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Award

## **Provision of Planned and Responsive Maintenance and Minor Works - Omagh M&E Lot 1**

Education Authority NI

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-010148

Procurement identifier (OCID): ocids-h6vhtk-032e40

Published 15 April 2022, 4:45pm

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

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

Education Authority NI

40 Academy Street

Belfast

BT1 2NQ

#### **Email**

[facilities.procure@eani.org.uk](mailto:facilities.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**

Provision of Planned and Responsive Maintenance and Minor Works - Omagh M&E Lot 1

Reference number

Omagh M&E Lot 1

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

- 45210000 - Building construction work

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

The award of a contract 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 continued provision of a Term Service Contract for Maintenance (M&E) and Minor Works in the Western Education and Library Board area (Area 1), Contract Lot 3 as further described in OJEU Contract Notice and as outlined in the previous VEAT issued on 28 May 2021.

### **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: £4,000,000

## **II.2) Description**

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

NUTS codes

- UKN - Northern Ireland

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

Provision of Planned Maintenance and Response Works for EANI across its property portfolio in the old Western Education and Library Board area, Contract Lot 3 which includes but is not limited to controlled and uncontrolled schools.

### **II.2.11) Information about options**

Options: Yes

Description of options

An extension to 31 May 2023 with the option for EANI to extend at its absolute discretion for an additional period of four months until 30 September 2023.

### **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:

Regulation 72(1)(c) permits this extension due to unforeseen circumstances which a diligent contracting authority could not have foreseen, the overall nature of the contract is not altered and Modification value is GBP 4 000 000 which does not exceed 50 % of the original contract value. This contingency includes sums to permit work in other Lots (as per the contract and Regulation 72 (1) (a)). To secure continuity, Task Orders issued on/after 1 July 2021 as per VEAT (2021/S 105-278053) are adjusted for inflation, calculated with the BCIS Measured Term Contract Updating Percentages. Inflation from mid-point of original contract to 31 March 2021 is: PSA SOR ELEC11 Rate A, Rate B/D/E, Rate C 12.6 pct, 14.1 pct and 13.9 pct respectively, applies to Sections 1, 2, 3 and 4 of Price List; Rate B/D/E applies to Section 3; PSA SOR MECH11 Rate A, Rate B/D/E, Rate C 20.7 pct, 12.2 pct and 13.9 pct respectively, applies to Sections 1, 2 and 3; Rate B/D/E applies to Section 3; PSA SOR BCE09 14.3 pct applies to Section 4 Item OT010.370 to 460. Inflation after 1 April 2021 is changed in BCIS MTC Updating Percentages from 31 March 2021 indices based on TO issue date/latest published index. For travel expenses for Response Task Orders issued outside of Lot received on or after 1 June 2022, an additional amount for travel has been included. It is the EA's intention, upon receipt of compelling evidence, to consider the review of certain prices in the price lists for specific elements of which the impact of inflation is higher than what could have reasonably and diligently anticipated. This includes: Aluminium window systems and associated items comprising glazing, flashings and insulated panels, Aluminium curtain walling and associated items comprising glazing, flashings and insulated panels, Aluminium doors and associated items comprising sidelights and fanlights, Coated macadam roads and pavings and associated items comprising regulating courses, Asphalt roads and pavings and associated items comprising chippings, Proprietary coloured safety sports surfacings (wet-pour) and associated items comprising logos, patterns, graphics. Metal fencing comprising chain link, anti-intruder chain link, steel palisade security, roll-top, rigid mesh panel, steel ball-stop and rotating barrier, and associated items comprising straining posts and single and double gates (excluding work to old fencing) copper cabling comprising HV/LV cables, standard power cables 600/1000V, armoured and armoured: fire resistant, sizes exceeding 500mm<sup>2</sup> one core, 185mm<sup>2</sup> two core, 120mm<sup>2</sup> three core and 95mm<sup>2</sup> four core (Rate A only) Copper cabling comprising HV/LV cables: standard power cables

1900/3300V, armoured, sizes exceeding 150mm<sup>2</sup> one core and 120mm<sup>2</sup> two core (Rate A only)

Regulation 72(1)(b) further permits this extension as a change of provider:

(i) cannot be made for economic and technical reasons as requirements of interchangeability or interoperability of services procured under the original procurement and given the need to ensure continued access to EANI schools and facilities and could result in partial/total closure of schools; and

(ii) will cause significant inconvenience and duplication of costs.

EANI envisages new contract award by 30/09/23.

#### **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 April 2022

#### **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**

Irwin ME Ltd

Portadown

Email

[info@irwinm-e.com](mailto:info@irwinm-e.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://irwinm-e.com/>

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: £4,000,000

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## **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

Ballymena

Country

United Kingdom