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Contract

## **NGS Fully Comprehensive BMS Maintenance Contract**

National Galleries of Scotland

F20: Modification notice

Notice identifier: 2022/S 000-010782

Procurement identifier (OCID): ocds-h6vhtk-0330bc

Published 27 April 2022, 8:50am

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

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

National Galleries of Scotland

National Galleries of Scotland, 73 Belford Road

Edinburgh

EH4 3DS

#### **Email**

[amadeirarezende@nationalgalleries.org](mailto:amadeirarezende@nationalgalleries.org)

#### **Country**

United Kingdom

#### **NUTS code**

UKM75 - Edinburgh, City of

#### **Internet address(es)**

Main address

<http://www.nationalgalleries.org>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11042](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11042)

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## **Section II: Object**

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

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

NGS Fully Comprehensive BMS Maintenance Contract

Reference number

GEN/014/001

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

- 79993000 - Building and facilities management services

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

Services

### **II.2) Description**

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

- 71314200 - Energy-management services
- 48000000 - Software package and information systems
- 48100000 - Industry specific software package
- 48150000 - Industrial control software package
- 50700000 - Repair and maintenance services of building installations
- 50710000 - Repair and maintenance services of electrical and mechanical building installations

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

NUTS codes

- UKM75 - Edinburgh, City of

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

This is a second modification of the National Galleries of Scotland's (NGS) Fully Comprehensive BMS Maintenance Contract awarded by NGS on 1 October 2014.

The contract is for the provision of comprehensive, performance related maintenance and servicing of NGS' multi-property estate Building Management System (BMS). The ongoing and continuous specified performance of this system is critical to the safe housing of highly valuable works of art and the maintenance and functionality of the buildings in which they are located.

Contract Notice Ref: 2014/S/ 090-157516. Contract Award Notice Reference: 2014/S 191-337630.

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

Duration in months

72

#### **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: [2014/S 191-337630](#)

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## **Section V. Award of contract/concession**

### **Contract No**

GEN/014/001

## **Title**

NGS Fully Comprehensive BMS Maintenance Contract

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

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

1 October 2014

#### **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**

East Coast Controls Ltd

Acre House, Stirling Road

Kilsyth

G65 0PT

Telephone

+44 01236825490

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor/concessionaire is an SME

Yes

#### **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: £685,753.08

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## **Section VI. Complementary information**

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

This is a second modification of a contract award by the National Galleries of Scotland on 1 October 2014 (SC Ref: 321 716).

(SC Ref:691394)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Email

[edinburgh@scotcourts.gov.uk](mailto:edinburgh@scotcourts.gov.uk)

Telephone

+44 1312252525

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**

- 79993000 - Building and facilities management services

#### **VII.1.2) Additional CPV code(s)**

- 71314200 - Energy-management services
- 48000000 - Software package and information systems
- 48100000 - Industry specific software package
- 48150000 - Industrial control software package
- 50700000 - Repair and maintenance services of building installations
- 50710000 - Repair and maintenance services of electrical and mechanical building installations

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

NUTS code

- UKM75 - Edinburgh, City of

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

The contract is for the provision of a fully comprehensive, performance related contract which provides the maintenance and servicing of NGS' multi-property estate Building Management System (BMS). The ongoing and continuous specified performance of this system is critical to the safe housing of highly valuable works of art and the maintenance and functionality of the buildings in which they are located.

The BMS employs Trend software and graphics, which is server managed and administered from several end user points and the contract covers all of its integral hardware, software and associated ancillary items.

The estimated value of the contract includes an annual provisional sum that will be used to call off small works related to the specified service and maintenance. Provisional sums will be spent at the discretion of National Galleries Scotland.

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

Duration in months

102

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

Total value of the contract/lot/concession:

£961,851.58

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

East Coast Controls Ltd

Acre House, Stirling Road

Kilsyth

G65 0PT

Telephone

+44 01236825490

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor/concessionaire is an SME

Yes

## **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):

This modification is a further extension of 12 months – from 1st April 2022 to 31st March 2023 – to an existing contract that was advertised as being extendable annually for up to a total contract duration of six years; and extended for a further 18 months via an initial modification notice for the period 1st October 2020 to 31st March 2022.

This modification is made in accordance with the terms of Article 72(1)(c) and 72(2) of The Public Contracts (Scotland) 2015.

The modification has been brought about by circumstances which NGS could not have foreseen. This proposed modification is in respect of duration and does not involve any changes being made to the existing contract in terms of the services being provided to National Galleries Scotland (NGS). Whilst NGS will make payment to the Contractor in respect of the additional 12 months of services being provided, the price shall not exceed

50% of the initial contract value in accordance with article 72(1)(c)(iii) and 72(2) 'successive modifications'. This proposed modification does not have an effect of changing the economic balance of the contract, nor does this modification operate to change the scope of the existing contract.

This proposed modification in terms of contract duration does not have the effect of rendering this contract materially different from the existing contract.

During this extension period, NGS will proceed with a new procurement exercise for Fully Comprehensive BMS Maintenance Services.

#### **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 combined stopping of works due to the lockdown, along with the complex and changing nature of construction requirements and the ongoing impact of C-19 pandemic, have led us to revise the timeline of the Scottish National Gallery (SNG) project. Due to existing contractual arrangements, this modification ensures the same Contractor is delivering BMS Maintenance services for the entire SNG site while construction is completed and avoids the technical complication of integrating two separate BMS systems and services on one site which may create vulnerabilities of site security.

#### **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: £860,422.08

Total contract value after the modifications

Value excluding VAT: £961,851.58