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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](mailto: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>

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## **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

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## **Section IV. Procedure**

### **IV.2) Administrative information**

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

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

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## **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](mailto: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

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## **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

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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**

- 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](mailto: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 adaption and average inflation)

Value excluding VAT: £969,000

Total contract value after the modifications

Value excluding VAT: £1,409,000