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Award

70359, Disposable Catering Products for the Education Authority

Education Authority NI

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-005438

Procurement identifier (OCID): ocids-h6vhtk-031bda

Published 28 February 2022, 2:55pm

Section I: Contracting authority/entity

I.1) Name and addresses

Education Authority NI

Omagh office, Campsie House, 1 Hospital Road

Omagh

BT79 0AW

Email

catering.procure@eani.org.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

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

70359, Disposable Catering Products for the Education Authority

II.1.2) Main CPV code

- 39222100 - Disposable catering supplies

II.1.3) Type of contract

Supplies

II.1.4) Short description

The award of a framework agreement by Education Authority Northern Ireland (EANI) without prior publication of a call for competition in the Official Journal of the European Union, in respect of the provision of Disposable Catering Products for EANI 70359 as further described in OJEU Contract Notice.

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: £612,500

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland
- UK - United Kingdom

II.2.4) Description of the procurement

Supply and Delivery of Disposable Catering Products to individual educational establishments within the Northern Ireland Education Authority Regions.

II.2.5) Award criteria

Quality criterion - Name: As stated in tender documentation / Weighting: 30

Cost criterion - Name: As stated in tender documentation / Weighting: 70

II.2.11) Information about options

Options: Yes

Description of options

An extension until 30 April 2023, with the further option for EANI, in its absolute discretion, to extend for up to a further three month period until 31 July 2023 at the latest.

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:

The Framework Agreement set out in OJEU Contract Notice was entered into by EANI as per the published Contract Award Notice (Framework Agreement). The Framework Agreement was initially for a term ending 31 August 2019, with the option to extend for a further period of up to twelve months, followed by an optional extension period of up to twenty-four months. It was however agreed in June 2019 that the Framework Agreement be extended until 31 August 2020 and then further agreed in June 2020 that it be further extended until 31 August 2022 (Expiry).

EANI intended to commence a new procurement exercise in January 2022. However, the new procurement exercise has been delayed due to Covid-19. Particularly, EANI has experienced a significant reduction in staffing resources at extremely short notice and has therefore been unable to finalise the tender. Given the uncertainty surrounding Covid-19, it is unclear when EANI will be able to commence the new procurement.

EANI anticipates the new contract commencement will be 1 April 2023, with services extended under the current Framework Agreement until then. However, due to Covid-19, contract commencement may be further delayed, with EANI having the option to further extend the Framework Agreement, in its absolute discretion, until 31 July 2023.

The extension value is up to a maximum of circa 612,500 GBP.

Further additional services until the commencement of the new framework agreement, which were not included in the original procurement, have become necessary and are permitted by Regulation 72(1)(c) of The Public Contracts Regulations 2015. Namely, the following conditions have been fulfilled:

(i) The need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen. Namely, the Covid-19 pandemic. Covid-19 has delayed the new procurement exercise commencing, with such circumstances, and the ensuing delay, entirely unforeseeable by EANI. It is also unknown and unforeseeable when the Covid-19 pandemic will conclude. Accordingly, an extension is required in order

to allow a procurement exercise to be carried out and to ensure continuity of service until the new framework agreement commences;

(ii) The modification does not alter the overall nature of the contract. Other than the term of the Framework Agreement being extended to allow the new procurement to be concluded, the nature of the Framework Agreement is not being amended; and

(iii) Any increase in price does not exceed 50% of the value of the original contract or framework agreement. As the extension is estimated to be up to a maximum of 612,500 GBP, it does not exceed 50% of the value of the original Framework Agreement.

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

12 October 2018

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

Henderson Foodservice Ltd

Newtownabbey

Email

dermot.mcpeake@henderson-group.com

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://etendersni.gov.uk>

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: £612,500

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Education Authority

Omagh

Country

United Kingdom