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25th March 2019

Deputy Michael Fitzmaurice,
Dáil Eireann,
Leinster House,
Kildare Street,
Dublin 2.

PQ 10459/19:

To ask the Minister for Health if the extension of two HSE contracts (details supplied) are fully compliant with all aspects of Irish and EU procurement rules; if the extensions rely on special clauses, powers or situations for their legal implementation; and if he will make a statement on the matter

Details Supplied: National Contract for the Provision of Disposable Continence Products, Ref HSE 7103; and the National Contract for the Storage and Distribution of Disposable Continence Products, Ref HSE 9910

-Michael Fitzmaurice

Dear Deputy Fitzmaurice,

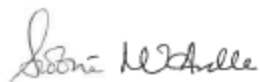
The Health Service Executive has been requested to reply to you directly in the context of the above Parliamentary Question, which you submitted to the Minister for Health for a response.

The HSE tendered for contracts for the supply, storage and distribution for incontinence wear products due to the expiration of the previous contract. The model agreed by the National Expert Group was to tender for product supply separately to storage and delivery.

As an emergency measure on foot of legal action by the previous contractor, the HSE engaged the successful tenderer (FreightSpeed) for storage/delivery of incontinence wear into a bridging contract (commenced February 2018) for an interim period in order to secure supply and minimise any effect on service users and services. These contracts are fully compliant: the additional 6 month extension to the bridging contract for the storage and supply of incontinence wear products invokes Article 72 (1) (c) of Directive 2014/EU/24.

I trust this information is of assistance to you.

Yours sincerely,



Siobhán McArdle,
Head of Operations Primary Care,
Community Operations