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Contract

Dishwashers, Blast Chillers and Toasters

The Education Authority

F20: Modification notice

Notice identifier: 2024/S 000-015907

Procurement identifier (OCID): ocds-h6vhtk-0448ce

Published 20 May 2024, 5:04pm

Section I: Contracting authority/entity

I.1) Name and addresses

The Education Authority

40 Academy Street

Belfast

BT1 2NQ

Email

catering.procure@eani.org.uk

Country

United Kingdom

Region code

UKN - Northern Ireland

Internet address(es)

Main address

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

Buyer's address

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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Dishwashers, Blast Chillers and Toasters

Reference number

CAT 11039

II.1.2) Main CPV code

- 39310000 - Catering equipment

II.1.3) Type of contract

Supplies

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:

Supply of Dishwashers, Blast Chillers and Toasters to the Education Authority NI

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

Start date

21 May 2024

End date

31 March 2025

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: [2024/S 000-008277](#)

Section V. Award of contract/concession

Contract No

CAT-11039-TU

Title

Dishwashers, Blast Chillers and Toasters

V.2) Award of contract/concession

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

14 March 2024

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

Stephens Catering Equipment Co Ltd

Ballymena

Email

pcaves@stephens-catering.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.stephenscateringequipment.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: £440,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The UK does not currently have any such bodies with responsibilities for appeal/mediation procedures

Belfast

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 39310000 - Catering equipment

VII.1.3) Place of performance

NUTS code

- UKN - Northern Ireland

VII.1.4) Description of the procurement:

Supply of Dishwashers, Blast Chillers and Toasters to the Education Authority NI

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

Start date

20 May 2024

End date

31 March 2025

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

Total value of the contract/lot/concession:

£1,409,000

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

Stephens Catering Equipment Co Ltd

Ballymena

Email

pcaves@stephens-catering.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.stephenscateringequipment.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):

Modification to the Call-Off Contract from National Framework for Light and Heavy Catering Equipment (CAT 11039 TU) is necessary to ensuring ongoing service provision and to facilitate the procurement of additional requirements until the commencement of a new arrangement is in place.

These requirements have become necessary and are permitted by Regulation 72(1)(c) of The Public Contracts Regulations 2015. Namely, the following conditions have been fulfilled:

(i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen; the Education Authority set up CAT-23-001 Dynamic Purchasing System for Catering Equipment which went live in May 23 with the original intention of running further competitions from the DPS. Further Competition CAT-23-001-008 Commercial Dishwashers and

Tabling was issued to the market on 17 November 2024 and closed on 8 December 2024. During the evaluation process it became apparent that the specification contained ambiguity. On consideration of the duty to ensure fairness and equal treatment within the tender process, EA stood down the Further Competition on 12 March 2024 and published a VEAT notice (2024/S 000-008277) outlining its indentations to extend the current arrangements (see continued in section VII.2.2 below)

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 Education Authority currently intends to review it's specifications for this equipment in order to re-open competition to the market. It

is envisaged that this process may take up to six months, and therefore, the EA have extended it's current arrangements (subsequent to the aforementioned VEAT notice) for six months, with the options to extend by two further periods of three months if deemed necessary to enable a new procurement to be concluded.

This will help to ensure service continuity for the Catering Service whilst EA considers its requirements and next steps.

(ii) the modification does not alter the overall nature of the contract; the nature of the arrangement is not being amended.

(iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

The upper estimate of the original Call Off Contract was £881,000 GBP, this modification is for £440,000 which is less than 50% of the

original maximum value. This does not exceed 50% of the value of the Call-Off Contract.

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: £969,000

Total contract value after the modifications

Value excluding VAT: £1,409,000