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Contract

## **Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2**

Education Authority NI

F20: Modification notice

Notice identifier: 2023/S 000-012376

Procurement identifier (OCID): ocids-h6vhtk-038ce8

Published 28 April 2023, 4:33pm

### **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

#### **Region code**

UKN - Northern Ireland

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

Main address

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

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**

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2

Reference number

Ballymena M&E Lot 2

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

- 45210000 - Building construction work

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

Works

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

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

NUTS codes

- UKN - Northern Ireland

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

Provision of planned and responsive maintenance works for EANI across its property portfolio in the old North Eastern Education and Library Board area, Contract Lot 2 which includes but is not limited to controlled and uncontrolled schools.

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

Start date

29 April 2023

End date

31 May 2024

## **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: [2022/S 000-035189](#)

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

### **Contract No**

Ballymena M&E Lot 2

### **Title**

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2

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

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

12 December 2022

#### **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**

LM Services NI Ltd

Belfast

Email

[info@lmservicesni.com](mailto:info@lmservicesni.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<http://lmservicesni.com/>

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: £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 have any special review body with responsibility for appeal/mediation procedures in public procurement competitions

Belfast

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**

- 45210000 - Building construction work

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

NUTS code

- UKN - Northern Ireland

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

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 Contract Lot 1: Term Service Contracts for Mechanical and

Electrical Maintenance Works in the old North Eastern Education and Library Board area

(Area 2), Contract Lot 2 as further described in OJEU Contract Notice and as outlined in the

previous VEAT issued on 12 December 2022.

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

Start date

1 June 2022

End date

31 May 2024

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

Total value of the contract/lot/concession:

£4,000,000

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

LM Services NI Ltd

Belfast

Email

[info@lmservicesni.com](mailto:info@lmservicesni.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<http://lmservicesni.com/>

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):

The previous VEAT 2022/S 000-010142 issued on 15 April 2022 extended this contract until 31 May 2023 with an option for the EANI to extend, at its sole discretion, until 30 September 2023. This option has not been exercised. Instead, this notice shall extend the contract until 31 May 2024 with the further option for EANI, in its absolute discretion, terminate the contract by providing the contractor with written notice of its intention to terminate the contract. The total value of the extension is £4,000,000 GBP.

### **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:

It has become necessary to extend the contract until 31 May 2024 to facilitate the development and design of a new procurement. Modification value is GBP 4 000 000 which does not exceed 50 % of original contract value. The EANI shall have, at its absolute discretion, the ability to terminate the contract by giving the contractor written notice of its intention to terminate. To secure continuity, the provisions of the contract as referenced in VEAT 2021/S 105-278052 remain.

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

- (i) cannot be made for economic and technical reasons for reasons of interchangeability and interoperability with the initial procurement; and
- (ii) would cause significant inconvenience or substantial duplication of costs.

EANI envisages new contract award by 31/05/24.

### **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: £21,750,000

Total contract value after the modifications

Value excluding VAT: £25,750,000

