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Contract

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2

Education Authority NI

F20: Modification notice

Notice identifier: 2022/S 000-017359

Procurement identifier (OCID): ocids-h6vhtk-032e3a

Published 24 June 2022, 2:20pm

Section I: Contracting authority/entity

I.1) Name and addresses

Education Authority NI

40 Academy Street

Belfast

BT1 2NQ

Email

facilities.procure@eani.org.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

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

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2

Reference number

Ballymena M&E Lot 2

II.1.2) Main CPV code

- 45210000 - Building construction work

II.1.3) Type of contract

Works

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:

Provision of planned and responsive maintenance works for EANI across its property portfolio in the old North Eastern Education and Library Board area, Contract Lot 2 which includes but is not limited to controlled and uncontrolled schools.

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

Start date

25 June 2022

End date

30 September 2023

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: [2022/S 000-010142](#)

Section V. Award of contract/concession

Contract No

Ballymena M&E Lot 2

Title

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena M&E Lot 2

V.2) Award of contract/concession

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

12 April 2022

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

LM Services NI Ltd

Belfast

Email

info@lmservicesni.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<http://lmservicesni.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: £4,000,000

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.

Ballymena

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

- 45210000 - Building construction work

VII.1.3) Place of performance

NUTS code

- UKN - Northern Ireland

VII.1.4) Description of the procurement:

The award of a contract by Education Authority Northern Ireland (EANI) without prior publication of a call for competition in the Official Journal of the European Union, in respect

of the continued provision of Contract Lot 1: Term Service Contracts for Mechanical and Electrical Maintenance Works in the old North Eastern Education and Library Board area (Area 2), Contract Lot 2 as further described in OJEU Contract Notice and as outlined in the

previous VEAT issued on 15 April 2022.

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

Start date

25 June 2022

End date

30 September 2023

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

Total value of the contract/lot/concession:

£4,000,000

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

LM Services NI Ltd

Belfast

Email

info@lmservicesni.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<http://lmservicesni.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):

An extension to 31 May 2023 with the further option for EANI, in its absolute discretion, to extend for four months to 30 September 2023.

The total value of the extension is £4,000,000 GBP.

Further information in 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:

Regulation 72(1)(c) permits this extension due to unforeseen circumstances which a diligent

contracting authority could not have foreseen, overall nature of contract is not altered and

Modification value is GBP 4 000 000 which does not exceed 50 % of original contract value.

This contingency includes sums to permit work in other Lots (as per the contract and

Regulation 72 (1) (a)). To secure continuity, Task Orders issued on/after 1 July 2021 as per

VEAT (2021/S 105-278052) are adjusted for inflation, calculated with the BCIS Measured

Term Contract Updating Percentages. Inflation from mid-point of original contract to 31

March 2021 is: PSA SOR ELEC11 Rate A, Rate B/D/E, Rate C 12.6 pct, 14.1 pct and 13.9 pct

respectively, applies to Sections 1, 2, 3, 4 and 5 of Price List; Rate B/D/E applies to Section

3; PSA SOR MECH11 Rate A, Rate B/D/E, Rate C 20.7 pct, 12.2 pct and 13.9 pct

respectively,

applies to Sections 1, 2 and 3; Rate B/D/E applies to Section 3; PSA SOR BCE09 14.3 pct

applies to Section 4 Item OT010.370 to 460. Inflation after 1 April 2021 is changed in BCIS

MTC Updating Percentages from 31 March 2021 indices based on TO issue date/latest published index. For travel expenses for Response Task Orders issued outside of the Lot received on or after 1 June 2022, an additional amount for travel has been included. It is the

EA's intention, upon receipt of the compelling evidence, to consider the review of certain prices in the price lists for specific elements of which the impact of inflation is higher than what could have reasonably and diligently anticipated. This includes: Aluminium window systems and associated items comprising glazing, flashings and insulated panels, Aluminium

curtain walling and associated items comprising glazing, flashings and insulated panels, Aluminium doors and associated items comprising sidelights and fanlights, Coated macadam

roads and pavings and associated items comprising regulating courses, Asphalt roads and

pavings and associated items comprising chippings, Proprietary coloured safety sports surfacings (wet-pour) and associated items comprising logos, patterns, graphics. Metal fencing comprising chain link, anti-intruder chain link, steel palisade security, roll-top, rigid mesh panel, steel ball-stop and rotating barrier, and associated items comprising straining posts and single and double gates (excluding work to old fencing) copper cabling comprising

HV/LV cables, standard power cables 600/1000V, armoured and armoured: fire resistant,

sizes exceeding 500mm² one core, 185mm² two core, 120mm² three core and 95mm² four

core (Rate A only) Copper cabling comprising HV/LV cables: standard power cables 1900/3300V, armoured, sizes exceeding 150mm² one core and 120mm² two core (Rate A only).

Regulation 72(1)(b) further permits this extension as a change of provider:

(i) cannot be made for economic and technical reasons as requirements of interchangeability

or interoperability of services procured under the original procurement and given the need to

ensure continued access to EANI schools and facilities and could result in partial/total closure of schools; and

(ii) will cause significant inconvenience and duplication of costs.

EANI envisages new contract award by 30/09/23.

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: £17,750,000

Total contract value after the modifications

Value excluding VAT: £21,750,000