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Awarded contract

## **Supply of two mobile libraries**

Norfolk County Council

F15: Voluntary ex ante transparency notice

Notice reference: 2023/S 000-002925

Published: 31 January 2023, 1:27pm

### **Section I: Contracting authority/entity**

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

Norfolk County Council

Martineau Lane

NORWICH

NR12DH

#### **Email**

[sourcingteam@norfolk.gov.uk](mailto:sourcingteam@norfolk.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKH15 - Norwich and East Norfolk

#### **Justification for not providing organisation identifier**

Not on any register

### **Internet address(es)**

Main address

[www.norfolk.gov.uk](http://www.norfolk.gov.uk)

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

Regional or local authority

## **I.5) Main activity**

General public services

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## **Section II: Object**

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

#### **II.1.1) Title**

Supply of two mobile libraries

#### **II.1.2) Main CPV code**

- 34144760 - Mobile library vehicles

#### **II.1.3) Type of contract**

Supplies

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

Norfolk County Council conducted a competitive procurement to purchase two mobile libraries to replace ageing fleet in 2021. The contract was awarded to Nu-Track Ltd (contract award notice reference 2021/S 000-021840) to build two mobile libraires on chassis which were purchased by Nu-Track Ltd from TBF Thompson DAF Trucks Ltd, a division of TBF Thompson (Garvagh) Ltd.

Nu-Track Ltd have subsequently entered insolvency and have been unable to complete the

build of the two mobile libraries that were commissioned.

The partially completed libraries have been re-acquired by TBF Thompson (Garvagh) limited and Norfolk County Council will enter into a contract for the completion of the mobile libraries by T B F THOMPSON (GARVAGH) LIMITED as they hold legal title to the partly completed vans and therefore Norfolk County Council is not able to compete this requirement.

### **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: £307,000

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 34000000 - Transport equipment and auxiliary products to transportation

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

NUTS codes

- UKN - Northern Ireland

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

Norfolk County Council conducted a competitive procurement to purchase two mobile libraries to replace ageing fleet in 2021. The contract was awarded to Nu-Track Ltd (contract award notice reference 2021/S 000-021840) to build two mobile libraries on chassis which were purchased by Nu-Track Ltd from TBF Thompson DAF trucks, a division of TBF Thompson (Garvagh) Ltd.

Nu-Track Ltd have subsequently entered insolvency and have been unable to complete the build of the two mobile libraries that were commissioned.

The partially completed libraries have been re-acquired by TBF Thompson (Garvagh) limited and Norfolk County Council will enter into a contract for the completion of the mobile libraries by T B F THOMPSON (GARVAGH) LIMITED as they hold legal title to the partly completed vans and therefore Norfolk County Council is not able to compete this

requirement.

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

Options: No

### **II.2.14) Additional information**

This is a notice under regulation 32(b)(ii) of the Public Contracts Regulations 2015 (as amended) as the Council is unable to compete the procurement for the partially completed mobile libraries for technical reasons, those reasons being that the title of the vehicles belongs to TBF Thompson (Garvagh) Ltd and not Norfolk County Council, and the roadworthiness of the vehicles will need to be certified by TBF Thompson (Garvagh) Ltd before the purchase can be completed.

Furthermore, due to global market forces, delays in the supply chain of vehicles and inflation, the price of purchasing new chassis would add approximately 20% to the original purchase value, and a further year to completion of the mobile libraries. This would therefore add considerable delay and cost to the acquisition of new mobile libraries for use by the residents of Norfolk.

Therefore, in order to not further delay the process and achieve the best value for money the Authority is awarding the contract for completion of the mobile libraries to the owner of the vehicles.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The title of the partially completed mobile libraries belongs to TB F THOMPSON (GARVAGH) LIMITED and Norfolk County Council will enter into a contract for the completion of the mobile libraries with them as they hold legal title to the partly completed vans. Therefore Norfolk County Council is not able to compete this requirement. The roadworthiness of the vehicles will need to be certified by T B F THOMPSON (GARVAGH) LIMITED before the acquisition by Norfolk County Council can be completed.

#### **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/concession**

A contract/lot is awarded: Yes

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

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

31 January 2023

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

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

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

T B F THOMPSON (GARVAGH) LIMITED

19 Michelin Road

Newtownabbey Co. Antrim

BT36 4PT

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Companies House

NI036301

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £307,000

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## **Section VI. Complementary information**

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

Norfolk County Council is holding a standstill period before entering into a formal agreement with TBF Thompson (Garvagh) Ltd for the completion of the two mobile libraries. The standstill period will end at midnight on 10 February 2023

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

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

nplaw

Norwich

Country

United Kingdom