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Award

Maritime Museum Project Interpretative Designer ED-09-14

Derry City & Strabane District Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-015815

Procurement identifier (OCID): ocds-h6vhtk-0468ca

Published 20 May 2024, 11:23am

Section I: Contracting authority/entity

I.1) Name and addresses

Derry City & Strabane District Council

98 Strand Road

Derry

BT487NN

Contact

Colin Killeen

Email

colin.killeen@derrystrabane.com

Telephone

+44 2871253253

Country

United Kingdom

Region code

UKN0A - Derry City and Strabane

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.derrystrabane.com

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Maritime Museum Project Interpretative Designer ED-09-14

II.1.2) Main CPV code

- 92521100 - Museum-exhibition services

II.1.3) Type of contract

Services

II.1.4) Short description

The Maritime Museum and Archive Project is for a new museum to be located in existing listed buildings at Ebrington in Derry~Londonderry. Derry City and Strabane District Council is the Contracting Authority.

In 2015, following a Public Procurement Exercise for the Appointment of Maritime Museum Project Interpretative Designer for the delivery of the Maritime Museum and Archive Project, Tandem Design were the successful Economic Operator and were duly appointed for the provision of Interpretative design Services consultancy team professional consultancy services. Their tendered price was in the sum of £429,292.50. At the time of their appointment, it was anticipated that the project would be completed in 2019.

In 2018 the project was put on hold prior to the procurement of the Contractor, as it was awaiting funding. At that time, the Interpretative Designer had completed RIBA Stages 1-3 and part of RIBA Stage 4. Currently it is anticipated that the completion will be in 2026.

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: £494,292.5

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKN0A - Derry City and Strabane

Main site or place of performance

Ebrington Derry ~ Londonderry

II.2.4) Description of the procurement

The Maritime Museum and Archive Project is for a new museum to be located in existing listed buildings at Ebrington in Derry~Londonderry. Derry City and Strabane District Council is the Contracting Authority.

In 2015, following a Public Procurement Exercise for the Appointment of Maritime Museum Project Interpretative Designer for the delivery of the Maritime Museum and Archive Project, Tandem Design were the successful Economic Operator and were duly appointed for the provision of Interpretative design Services consultancy team professional consultancy services. Their tendered price was in the sum of £429,292.50. At the time of their appointment, it was anticipated that the project would be completed in 2019.

In 2018 the project was put on hold prior to the procurement of the Contractor, as it was awaiting funding. At that time, the Interpretative Designer had completed RIBA Stages 1-3 and part of RIBA Stage 4. Currently it is anticipated that the completion will be in 2026.

Derry City and Strabane District Council, the Contracting Authority, intends that the Interpretative Designer appointed in 2015, complete the commission for which they were appointed.

The project has been adversely affected by the high rates of inflation during recent years. Neither the high rates of inflation nor the protracted period of standstill of the project could have been reasonably foreseen by the appointed consultant at the time of tendering for the project in 2015.

Derry City and Strabane District Council, the Contracting Authority, is minded to amend the contract with Tandem Design, by the introduction of the X1 clause to the NEC3 PSC to address the inflationary impact on fees for the remainder of the contract. It should be noted that the scope of the project has not significantly changed. The inflationary uplifts to the fees will increase the cost of the commission by approximately £65,000.

The scope of the project has not materially changed.

The original appointment was made using a NEC3 Option A Professional Services

Contract which did not include an X1 Clause (Price Adjustment for inflation clause). At the time of appointment of Tandem Design, it was anticipated that the project would be complete by 2019. The anticipated completion date is currently 2026, some seven years later. During this time there have been unprecedented inflationary rises, reflected by the CPI figures in excess of 30%. In order to mitigate this significant increase, it seems reasonable to apply the X1 clause going forward for the remainder of the project.

The Contracting Authority is minded that the proposed change to the contract is in accordance with regulation 72 of the Public Procurement Regulations Contracts in .

The proposed change to the contract is compliant under part (1)b. The proposed change has been brought about circumstances which could not have been reasonably foresee, the modification does not alter the overall nature of the contract and the increases in price does not exceed 50% of the value of the original contract.

II.2.5) Award criteria

Quality criterion - Name: Methodology / Weighting: 21

Quality criterion - Name: Coordination of Design with ICT / Weighting: 17.5

Quality criterion - Name: Resources / Weighting: 17.5

Quality criterion - Name: Programme / Weighting: 7

Quality criterion - Name: Cost Management / Weighting: 7

Price - Weighting: 30

II.2.11) Information about options

Options: 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:

Under Public Procurement Regulations 72, a Voluntary Ex- Ante Transparency VEAT notice is required to cover a variation to the contract between Derry City and Strabane District Council, the Contracting Authority and the Integrated Consultant Team (ICT) led by Todd Architects for the Maritime Museum Project in Derry~ Londonderry.

The Contracting Authority is publishing this VEAT Notice to cover variation to the contract and for additional tasks to be carried out necessary as a result of changes in legislation, lapses in statutory approvals. It should be noted that the scope of the original commission is not deemed to have changed.

In 2015, following a Public Procurement Exercise for the Appointment of Maritime Museum Project Interpretative Designer for delivery of the Maritime Museum and Archive Project, Tandem Design were the successful Economic Operator and were duly appointed for the provision of Interpretative design Services consultancy team professional consultancy services. Their tendered price was in the sum of £429,292.50. At the time of their appointment, it was anticipated that the project would be completed in 2019.

In 2018 the project was put on hold prior to the procurement of the Contractor, as it was awaiting funding. At that time, the Interpretative Designer had completed RIBA Stages 1-3 and part of RIBA Stage 4. Currently it is anticipated that the completion will be in 2026.

Derry City and Strabane District Council, the Contracting Authority, intends that the Interpretative Designer appointed in 2015, complete the commission for which they were appointed.

The project has been adversely affected by the high rates of inflation during recent years. Neither the high rates of inflation nor the protracted period of standstill of the project could have been reasonably foreseen by the appointed consultant at the time of tendering for the project in 2015.

Derry City and Strabane District Council, the Contracting Authority, is minded to amend

the contract with Tandem Design, by the introduction of the X1 clause to the NEC3 PSC to address the inflationary impact on fees for the remainder of the contract. It should be noted that the scope of the project has not significantly changed. The inflationary uplifts to the fees will increase the cost of the commission by approximately £65,000.

The scope of the project has not materially changed.

The Contracting Authority is minded that the proposed change to the contract is in accordance with regulation 72 of the Public Procurement Regulations Contracts in .

The proposed change to the contract is compliant under part (1)b. The proposed change has been brought about circumstances which could not have been reasonably foresee, the modification does not alter the overall nature of the contract and the increases in price does not exceed 50% of the value of the original contract.

The Contracting Authority is of the opinion that had the X1 clause been included in the original tender, the tender selection would have remained unchanged. It would not have attracted additional participants to the tender process, nor would it have changed the candidates selected, nor the outcome of the tender selection.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2015/S 029-049104](#)

Section V. Award of contract/concession

Title

Maritime Museum Project Interpretative Designer ED-09-14

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

15 October 2015

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

Tandem Design

6 High Street

Holywood

BT18 9AZ

Country

United Kingdom

NUTS code

- UKN06 - Belfast

Companies House

NI611887

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £494,292.5

Total value of the contract/lot/concession: £494,292.5

Section VI. Complementary information

VI.3) Additional information

Derry City & Strabane District Council will incorporate a standstill period at the point information on the award of the contract is communicated to suppliers by means of this VEAT notice. The Standstill period will be for a period of 10 calendar days expiring 12Midnight 30th May 2024

VI.4) Procedures for review

VI.4.1) Review body

The Royal Courts of Justice NI

Belfast

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

The Royal Courts of Justice NI

Belfast

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

As per PCR2015

VI.4.4) Service from which information about the review procedure may be obtained

The Royal Courts of Justice NI

Belfast

Country

United Kingdom