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Award

## **FMM-22-010 The Education Authority Term Service Short Contract for the Provision of Building - Response, Planned Maintenance and Minor Works Lot 1**

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-003875

Procurement identifier (OCID): ocids-h6vhtk-04dc01

Published 5 February 2025, 4:52pm

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

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

the Education Authority

40 Academy Street

Belfast

BT1 2NQ

#### **Email**

[facilities.procure@eani.org.uk](mailto:facilities.procure@eani.org.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

## Internet address(es)

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

## I.4) Type of the contracting authority

Body governed by public law

## I.5) Main activity

Education

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

FMM-22-010 The Education Authority Term Service Short Contract for the Provision of Building - Response, Planned Maintenance and Minor Works Lot 1

#### II.1.2) Main CPV code

- 45210000 - Building construction work

#### II.1.3) Type of contract

Works

#### II.1.4) Short description

The Measured Term Service Short Contract for the Provision of Building: Response, Planned Maintenance and Minor Works Lots 1, 2 and 3. Works / Services include the following Core Skill Disciplines: Building Works, Asbestos Services and a number of other related disciplines along with Supplementary Skill disciplines. Economic Operators are advised to refer to the tender documents for further information. The project may include task orders with a value of up to £500k. Lot 1 Building: comprising administration premises, youth service premises, special schools (including school meals kitchens),

primary and nursery schools, post-primary schools (including school meal kitchens) and transport premises and depots in the council areas of Mid and East Antrim and Antrim and Newtownabbey Lot 2 Building: comprising administration premises, youth service premises, special schools (including school meals kitchens), primary and nursery schools, post-primary schools (including school meal kitchens) and transport premises and depots in the council areas of Lisburn and Castlereagh and Ards and North Down Lot 3 Building: comprising administration premises, youth service premises, special schools (including school meals kitchens), primary and nursery schools, post-primary schools (including school meal kitchens) and transport premises and depots in the council areas of Armagh, Banbridge and Craigavon.

#### **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: £21,600,000

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

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

- 45260000 - Roof works and other special trade construction works
- 45453100 - Refurbishment work
- 45000000 - Construction work
- 45214000 - Construction work for buildings relating to education and research

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

NUTS codes

- UKN - Northern Ireland

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

The Measured Term Service Short Contract for the Provision of Building: Response, Planned Maintenance and Minor Works Lots 1, 2 and 3. Works / Services include the following Core Skill Disciplines: Building Works, Asbestos Services and a number of other related disciplines along with Supplementary Skill disciplines. Economic Operators are advised to refer to the tender documents for further information. The project may include task orders with a value of up to £500k. Lot 1 Building: comprising administration premises, youth service premises, special schools (including school meals kitchens),

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

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

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

Options: Yes

Description of options

Lot Contract period of two years with the option of additional periods for a total maximum

Lot Contract duration of 4 years

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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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

- The procurement falls outside the scope of application of the regulations

Explanation:

The proposed starting date for the Term Service Short Contract for Response, Planned Maintenance and Minor Works – Building (Lot 1) FMM-22-010 has been revised from 01 February 2025 to 01 April 2025. This is due to additional time being required for the development, integration and testing of the API, which is a critical requirement under the contract and essential for contract commencement. The development, integration and testing of the API is currently ongoing and is envisaged to be completed in advance of 01 April 2025. Until the API is successfully implemented, the Contract, and service thereunder, cannot commence.

The overall nature of the contract is not altered by the change to the proposed starting date. Also, any associated modification value (if any) will not exceed 15% of the initial contract value. Whilst the change to the proposed starting date is permissible under Regulation 72(5), EANI has chosen to publish this notice in the abundance of caution and to maintain openness and transparency with the market.

Furthermore, Regulation 72(1)(c) also permits this modification due to unforeseen circumstances which a diligent contracting authority could not have foreseen. Namely, the delay in the API implementation could not have been foreseen when the proposed starting date was originally communicated to the market. In addition, the overall nature of the contract is not altered and the modification value (if any) does not exceed 50% of the original contract value.

In addition, in order to provide continued access to schools and the scale, complexity and nature of the construction works and possible duplication of costs, it is not possible to change the current provider. Regulation 72(1)(b) therefore further permits this modification as a change of provider:

- (i) cannot be made for economic and technical reasons as requirements of interchangeability or interoperability of services procured under the original procurement and given the need to ensure continued access to EANI schools and facilities and could result in partial/total closure of schools; and
- (ii) will cause significant inconvenience and duplication of costs.

**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

30 August 2024

#### 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

Maurice Flynn Sons Ltd

Belfast

Email

[business@mauriceflynn.com](mailto:business@mauriceflynn.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.mauriceflynn.com/>

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £1

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## **Section VI. Complementary information**

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

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

The UK does not have any special review body with responsibility for appeal/mediation procedures in public procurement competitions

Belfast

Country

United Kingdom