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Contract

## **Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area Lot9 Extension**

Western Health and Social Care Trust

F20: Modification notice

Notice identifier: 2023/S 000-013687

Procurement identifier (OCID): ocids-h6vhtk-03c891

Published 12 May 2023, 6:31pm

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

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

Western Health and Social Care Trust

MDEC Building, Altnagelvin Area Hospital Site, Glenshane Road

Derry

BT47 6SB

#### **Email**

[info.contracts@westerntrust.hscni.net](mailto:info.contracts@westerntrust.hscni.net)

#### **Telephone**

+44 2871345171

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://westerntrust.hscni.net>

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 Domiciliary Care Services in the Western Health and Social Care Trust Area  
Lot9 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 9 Strabane

Guaranteed Hours 1,809 hours per week;

Estimated Time Specific Hours 660 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

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**Section IV. Procedure**

**IV.2) Administrative information**

**IV.2.1) Contract award notice concerning this contract**

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

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## **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 9 Strabane

### **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**

Bryson Care West

Rivers Edge, 13-15 Ravenhill Road

Belfast

BT68DN

Email

[jmarley@brysongroup.org](mailto: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**

North West Care and Support Ltd

Limavady

BT49 0DN

Email

[shaunairwin@nwcare.co.uk](mailto: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**

Strabane and District Caring Services

Strabane

BT82 9AE

Email

[jacqui@strabanedistrictcaring.com](mailto: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: £8,000,000

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## **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 9 on 31st January 2024. 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 9 with effect from 23rd February 2023 (Variation Date) so that the Contract Period shall be amended to include one further period of extension of 12 months commencing on 1st February 2024 and expiring on 31st January 2025. 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 9 is £3,035,490 and the value of the original Contracts for Lot 9 is £8,000,000.

## **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

BT1 3JF

Email

[adminoffice@courtsni.gov.uk](mailto:adminoffice@courtsni.gov.uk)

Telephone

+00 03002007812

Fax

+44 2890724799

Country

United Kingdom

Internet address

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

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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**

- 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 Area  
Lot 9 Strabane

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

Extension to Contract Period:

The Trust issued a letter dated 23rd February 2023 to amend the Contracts in Lot 9 with effect from 23rd February 2023 (Variation Date) so that the Contract Period shall be amended to include one further period of extension of 12 months commencing on 1st February 2024 and expiring on 31st January 2025.

#### **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:

£20,804,242



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

Bryson Care West

2 Rivers Edge, 13-15 Ravenhill Road

Belfast

BT6 8DN

Email

[jmarley@brysoncare.org](mailto:jmarley@brysoncare.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**

North West Care and Support Ltd

BT490DN

Limavady

BT49 0DN

Email

[shaunairwin@nwcare.co.uk](mailto: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**

Strabane and District Caring Services

Strabane

BT82 9AE

Email

[jacqui@strabanedistrictcaring.com](mailto: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

## **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: £17,768,753

Total contract value after the modifications

Value excluding VAT: £20,804,242

