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Contract

## **DAC 131/20 - Portal Industrial Staff - Seal Checks**

DEPARTMENT OF AGRICULTURE , ENVIRONMENT AND RURAL AFFAIRS

F03: Contract award notice

Notice identifier: 2021/S 000-000449

Procurement identifier (OCID): ocds-h6vhtk-028915

Published 11 January 2021, 10:19am

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

DEPARTMENT OF AGRICULTURE , ENVIRONMENT AND RURAL AFFAIRS

C/O Clare House 303 Airport Road West

Belfast

BT3 9ED

#### **Contact**

Donna Williams

#### **Email**

[Donna.Williams@finance-ni.gov.uk](mailto:Donna.Williams@finance-ni.gov.uk)

#### **Telephone**

+44 2890816414

#### **Country**

United Kingdom

**NUTS code**

UK - UNITED KINGDOM

**Internet address(es)**

Main address

<https://www.daera-ni.gov.uk/>

Buyer's address

<https://www.finance-ni.gov.uk/topics/procurement>

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

General public services

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

DAC 131/20 - Portal Industrial Staff - Seal Checks

Reference number

DAC 131/20

**II.1.2) Main CPV code**

- 79710000 - Security services

**II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

DAERA is responsible for Sanitary and Phytosanitary - SPS - checks on certain goods coming into Northern Ireland. (SPS) Operational Delivery Programme is in the Official Controls Regulation (OCR) (2017/625). The requirements as set out in the OCR are part of domestic law as a result of Article 5(4) of the NI Protocol and Section 7A of the European Union (Withdrawal) Act 2018.

SEAL Checks are required at the posts.

#### **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: £513,620

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UK - UNITED KINGDOM

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

Seal checks at Ports

#### **II.2.5) Award criteria**

Price

#### **II.2.11) Information about options**

Options: Yes

Description of options

The contract will commence on the 1st January 2021. The initial period is for 12 months, with an option to extend for a further 12 months if required.

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

Under Regulation 32(c) these services are required for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, and the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. This is as a result of the UK exit and conditions imposed on NI. The legislative basis for the Sanitary and Phytosanitary (SPS) Operational Delivery Programme is in the Official Controls Regulation (OCR) (2017/625). The requirements as set out in the OCR are part of domestic law as a result of Article 5(4) of the NI Protocol and Section 7A of the European Union (Withdrawal) Act 2018. Under the OCR, DAERA is responsible for SPS checks on certain goods coming into Northern Ireland. Further it is in the public interest and for public safety that this requirement must be met. This is further in line with a derogation under the EU DIRECTIVE 2014/24 whereby it is explicit under Provision 41 that : Nothing in this Directive should prevent the imposition or enforcement of measures necessary to protect public policy, public morality, public security, health, human and animal life, the preservation of plant life or other environmental measures, in particular with a view to sustainable development, provided that those measures are in conformity with the TFEU. For these checks to take place at GB Ports prior to goods moving to NI to ensure the free flow of freight traffic and avoid congestion. Staff need to be in place by mid-December and given these extremely tight timescales DAERA cannot now facilitate competitive procurement procedures and it is in the public interest that staff are urgently put in place to conduct these checks as they are critical to ensure uninterrupted supply of food and goods to NI post EU Exit on 1 January 2021. These are Schedule 3 Services and below the 'light touch regime threshold.

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract**

### **Contract No**

DAC 131/20

### **Title**

DAC 131/20 - Portal Industrial Staff - Seal Checks

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

30 December 2020

#### **V.2.2) Information about tenders**

Number of tenders received: 1

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

#### **V.2.3) Name and address of the contractor**

Securitas Security Services (UK) Ltd

Hampton House, Oldham Road, Middleton

Manchester

M24 1GT

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £513,620

Total value of the contract/lot: £513,620

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## **Section VI. Complementary information**

### **VI.3) Additional information**

Under Regulation 32(c) these services are required for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, and the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. This is as a result of the UK exit and conditions imposed on NI. The legislative basis for the Sanitary and Phytosanitary (SPS) Operational Delivery Programme is in the Official Controls Regulation (OCR) (2017/625). The requirements as set out in the OCR are part of domestic law as a result of Article 5(4) of the NI Protocol and Section 7A of the European Union (Withdrawal) Act 2018. Under the OCR, DAERA is responsible for SPS checks on certain goods coming into Northern Ireland. Further it is in the public interest and for public safety that this requirement must be met. This is further in line with a derogation under the EU DIRECTIVE 2014/24 whereby it is explicit under Provision 41 that : Nothing in this Directive should prevent the imposition or enforcement of measures necessary to protect public policy, public morality, public security, health, human and animal life, the preservation of plant life or other environmental measures, in particular with a view to sustainable development, provided that those measures are in conformity with the TFEU. For these checks to take place at GB Ports prior to goods moving to NI to ensure the free flow of freight traffic and avoid congestion. Staff need to be in place by mid-December and given these extremely tight timescales DAERA cannot now facilitate competitive procurement procedures and it is in the public interest that staff are urgently put in place to conduct these checks as they are critical to ensure uninterrupted supply of food and goods to NI post EU Exit on 1 January 2021. These are Schedule 3 Services and below the 'light touch regime threshold.

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The UK does not have any such bodies with responsibility for appeal / mediation procedures

Town  
Clare House 303 Airport Road West

Belfast

BT3 9ED

Country

United Kingdom

