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Award

APHIS Supplemental Agreement

Department of Agriculture, Environment and Rural Affairs

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-004949

Procurement identifier (OCID): ocds-h6vhtk-029ac6

Published 11 March 2021, 2:08pm

Section I: Contracting authority/entity

I.1) Name and addresses

Department of Agriculture, Environment and Rural Affairs

Dundonald House, Upper Newtownards Road

BELFAST

BT4 3SB

Email

strategicdelivery.cpd@finance-ni.gov.uk

Country

United Kingdom

NUTS 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

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

APHIS Supplemental Agreement

II.1.2) Main CPV code

- 72500000 - Computer-related services

II.1.3) Type of contract

Services

II.1.4) Short description

The Department of Agriculture, Environment and Rural Affairs is placing this transparency notice to alert economic operators of its plan to modify

the APHIS contract in accordance with Regulation 72 (1) (b) of the Public Contracts Regulations 2015. This modification will extend the current contract for a period of 4 years. This transparency notice does not place any

obligation on the Authority to enter into this modification.

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: £6,845,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKN - NORTHERN IRELAND

II.2.4) Description of the procurement

APHIS Supplemental Agreement

II.2.5) Award criteria

Quality criterion - Name: As per tender documents / Weighting: 0

Cost criterion - Name: As per tender documents / Weighting: 0

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

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

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:

In 2014 the Contract known as APHIS Supplemental agreement was awarded to AMT Sybex. The total value of the Contract was £6.84M over a period of 6 years. The Contract is due to expire in June 2021.

The Department of Agriculture, Environment and Rural Affairs (DAERA) requires a further extension of its original contract for an additional 4 years. This extension is seen as a modification under the

provisions outlined in regulation 72 of the Public Contracts Regulations 2015.

Regulation 72 provides that contracts may be modified without a new procurement procedure in any of a number of cases, including:

“(1) (b) for additional works, services or supplies by the original contractor that have become necessary and were not included in the

original procurement, where a change of contractor —

(i) cannot be made for economic or technical reasons such as such as requirements of interchangeability or interoperability with existing

equipment, services or installations procured under the initial procurement, and

(ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority,

(iii) provided that any increase in price does not exceed 50% of the value of the original contract;

In this case, DAERA will seek to rely on the modification provisions of 72(1)(b) as a transfer to a new contractor would be impossible due to IPR reasons. APHIS requires

sufficient cover for maintenance and support to allow it to continue to provide essential services to the Agri Food sector in Northern Ireland. The APHIS system is extremely complex and its data is considered business critical to the agri-food sector and mission critical to the delivery of the business of Veterinary Service Animal Health Group within DAERA. The introduction of a new supplier would undoubtedly cause technical difficulties and issues with a potential liability in terms of maintenance and data integrity.

This modification does not require an increase in contract value

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

The procurement is covered by the Government Procurement Agreement: Yes

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

11 March 2021

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

AMT Sybex

Letchworth Garden City

Email

phil.atkinson@amt-sybex.com

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

National registration number

The Spirella Building , Bridge Road

Internet address

www.amt-sybex.com

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: £6,845,000

Section VI. Complementary information

VI.3) Additional information

The date shown in this Voluntary Transparency Notice section v.2.1 is defaulted at the date the Authority issued the notice to the journal.

VI.4) Procedures for review

VI.4.1) Review body

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

Belfast

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Public Contract Regulations 2015 provide for aggrieved parties who have.. been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). The.. authority has incorporated a standstill period before this contract is awarded.

