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Award

## **70378 Fresh Meat (Beef, Pork and Lamb) for the Education Authority**

Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-005441

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

Published 28 February 2022, 3:25pm

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

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

Education Authority

Omagh Office, Campsie House, 1 Hospital Road

OMAGH

BT79 0AW

#### **Email**

[catering.procure@eani.org.uk](mailto: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

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## **Section II: Object**

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

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

70378 Fresh Meat (Beef, Pork and Lamb) for the Education Authority

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

- 15113000 - Pork

#### **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 Fresh Meat (Beef, Pork and Lamb) for EANI 70378 as further described in OJEU Contract Notice.

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £0.01

## **II.2) Description**

### **II.2.1) Title**

Lot No

LOT 1 ARMAGH AREA

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

- 15110000 - Meat

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

NUTS codes

- UK - United Kingdom
- UKN - Northern Ireland

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

Supply and Delivery of Fresh Meat (Beef, Pork and Lamb) 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 31 December 2022, with the further option for EANI, in its absolute discretion, to extend for up to a further four months until 30 April 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

## **II.2) Description**

### **II.2.1) Title**

Lot No

LOT 2 BALLYMENA AREA

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

- 15110000 - Meat

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

NUTS codes

- UK - United Kingdom
- UKN - Northern Ireland

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

Supply and Delivery of Fresh Meat (Beef, Pork and Lamb) 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 31 December 2022, with the further option for EANI, in its absolute discretion, to extend for up to a further four months until 30 April 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

## **II.2) Description**

### **II.2.1) Title**

Lot No

LOT 3 BELFAST AREA

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

- 15110000 - Meat

### **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 Fresh Meat (Beef, Pork and Lamb) 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

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

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

## **II.2) Description**

### **II.2.1) Title**

Lot No

LOT 4 DUNDONALD AREA

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

- 15110000 - Meat

### **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 Fresh Meat (Beef, Pork and Lamb) 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 31 December 2022, with the further option for EANI, in its absolute discretion, to extend for up to a further four months until 30 April 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

## **II.2) Description**

### **II.2.1) Title**

Lot No

LOT 5 OMAGH AREA

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

- 15110000 - Meat

**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 Fresh Meat (Beef, Pork and Lamb) 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 31 December 2022, with the further option for EANI, in its absolute discretion, to extend for up to a further four months until 30 April 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

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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 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 one further period of 12 months followed by a further optional extension period of up to 24 months. It was however agreed in June 2019 that the Framework Agreement be extended until 31 August 2020, further agreed in June 2020 that the Framework Agreement be extended until 31 August 2021 and then further agreed in June 2021 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 begin the tender process. 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 January 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 30 April 2023.

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 or abate sufficiently to allow the process to start. 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) The modification does not amend 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

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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**

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**

ETHERSON MEATS LTD

BALLYMONEY

Email

[info@ethersonmeats.com](mailto:info@ethersonmeats.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

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

The contractor/concessionaire is an SME

Yes

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

Initial estimated total value of the contract/lot/concession: £0.01

Total value of the contract/lot/concession: £0.01

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## **Section VI. Complementary information**

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

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

Education Authority NI

Omagh

Country

United Kingdom