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Award

## **Bangor Marina and Harbour Operator**

Ards and North Down Borough Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-007217

Procurement identifier (OCID): ocds-h6vhtk-041774

Published 6 March 2024, 3:11pm

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

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

Ards and North Down Borough Council

City Hall, The Castle

Bangor

BT20 4BT

#### **Contact**

Stephen Brennan

#### **Email**

[procurement@ardsandnorthdown.gov.uk](mailto:procurement@ardsandnorthdown.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

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

**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**

Bangor Marina and Harbour Operator

**II.1.2) Main CPV code**

- 98362000 - Port management services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

This notice is to advise that the Council intends to make a modification to the current marina and harbour operator contract (concession contract).

**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: £1,412,250

## **II.2) Description**

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

NUTS codes

- UKN09 - Ards and North Down

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

The Council intends to make a modification to the current marina and harbour operator contract (concession contract).

#### **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

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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 Council recently ran a competition (Notice reference: 2023/S 000-033334) for the appointment of an operator for Bangor Marina and Harbour which was unsuccessful. The Council intends to re-tender the competition within the next few weeks after the publication of this notice.

Therefore, to allow sufficient time to run a new competition and to give berth holders certainty over their licence renewals, the Council intends to modify the existing agreement by extending it for a further six months until 31 March 2025 with an option to extend for a further twelve-month period (1 April 2025 to 31 March 2026) by agreement, if deemed

necessary. This proposed extension will also allow sufficient time for the transition period required by any potential new operator.

The proposed modification is in accordance with Regulation 43 of the Concession Contracts Regulations 2016.

In particular, the Council is content that the modification is permitted under Regulation 43(1)(c) of the Concession Contracts Regulations where all of the following conditions have been fulfilled—

(i) the need for modification has been brought about by circumstances which a diligent contracting authority or utility could not have foreseen,

(ii) the modification does not alter the overall nature of the concession contract,

(iii) in the case of a concession contract awarded by a contracting authority, any increase in value does not exceed 50% of the value of the original concession contract.

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

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2023/S 000-033334](#)

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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**

6 March 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**

Boatfolk Marinas Limited

Southampton

SO31 8AZ

Email

[info@boatfolk.co.uk](mailto:info@boatfolk.co.uk)

Country

United Kingdom

NUTS code

- UKJ35 - South Hampshire

Internet address

<https://boatfolk.co.uk/>

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: £1,412,250

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## **Section VI. Complementary information**

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

The total value of the concession at the time of award was £14,122,506 GBP and was adjusted to £15,534,756 GBP when taking account of a previous permitted modification. The current modification is estimated to be valued at £1,412,250 GBP (this includes for both the 6-month extension period and the option of a further 12-month extension period). The total value of the concession contract is now estimated to be £16,947,006 GBP which equates to approximately 20% of the original contract value. The Council will not modify the contract until after a minimum 10 calendar day standstill period has passed, following the publication of this VEAT notice.

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

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

Procurement Manager

Ards and North Down Borough Council

Bangor

Email

[procurement@ardsandnorthdown.gov.uk](mailto:procurement@ardsandnorthdown.gov.uk)

Country

United Kingdom