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Award

Maintenance and Improvement Services – CT016 – Lot 2 Belfast Region 2 – South and East Belfast Area

Northern Ireland Housing Executive

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-009238

Procurement identifier (OCID): ocids-h6vhtk-03b739

Published 30 March 2023, 9:43am

Section I: Contracting authority/entity

I.1) Name and addresses

Northern Ireland Housing Executive

2 Adelaide Street

Belfast

BT2 8BP

Contact

Christopher Brown

Email

christopher.brown@nihe.gov.uk

Country

United Kingdom

Region 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

Regional or local authority

I.5) Main activity

Housing and community amenities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Maintenance and Improvement Services – CT016 – Lot 2 Belfast Region 2 – South and East Belfast Area

II.1.2) Main CPV code

- 50000000 - Repair and maintenance services

II.1.3) Type of contract

Services

II.1.4) Short description

The award of a contract by the Northern Ireland Housing Executive (NIHE) without prior publication of a call for competition in the Official Journal of the European Union, in respect of the continued provision of a Maintenance and Improvement Services contract (CT016) in respect of Lot 2 Belfast Region 2 – South and East Belfast, as further described in the 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: £600,000

II.2) Description

II.2.2) Additional CPV code(s)

- 50710000 - Repair and maintenance services of electrical and mechanical building installations
- 45210000 - Building construction work
- 45300000 - Building installation work
- 45400000 - Building completion work

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland

Main site or place of performance

South and East Belfast.

II.2.4) Description of the procurement

The provision of maintenance and improvement services for the NIHE in respect of Lot 2 Belfast Region 2 – South and East Belfast

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

II.2.14) Additional information

This contract was awarded on 2nd June 2016 following a competitive procurement process conducted on eTendersNI. The modification communicated to the market within this Voluntary Ex Ante Transparency Notice only applies to Lot 2 Belfast Region 2 – South and East Belfast.

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 October 2022, the NIHE agreed to amend and uplift the Schedule of Rates contained in the Price List Offer for the period 1 September 2022 to 30 April 2023 due to market

inflation. This was to allow the contract to continue, and to ensure continuity of service, whilst a new procurement exercise took place (CT0113) following the collapse of an earlier procurement exercise in May 2022 (CT0100). This modification was permitted under Regulations 72(1)(f) and 72(5) of the Public Contracts Regulations (PCR) 2015 on the grounds that the value of the modification was below both the relevant procurement threshold and 15% of the initial value of the contract. In December 2022, the new procurement exercise (CT0113) had to be stood down for a number of unexpected and unforeseen reasons. A third new procurement exercise (CT0123) was commenced in February 2023 and is currently ongoing. Subject to no challenges being received, or any other unforeseen issues arising, it is intended that the new contract in respect of CT0123 will be awarded and will commence on or before 1 September 2023. In order to facilitate the conclusion of the new procurement exercise and the mobilisation of the new contract, a further uplift to the Schedule of Rates predominantly relating to void repairs and response repairs for the period 1 May 2023 to 31 August 2023 is required to ensure continuity of service to allow the NIHE to meet its statutory obligations. This further uplift is also due to market inflation reasons. The modification is permitted under Regulation 72(1)(c) of the PCR 2015 on the grounds that: (i) the need for the modification has been brought about by circumstances which the NIHE, acting diligently, could not have foreseen (ie. that the new tender exercises would have to be collapsed); (ii) the modification does not alter the overall nature of the contract. It simply increases certain rates by an agreed percentage uplift predominantly relating to void repairs and response repairs due to market inflation; and (iii) the uplift to the rates does not cause the value of the original contract to be exceeded by 50%. Indeed, this modification itself, being circa £600,000 in value, is less than 15% of the initial value of the contract of £164,500,000. However, when the October 2022 uplift and this uplift are aggregated, the total value of the uplifts is above the relevant procurement threshold. The uplifts do not cause the original contract award value of £164,500,000 to be exceeded.

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: [2016/S 170-305980](#)

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

2 June 2016

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

EQUANS REGENERATION LIMITED

40 Beechill Road

Belfast

BT8 7RP

Email

tenders.uk@equans.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

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

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: £600,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The UK does not currently have any such bodies with responsibilities for appeal/mediation procedures

Belfast

Country

United Kingdom