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Contract

## **70359, Disposable Catering Products for the Education Authority**

Education Authority NI

F20: Modification notice

Notice identifier: 2022/S 000-008880

Procurement identifier (OCID): ocids-h6vhtk-03294b

Published 1 April 2022, 3:47pm

### **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](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>

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## **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.2) Description**

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

NUTS codes

- UKN - Northern Ireland
- UK - United Kingdom

#### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

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

#### **II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Duration in months

48

#### **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.2) Administrative information

#### IV.2.1) Contract award notice concerning this contract

Notice number: [2018/S 206-469987](#)

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## Section V. Award of contract/concession

### Contract No

1

### V.2) Award of contract/concession

#### V.2.1) Date of conclusion of the contract/concession award decision:

12 October 2018

#### V.2.2) Information about tenders

The contract/concession 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](mailto: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 the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £612,500

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## **Section VI. Complementary information**

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

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

Education Authority

Omagh

Country

United Kingdom

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 39222100 - Disposable catering supplies

#### **VII.1.3) Place of performance**

NUTS code

- UK - United Kingdom
- UKN - Northern Ireland

#### **VII.1.4) Description of the procurement:**

The supply and delivery of disposable catering products to individual educational catering

establishments throughout Northern Ireland for the period 1.9.2018 to 31.8.2019 (with options to extend for a further period of up to 12 months, followed by an optional extension period of up to 24 months) on a call off as required basis.

Due to the exceptional unforeseen circumstances described in this notice, the Education Authority and the named contractor has agreed to modify the maximum value of the framework to £2,450,000 and extend the period for a further seven months (up to 30 March 2023) with an option to extend for up to an additional three months (up to 30 June 2023) . There has been no change to the overall nature of the framework agreement. There has also not been any other change to the terms of the framework agreement (including the prices).

#### **VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

1 September 2022

End date

30 June 2023

#### **VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£2,450,000

#### **VII.1.7) Name and address of the contractor/concessionaire**

Henderson Foodservice Ltd

Newtownabbey

Email

[dermot.mcpeake@henderson-group.com](mailto:dermot.mcpeake@henderson-group.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

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

The contractor/concessionaire is an SME

No

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

Extend the period for a further seven months (up to 30 March 2023) with an option to extend for up to an additional three months (up to 30 June 2023) and modify the contract value to ensure sufficient materiality to cover the proposed extension period.

An extension will release the immediate pressure on the Catering Service as it is experiencing a significant rate of staff absences within both kitchens and the management structure which are directly related to Covid-19. These absences are stretching the resources they have to engage with Procurement and devote time to undertake the tender process, PME and tender evaluations.

PME for this process will need to be extensive due to changes in legislation and the future needs of the service, significant investigation of the market is required in line with a review of the products required for the future catering provision.

Classroom service is also still being delivered in a large proportion of schools and it is imperative that there be no interruption in supply of the products they are currently using as the meals they serve are suited to what is currently available.

There has been no change to the overall nature of the framework agreement. The increased total value after the modifications (as detailed below) is an estimate only as anticipated spend may vary during the term of the extension and is not guaranteed.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

The Catering Service are experiencing a significant rate of staff absences within both kitchens and the management structure which are directly related to Covid-19. These absences are stretching the resources they have to engage with Procurement and devote time to undertake the tender process, PME and tender evaluations.

PME for this process will need to be extensive due to changes in legislation and the future needs of the service.

Classroom service is also still being delivered in a large proportion of schools and it is imperative that there be no interruption in supply of the products they are currently using as the meals they serve are suited to what is currently available.

At time of the original tender, the EA could not have reasonably foreseen the increased need for these products.

All of the following conditions of Regulation 72c are fulfilled.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £1,837,500

Total contract value after the modifications

Value excluding VAT: £2,450,000