential that there is recognition that the EAPMC programme will address specific issues highlighted in the Report. The focus of the EAPMC programme will be on achieving the visions of a fair and personalised NHS (whilst upholding the values of safe and effective primary care services).

Ministers have announced that the Government will be providing new investment of £250m to support PCTs in establishing:

- at least 100 new General Practices in the 25% of PCTs with the poorest provision (based on the fewest primary care clinicians, lowest patient satisfaction with access and the poorest health outcomes), both to increase capacity and offer an innovative range of services
- at least one new GP-led health centre in each PCT in easily accessible locations, providing a flexible range of bookable appointments, walk-in services and other services for either non-registered or registered patients, based on the guiding principle of ensuring that the local public can access GP services any time from 8am to 8pm, seven days a week

The Report states that these changes could not be achieved by the NHS alone but stressed that PCTs would have a key role to play in working alongside other agencies (including local authorities and Local Strategic Partnerships), communities, industry, the voluntary and private sectors.

Herefordshire PCT is now participating in the EAPMC programme to deliver on commitments made in the Report and will lead and manage the Herefordshire PCT procurement, with guidance from NHS West Midlands and assistance and support from the Department of Health.

2.2 Objectives of the PCT Procurement

The key objectives of the Herefordshire PCT Procurement are:

- To provide patients with greater access to NHS primary medical care services through additional capacity;
- To improve the quality of primary medical care available to patients; and
- To deliver affordable and Value for Money (VfM) NHS primary medical care services.

2.3 Scope of Services

The scope of primary medical care services for the Herefordshire PCT Procurement has been developed by the Herefordshire PCT in conjunction with the Strategic Health Authority (**SHA**) based on the needs of the local community.

The primary medical care services, medical OHH services and dental OOH services required for Herefordshire PCT Scheme(s) are detailed in Annex A of this MOI.

2.4 Bidder Pool

Herefordshire PCT wishes to receive responses to the Pre-Qualification Questionnaire (**PQQ**) from suitably qualified and experienced healthcare providers (including general practitioners, social enterprise / third sector organisations and other providers) with the necessary capacity and capability (or a demonstrable ability to provide the necessary capacity and capability) to provide the range of primary medical care services as set out in Annex A, in a safe and effective manner and to meet the requirements of paragraph 2.5 below. Potential Bidder's may bid in partnership with other organisations such that the Clinical Services Supplier may be different to the potential Bidder.

2.5 Critical Success Factors (CSFs)

Herefordshire requires the Provider(s) to meet the following Critical Success Factors (CSF's) throughout the life of the Contract(s):

Access

- Easily accessible location
- The GP Led Health Centre must be open between 08:00 hours and 20:00 hours 7 days per week, every day of the year; in addition cover for urgent and immediately necessary appointments (medical and dental OOH cover) is required from 18.00 hours – 08.00 hours for the whole county.
- The services must be provided in locations and facilities that meet local patient access preferences.

Capacity – GP Led Health Centre

- Must constitute additional capacity
- Must provide services to registered and non-registered patients and offer the facility for patients to register
- Must offer bookable GP appointments and walk-in services
- Must meet timescales for service commencement and be able to demonstrate how services will be provided to meet anticipated demand

Quality – GP Led Health Centre

- Must have GP services at core
- Must have a GP present during opening hours
- Patient centred primary medical care services delivered in a safe and effective manner
- Services delivered through a learning environment that includes training of doctors and other healthcare professionals
- Must have a system for seeking patient views on services provided and showing changes implemented as a result
- Premises must be fit for purposes and meet NHS minimum standards

Value for Money

- Demonstrate a reduction in inappropriate attendances at Hereford County Hospital A&E Department
- Services offered must be affordable within available budgets
- Services must constitute Value for Money
- Demonstrate readiness to work within APMS/PDS contract terms

Integration

- Maximise opportunities to integrate and co-locate with other community-based services, including social care and 3rd sector
- Positively contribute to local healthcare community
- Develop innovative solutions to partnership working
- Must work with Herefordshire PCT with a view to achieving the PCT's vision and objectives

Further details on CSFs applicable to the GP-Led Health Centre can be found at paragraph 3.1 of Annex A.

3 COMMISSIONING PCT

3.1 Commissioning PCT

The commissioning PCT for this procurement is:

SHA	Commissioning PCT
NHS West Midlands	Herefordshire PCT

Table 1: Commissioning PCT

A map detailing the geographical location of the Commissioning PCT is provided in Figure 1 below:



Figure 1: Commissioning PCT location

3.2 PCT Scheme(s)

Bids will be sought for the following PCT Scheme(s):

PCT Scheme(s)	Services Included	Detailed in
Herefordshire PCT	Countywide medical OOH, dental OOH and a GP Led Health Centre	Annex A

Table 2: Commissioning PCT Schemes

4 PROCUREMENT PROCESS – OVERVIEW

The Herefordshire PCT Procurement timeline is summarised in paragraph 4.1 and further detailed in paragraphs 4.2 to 4.7 below.

4.1 Procurement Timeline

The timeline for the Herefordshire PCT Procurement is set out in Table 3 below. It should be noted that the dates are expected dates at the time of issuing this MOI and may be subject to change.

Milestones	Date
Advert published and Expressions of Interest invited	9 – 16 May 2008
MOI Published (web based)	21 May 2008
Deadline for receipt of Expressions of Interest	9 June 2008
Bidder Information Day	18 June 2008
PQQ issued to potential Bidders who have submitted an EOI	23 June 2008
Deadline for receipt of potential Bidder Clarification Questions	4 July 2008
Deadline for receipt of PQQ submissions	18 July 2008
Completion of PQQ evaluation and communication of result	22 August 2008
Invitation to Tender (ITT) issued to Bidders	5 September 2008
Deadline for receipt of ITT bids	31 October 2008

Table 3: Herefordshire PCT Procurement Timeline

Further details on the timeline for the ITT stage will be detailed in the Herefordshire PCT Scheme ITT.

4.2 Advert, MOI & EOI

4.2.1 Advert

National and local adverts have been published describing, in general terms, the primary medical care services being procured by Herefordshire PCT. Adverts have been placed at national and local level to encourage responses from as wide a range of organisations as possible. Potential Bidders must register their interest by submitting an EOI in accordance with the requirements of paragraph 4.2.3.

4.2.2 Memorandum of Information

This MOI provides details of the Herefordshire PCT Procurement.

This MOI should provide potential Bidders with sufficient information on the Herefordshire PCT Procurement process and the Herefordshire PCT Scheme to enable them to make an informed decision about whether they wish to register their interest in the Herefordshire PCT Procurement.

Interest must be registered by submitting an EOI in accordance with the requirements of paragraph 4.2.3.

4.2.3 Expression of Interest

Interested parties wishing to participate in the Herefordshire PCT Procurement **must** submit an EOI, via Bravo the e-procurement system to be used for this procurement by using the hyperlink <https://hpc.bravosolution.com>

EOIs should arrive before noon on 9 June 2008.

Herefordshire PCT will not consider any potential Bidder who does not meet the deadline.

4.3 Bidder Information Event

To ensure all potential Bidders are given an equal opportunity to fully understand the requirements of the Herefordshire PCT Procurement and have an equal opportunity to bid, it is intended to hold a Bidder Information Event on 18 June 2008; however this has not yet been finalised and may be subject to change or cancellation. The Bidder Information Event will aim to inform all potential Bidders of the procurement principles, processes and next steps.

Further details of this event will be provided following receipt of EOI.

4.4 Pre-Qualification Questionnaire (PQQ)

The PQQ provides detailed information on the PQQ process, guidance on how to complete the PQQ and a series of questions for potential Bidders to answer.

The PQQ will be issued, via Bravo, week commencing 23rd June 2008 to all potential Bidders who submitted an EOI by the deadline. All potential Bidders wishing to bid for the Herefordshire PCT Scheme must respond to the PQQ before the deadline stated in the PQQ. Herefordshire PCT reserves the right not to consider any PQQ submission received after that deadline.

A clarification question and answer process will operate during the PQQ stage and will be explained in the PQQ documentation.

The PQQ is designed to evaluate the capacity, capability and eligibility of potential Bidders to provide the primary medical care services which are the subject of the Herefordshire PCT Procurement.

The PQQ evaluation will include a short-listing process and potential Bidders will be told whether or not they have been short-listed.

Further details of the PQQ process and evaluation will be set out in the PQQ.

4.5 Invitation to Tender

Bidders invited to proceed to the ITT stage for the Herefordshire PCT Scheme will be issued with a Herefordshire PCT Scheme ITT.

The detailed requirements of the Herefordshire PCT Scheme ITT, the information required from Bidders and the timescales for submission of bids will be included in the relevant ITT.

Further details of the ITT process and evaluation will be set out in the Herefordshire PCT ITT.

4.6 Contract Award

Based on the outcome of the Herefordshire PCT Scheme ITT evaluation, recommendations will be made to the Herefordshire PCT Board for the Board to consider. Following PCT Board approval, the PCT and the recommended Bidder may enter into the contract(s).

4.7 Service Commencement

Following contract award and in accordance with the Provider's mobilisation plan, Herefordshire PCT and the Provider will work together towards service commencement at the contractually agreed date.

5 COMMERCIAL FRAMEWORK

Potential Bidders' attention is drawn to the following commercial information:

5.1 Contract

The contract(s) to be entered into by the PCT and the selected Provider(s) for the Herefordshire PCT Procurement in respect of the medical OOH service provision and GP Led Health Centre will comply with the Alternative Provider Medical Services Directions 2008. The contract to be entered into by the PCT and the selected Provider for the Herefordshire PCT Procurement in respect of the dental OOH service provision will comply with the National Health Service (Personal Dental Services Agreements) Regulations 2005.

Each Contract will be separate to and independent of any existing contract currently in place between a Provider and Herefordshire PCT.

5.2 Contract Duration

The Contracts will be for a term of five years with the possibility of extending the term beyond the initial contracted duration by mutual agreement with the Provider.

5.3 Clinical

Herefordshire PCT is looking for providers with the necessary capacity and capability (or a demonstrable ability to provide the necessary capacity and capability) to deliver high quality, patient-centred and VfM primary medical care services, delivered in a safe and effective manner and through a learning environment which includes the training of doctors and other healthcare professionals.

5.4 Protection of Existing Primary Medical Care Services

The Herefordshire PCT Procurement will adopt a policy of local nil detriment which will focus on service delivery from a patient perspective and not how or which people are employed.

The policy means that new primary medical care services through the Herefordshire PCT Scheme must be delivered so that existing primary medical care services (or such services delivered in the vicinity local to the new primary medical care services) are not penalised, from a patient perspective. It will be for each Bidder to demonstrate and for Herefordshire PCT to evaluate prior to awarding a Contract to a Bidder and to monitor throughout the Contract term.

For the avoidance of doubt, patients will have the freedom to move from their existing general practice to a new general practice if they wish to do so.

5.5 Workforce

5.5.1 Policies and Strategies

Bidders will be required to provide evidence that all proposed workforce policies, strategies, processes and practices comply with all relevant employment legislation applicable in the UK and in addition comply with the provisions outlined in:

- Safer Recruitment – A Guide for NHS Employers (May 2005);

- The Code of Practice for the International Recruitment of Healthcare Professionals (December 2004) (the Code of Practice); and
- Standards for Better Health (April 2006).

At PQQ Stage, potential Bidders will be required to provide executive summary information on the following, with full copies of policies and other documentation being required at ITT stage:

- Recruitment, Health & Safety and other relevant policies including those on environmental protection;
- Procedures for ensuring compliance that all clinical staff, including doctors, nurses and allied health professionals, are registered with the relevant UK professional and regulatory bodies;
- Policy for ensuring clinical staff meet the CPD requirements of their professional and regulatory bodies; and
- Staff handbook setting out terms and conditions of employment for staff.

Further details of the staff resourcing and workforce policy requirements will be included in the Herefordshire PCT Scheme ITT.

5.5.2 Pensions

Potential Bidders should assume that their staff would not be able to participate in NHS pension and injury benefit arrangements. The only exception to this is if the Provider is an organisation that meets eligibility conditions for PMS or GMS contracting and staff meet eligibility conditions for the NHS Pension Scheme.

5.5.3 Staff Transfers (TUPE)

The Herefordshire PCT Procurement of a GP Led Health Centre focuses on access and capacity issues through procuring additional primary care medical services. In providing better access and additional capacity, it is expected that Bidders will identify in their bids the need to employ additional staff to deliver the primary medical care services. However, some patient transfers from existing providers to new providers may occur and where this involves significant patient numbers representing a material proportion of an undertaking, there may be staff transfers under TUPE.

Where TUPE applies, the Code of Practice on Workforce Matters in Public Sector Service Contracts Guidance (Cabinet Office, March 2005)¹ will apply. This means that staff transferring under TUPE should receive access to a pension scheme that is certified as “broadly comparable” with the NHS Pension Scheme by the Government Actuary’s Department (**GAD**).

TUPE may apply to the medical OOH service and/or the dental OOH service.

5.6 Training

The Provider(s) must, if required by Herefordshire PCT, be prepared to provide and / or accommodate, training, teaching and education for doctors including Foundation Programme and Specialist Training in General Practice and the training, teaching and education for other healthcare professionals. The Provider(s) will be required to comply with the requirements of the Postgraduate

¹ [Code of Practice on Workforce Matters in Public Sector Service Contracts Guidance](#)

Medical Education and Training Board, Postgraduate Medical Deaneries, Royal College of General Practitioners, higher education training providers and the Healthcare Commission (if applicable), and any other relevant training bodies, for the supervision of clinical training.

Providers will be expected (if required by Herefordshire PCT) to commit to obtaining accreditation for training status.

5.7 Premises, Facilities Management & Equipment

5.7.1 Premises

Providers are being asked to bid for services, not premises. As such they may have the option of adopting their own premises solutions, providing they meet the service specifications. Where the PCT has located suitable premises (which may not necessarily be from their own stock) then they will be made available to the provider on lease terms that will be contained in the ITT. Herefordshire PCT reserves the right to mandate property solutions for one or more of the services; in such circumstances, Providers may be required to enter into a lease or sub-lease arrangement for the use of that property. Further details on any such proposals and / or requirements for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT.

5.7.2 Facilities Management Services

Providers will be expected to fund FM Services costs except where FM Services at a PCT mandated property are provided as part of a separate, wider arrangement. Under these circumstances, Herefordshire PCT may require the Provider to utilise existing FM Services.

The exact mechanics of the payment mechanism will be detailed in the Herefordshire PCT Scheme ITT.

Further details on FM Services requirements for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT.

5.7.3 Equipment

Providers will be responsible for the provision and cost of equipment, unless there are compelling reasons in respect of the Herefordshire PCT Scheme why this would not be the optimal equipment solution.

Details on equipment requirements for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT.

5.8 IM&T

The Provider will be required to provide an appropriate IM&T solution in agreement with Herefordshire PCT.

The Provider will be required to provide data migration support from existing GP system to the new GP System.

Further details on IM&T requirements for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT.

5.9 Payment Mechanism

Payment to a Provider for the Herefordshire PCT Scheme may be linked to availability, activity, capacity, patient list sizes and/or achievement of Key Performance Indicators.

Further details on the payment mechanism for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT.

5.10 Financial Standing

Financial standing requirements for the Herefordshire PCT Procurement will be limited at the PQQ stage to confirmation of identity, solvency and proposed business structure, with no other financial requirements. At the ITT stage, Bidders will be required to put forward detailed proposals as to how the Hereford Primary Care Trust Scheme funding requirement would be met.

5.11 Performance Security

It is expected that no performance security will be required from Providers for the Herefordshire PCT Procurement. However, if the Herefordshire PCT Scheme requires substantive infrastructure spending and expects high activity volumes, some performance security may need to be considered for the Herefordshire PCT Scheme. If required, details will be set out in the Herefordshire PCT Scheme ITT.

5.12 Insurance

A comprehensive schedule of insurances that the Provider(s) will be required to obtain for the Herefordshire PCT Scheme will be set out in the Herefordshire PCT Scheme ITT. This will typically include public liability, corporate medical malpractice and certain property cover. These required insurances are in addition to the Medical/Dental Defence Union indemnity insurance carried by GPs/dentists themselves and the Medical Protection Society indemnity insurance carried by nurse practitioners.

The insurance requirements will also require Providers to ensure that:

- PCTs' interests are fully protected;
- Members of the public utilising the primary medical care services and/or OOH services are fully protected to the extent that they have a valid claim against the Provider and / or PCT; and
- The Provider maintains insurance which meets at least the minimum statutory requirements.

Providers will be required to indemnify the PCT against any claims that may be made against the PCT arising from the provision of the primary medical care services and/or OOH services by the Provider. Herefordshire PCT will expect the Provider(s) to offer evidence that they have sourced appropriate (and sufficient) insurance or other arrangements. For the avoidance of doubt, this will include provisions for clinical negligence insurance covering all staff and operational risk in the facilities from which the Provider's primary medical care services and/or OOH services are to be provided.

6 GOVERNANCE AND ADMINISTRATION

6.1 Requirements

6.1.1 Procurement Costs

Each Relevant Organisation will be responsible for its own costs incurred throughout each stage of the Herefordshire PCT Procurement process. Neither Herefordshire PCT, the SHA or DH will be responsible for any costs incurred by any Relevant Organisation or any other person through this process.

6.1.2 Consultation

PCTs will lead on all local stakeholder engagement issues. All PCT Schemes are subject to ongoing patient and public consultation under the provisions of the National Health Service Act 2006. The PCT has adopted a process of ongoing engagement to inform the process and all comments will be received and considered prior to finalising of the ITT and service specification.

6.1.3 The Public Contract Regulations 2006

The primary medical care services to which this MOI relates fall within Part B of Schedule 3 to the Public Contracts Regulations 2006 (**“the Regulations”**) and Annex II B to Council Directive 2004/18/EC. Neither the inclusion of a Bidder selection stage nor the use of the term “Pre-Qualification Questionnaire” nor any other indication shall be taken to mean that Herefordshire PCT intends to hold itself bound by any of the Regulations, save those applicable to Part B services.

6.1.4 Conflicts of interest

In order to ensure a fair and competitive procurement process, Herefordshire PCT requires that all actual or potential conflicts of interest that a potential Bidder may have are identified and resolved to the satisfaction of Herefordshire PCT.

Potential Bidders should notify Herefordshire PCT of any actual or potential conflicts of interest in their response to the PQQ. If the potential Bidder becomes aware of an actual or potential conflict of interest following submission of the PQQ it should immediately notify Herefordshire PCT via email to equitable.access@herefordpct.nhs.uk. Such notifications should provide details of the actual or potential conflict of interest.

If, following consultation with the potential Bidder or Bidder, such actual or potential conflict(s) are not resolved to the satisfaction of Herefordshire PCT, then Herefordshire PCT reserves the right to exclude at any time any potential Bidder or Bidder from the Herefordshire PCT Procurement process should any actual or potential conflict(s) of interest be found by Herefordshire PCT to confer an unfair competitive advantage on one or more potential Bidder(s), or otherwise to undermine a fair and competitive procurement process.

6.1.5 Non-collusion and Canvassing

Each potential Bidder and Bidder must neither disclose to, nor discuss with any other potential Bidder, or Bidder (whether directly or indirectly), any aspect of any response to any Herefordshire PCT Procurement documents (including the PQQ and ITT).

Each potential Bidder and Bidder must not canvass or solicit or offer any gift or consideration whatsoever as an inducement or reward to any officer or employee of, or person acting as an adviser to, either the NHS or the DH in connection with the selection of Bidders or the Provider in relation to the Herefordshire PCT Procurement.

6.1.6 Freedom of Information

Herefordshire PCT is committed to open government and meeting its legal responsibilities under the Freedom of Information Act 2000 (**FOIA**). Accordingly, any information created by or submitted to Herefordshire PCT (including, but not limited to, the information contained in the MOI, PQQ or Scheme ITT and the submissions, bids and clarification answers received from potential Bidders and Bidders) may need to be disclosed by Herefordshire PCT in response to a request for information.

In making a submission or bid or corresponding with the PCT at any stage of the Herefordshire PCT Procurement, each potential Bidder, Bidder and each Relevant Organisation acknowledges and accepts that Herefordshire PCT may be obliged under the FOIA to disclose any information provided to it:

- Without consulting the potential Bidder or Bidder; or
- Following consultation with the potential Bidder or Bidder and having taken its views into account.

Potential Bidders and Bidders must clearly identify any information supplied in response to the Herefordshire PCT Scheme PQQ or the ITT that they consider to be confidential or commercially sensitive and attach a brief statement of the reasons why such information should be so treated and for what period.

Where it is considered that disclosing information in response to a FOIA request could cause a risk to the procurement process or prejudice the commercial interests of any potential Bidder or Bidder, Herefordshire PCT may wish to withhold such information under the relevant FOIA exemption.

However, potential Bidders should be aware that Herefordshire PCT is responsible for determining at its absolute discretion whether the information requested falls within an exemption to disclosure, or whether it must be disclosed.

Potential Bidders should therefore note that the receipt by Herefordshire PCT of any information marked “confidential” or equivalent does not mean that Herefordshire PCT accepts any duty of confidence by virtue of that marking, and that Herefordshire PCT has the final decision regarding the disclosure of any such information in response to a request for information.

6.1.7 Disclaimer

The information contained in this MOI is presented in good faith and does not purport to be comprehensive or to have been independently verified.

Neither the Herefordshire PCT, the DH, nor any of their advisers accept any responsibility or liability in relation to its accuracy or completeness or any other

information which has been, or which is subsequently, made available to any potential Bidder, Bidder, Provider, Bidder Member, Clinical Services Supplier, financiers or any of their advisers, orally or in writing or in whatever media.

Interested parties and their advisers must therefore take their own steps to verify the accuracy of any information that they consider relevant. They must not, and are not entitled to, rely on any statement or representation made by Herefordshire PCT, the DH or any of their advisers.

This MOI is intended only as a preliminary background explanation of Herefordshire PCT's activities and plans and is not intended to form the basis of any decision on the terms upon which Herefordshire PCT will enter into any contractual relationship.

Herefordshire PCT reserves the right to change the basis of, or the procedures (including the timetable) relating to, the Herefordshire PCT Procurement process, to reject any, or all, of the PQQ submissions and Herefordshire PCT Scheme ITT bids, not to invite a potential Bidder to proceed further, not to furnish a potential Bidder with additional information nor otherwise to negotiate with a potential Bidder in respect of the Herefordshire PCT Procurement.

Herefordshire PCT shall not be obliged to appoint any of the Bidders and reserves the right not to proceed with the Herefordshire PCT Procurement, or any part thereof, at any time.

Nothing in this MOI is, nor shall be relied upon as, a promise or representation as to any decision by Herefordshire PCT in relation to this Herefordshire PCT Procurement. No person has been authorised by Herefordshire PCT or its advisers or consultants to give any information or make any representation not contained in this MOI and, if given or made, any such information or representation shall not be relied upon as having been so authorised.

Nothing in this MOI or any other pre-contractual documentation shall constitute the basis of an express or implied contract that may be concluded in relation to the Herefordshire PCT Procurement, nor shall such documentation/information be used in construing any such contract. Each Bidder must rely on the terms and conditions contained in any contract when, and if, finally executed, subject to such limitations and restrictions that may be specified in such contract. No such contract will contain any representation or warranty in respect of the MOI or other pre-contract documentation.

In this section, references to this MOI include all information contained in it and any other information (whether written, oral or in machine-readable form) or opinions made available by or on behalf of Herefordshire PCT, DH or any of their advisers or consultants in connection with this MOI or any other pre-contract documentation.

7 GLOSSARY OF TERMS AND ABBREVIATIONS

Term	Description
APMS	Alternative Provider Medical Services
Bidder	A single operating organisation/person that has been short-listed through the PQQ evaluation process and been invited to participate in the ITT stage and is bidding for one or more PCT Schemes
Bidder Guarantor	An organisation providing a guarantee, indemnity or other undertaking in respect of a Bidder's or a Bidder Member's obligations
Bidder Member	A shareholder or member or proposed shareholder or member in, or controlling entity of, the Bidder and / or that shareholder's or member's or proposed shareholder's or member's ultimate holding company or controlling entity
CfH	Connecting for Health
CPD	Continuing Professional Development
Clinical Services Supplier	All suppliers providing clinical services which are the subject of the Contract including, but not limited to, primary medical care services
Contract	A form of APMS contract, as detailed further in paragraph 5.1, to be entered into between the relevant commissioning PCT and Recommended Bidder for the provision of primary medical care services
DH	Department of Health
EOI	Expression of Interest
FM Services	Facilities management services including "Hard FM" (including services relating to security, fire, utility management, utility breakdown, pest control, landscape maintenance) and "Soft FM" (including services relating to cleaning, laundry, health and safety, portering, waste management, clinical waste management, infection control, linen, gowns and bedding)
FOIA / Freedom of Information Act	The Freedom of Information Act 2000 and any subordinate legislation made under that Act from time to time, together with any guidance and / or codes of practice issued by the Information Commissioner, the Department of Constitutional Affairs, the Office of Government Commerce and the NHS in relation to such legislation or relevant codes of practice to which the DH and Herefordshire PCT is subject
GMS	General Medical Services contract
GP	General Practitioner
GSPoC	GP Systems of Choice Programme
IM&T	Information Management and Technology
ITT	Invitation to Tender
MOI	This Memorandum of Information setting out the details of each PCT Scheme and the requirements of the Herefordshire PCT Procurement
nGMS	(n/N)ew General Medical Services Contract
NHS	National Health Service
PCT	That Primary Care Trust participating in the Herefordshire PCT Procurement
PCT Scheme	The primary medical care services to be procured by a PCT, as detailed (by PCT Scheme) in paragraph 3.2 and set out in Annex A
Herefordshire PCT Scheme ITT	An ITT that is specific to those primary medical care services set out in one or more PCT Schemes that a PCT wishes to procure and is sent to potential Bidders who have been short-listed following the PQQ stage

Term	Description
PMS	Personal Medical Services contract
potential Bidder	A single operating organisation or person that is participating in the Herefordshire PCT Procurement, but that has not at the relevant time been invited to respond to an ITT
PQQ	Pre-Qualification Questionnaire
Provider	The successful Bidder who has entered into a Contract with a PCT to provide the primary medical care services specified in the relevant PCT Scheme
Relevant Organisation	An organisation(s) or person connected with a response to a PQQ and / or connected with a bid submission including (without limitation): <ul style="list-style-type: none"> (i) the potential Bidder; (ii) the Bidder; (iii) the Provider; (iv) each Bidder Member; (v) each Bidder Guarantor; and (vi) each Clinical Services Supplier
Spearhead	A PCT is classified as "Spearhead" if it is one of a group of 62 PCTs based upon 70 Local Authority areas that are in the bottom fifth nationally for three or more of the following five indicators: <ul style="list-style-type: none"> (i) Male life expectancy at birth; (ii) Female life expectancy at birth; (iii) Cancer mortality rate in under 75s; (iv) Cardio Vascular Disease mortality rate in under 75s; (v) Index of Multiple Deprivation 2004 (Local Authority Summary).
SHA	Strategic Health Authority
TUPE	Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI/2006/246)
Under-doctored	A PCT is classified as "under-doctored" if its number of whole time equivalent GPs (excluding GP Retainers, GP Registrars and locums) per 100,000 weighted population is less than the national average. The average number of GPs per 100k weighted population at March 2005 was 57.89 GPs.
VfM	Value for Money which is the optimum combination of whole-life cost and quality (fitness for purpose) to meet the overall service requirement

8 ANNEX

Annex A – Herefordshire PCT Countywide Medical OOH, Dental OOH and a GP Led Health Centre See separate document