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Contract

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area Lot 1 Extension

Western Health and Social Care Trust

F20: Modification notice

Notice identifier: 2023/S 000-013679

Procurement identifier (OCID): ocids-h6vhtk-03c889

Published 12 May 2023, 6:29pm

Section I: Contracting authority/entity

I.1) Name and addresses

Western Health and Social Care Trust

MDEC Building, Altnagelvin Area Hospital, Glenshane Road

Derry

BT47 6SB

Email

info.contracts@westerntrust.hscni.net

Telephone

+44 2871345171

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.westerntrust.hscni.net>

Buyer's address

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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area
Lot 1 Extension

II.1.2) Main CPV code

- 98000000 - Other community, social and personal services

II.1.3) Type of contract

Services

II.2) Description

II.2.2) Additional CPV code(s)

- 98000000 - Other community, social and personal services
- 85000000 - Health and social work services

II.2.3) Place of performance

NUTS codes

- UKN0 - Northern Ireland

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

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area

Lot 1 Cityside / Shantallow

Guaranteed Hours 3,186 hours per week

Estimated Time Specific Hours 1,062 hours per week

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

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2016/S 200-361245](#)

Section V. Award of contract/concession

Contract No

12279

Title

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area -
Lot 1 Cityside / Shantallow

V.2) Award of contract/concession

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

9 September 2016

V.2.2) Information about tenders

The contract/concession has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor/concessionaire

North West Care and Support Ltd

Roe Business Centre Room F2 F3 4-6 Killane Road

Limavady

BT49 0DN

Email

shaunairwin@nwcare.co.uk

Telephone

+44 2877723514

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.nwcare.co.uk>

The contractor/concessionaire is an SME

No

V.2.3) Name and address of the contractor/concessionaire

Bryson Care West

Belfast

BT68DN

Email

jmarley@brysongroup.org

Telephone

+44 2890325835

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.brysongroup.org>

The contractor/concessionaire is an SME

No

V.2.3) Name and address of the contractor/concessionaire

Strabane and District Caring Services

Strabane

BT829AE

Email

jacqui@strabanedistrictcaring.com

Telephone

+44 2871884986

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.strabanedistrictcaring.com>

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: £14,000,000

Section VI. Complementary information

VI.3) Additional information

Reference VII.2.2 continued: The Trust is preparing to re-tender this Service. Unfortunately, this re-procurement exercise has been delayed as a result of the matters detailed in the Trust's letter to Providers dated 25th March 2022, as well as unforeseen Department of Health Northern Ireland ("DoH NI") and regional Health and Social Care ("HSC") policy requirements which materially impact upon the re-procurement process. As such, new contracts under the re-procurement exercise will not be in place before the expiry of the current Contracts in Lot 1 on 30th September 2023. In order to ensure the

continued and uninterrupted service delivery of this critical front line service, in the interim, the Trust issued a letter 23 February 2023 to amend the Contracts in Lot 1 with effect from 23 February 2023 (Variation Date) so that the Contract Period shall be amended to include one further period of extension of 12 months commencing on 1 October 2023 and expiring on 30 September 2024. The second condition of this ground under Regulation 72(1)(c) (ii) is that the modification does not alter the overall nature of the contract. Here the service, being a domiciliary care service, is unchanged. As such the modification does not alter the overall nature of the Contract and therefore satisfies Regulation 72(1)(c)(ii). The final condition of this ground under Regulation 72(1)(c)(iii) is met in that the increase in price does not exceed 50% of the value of the original contract. The increase in price for Lot 1 is £5,535,789 and the value of the original Contracts for Lot 1 is 14,000,000.

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice In Northern Ireland, Royal Courts of Justice

Chichester Street

Belfast

BT13JF

Email

adminoffice@courtsni.gov.uk

Telephone

+00 03002007812

Country

United Kingdom

Internet address

<https://www.justice-ni.gov.uk/topics/courts-and-tribunals>

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 98000000 - Other community, social and personal services

VII.1.2) Additional CPV code(s)

- 98000000 - Other community, social and personal services
- 85000000 - Health and social work services

VII.1.3) Place of performance

NUTS code

- UKN0 - Northern Ireland

VII.1.4) Description of the procurement:

Provision of Domiciliary Care Services in the Western Health and Social Care Trust ("the Trust") Area

Lot 1 Cityside/Shantallow

The Trust refers to its response at VII.2.1 and VII.2.2.

Extension to Contract Period

The Trust issued a letter dated 23 February 2023 to amend Contracts in Lot 1 with effect from 23 February 2023 (Variation Date) so that the Contract Period shall be amended to include one further period of extension of 12 months commencing on 1 October 2023 and expiring on 30 September 2024

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

Duration in months

84

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

Total value of the contract/lot/concession:

£33,148,946

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

North West Care and Support Ltd

Roe Business Centre, Room F2 and F3, 4-6 Killane Road

Limavady

BT49 0DN

Email

shaunairwin@nwcare.co.uk

Telephone

+44 2877723514

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.nwcare.co.uk>

The contractor/concessionaire is an SME

No

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

Bryson Care West

Belfast

BT6 8DN

Email

jmarley@brysongroup.org

Telephone

+44 2890325835

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.brysongroup.org>

The contractor/concessionaire is an SME

No

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

Strabane and District Caring Services

Strabane

BT82 9AE

Email

jacqui@strabanedistrictcaring.com

Telephone

+44 2871884986

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.strabanecaringdictrict.com>

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):

Extension to Contract Period

The Trust refers also to its responses below at VII.2.2 and VII.2.3.

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 Trust refers to its response at VII.2.1 above. The first condition of this ground under Regulation 72(1)(c) PCR 2015 is that the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen. Regulation 72(1)(c)(i) PCR 2015 is satisfied in respect of this modification as the need for modification has been brought about by external circumstances, which a diligent contracting authority could not have foreseen when the Trust awarded these contracts back in 2016. This is continued in VI.3 Additional Information

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: £27,613,157

Total contract value after the modifications

Value excluding VAT: £33,148,946