

**Reference Number:** FOI/LHCH/2018/048  
**From:** Commercial  
**Date:** 02 March 2018  
**Subject:** Pathology Managed Service Contract – Legal Challenges

Q1 Name of Procuring organisation

A1 [Information exempt under Section 21 of the Freedom of Information Act 2000 - 'Information reasonably accessible to the applicant by other means'](#).

This information is available on our website: [www.lhch.nhs.uk](http://www.lhch.nhs.uk) and above.

Q2 How many tenders for Pathology Managed Service Contracts have you started since 1st January 2013?

A2 Zero

Q3 Title of tender

Q4 Approx date commenced (*month/ year*)

Q5 Who was the incumbent supplier/s at the time of undertaking this procurement activity?

Q6 What was the estimated **annual** value of the proposed contract?

Q7 What was the anticipated duration (primary term) of the tendered contract?

Q8 What procedure did you use?

Q9 If the contract has been awarded, who is/are the appointed supplier/s?

Q10 Was the procurement process challenged at any point in the procurement process?

Q11 Who raised the challenge (supplier/s name/s)?

Q12 Please summarise the key grounds for challenge (tick all that apply)

Q13 Did the Trust feel the grounds for the challenge being raised were justified and legitimate?

Q14 How far did the challenge proceed?

Q15 What was the outcome of the challenge?

Q16 How long did the process of challenge take to resolve?

Q17 Were damages awarded to the supplier who challenged?

Q18 What damages were awarded?

- Q19 What legal costs did you incur in reaching a conclusion?
- Q20 Have you put an estimated value on the entire challenge to the Trust?
- Q21 Do you have any further comment you would like to make in regards to this challenge?
- Q22 If you or someone in your organisation would be willing to discuss the details of the challenge/s detailed in this survey, please provide contact details below

A3-22 Information not held – not applicable as per A2