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Contract

Frozen Food Products

the Education Authority

F20: Modification notice

Notice identifier: 2024/S 000-019371

Procurement identifier (OCID): ocds-h6vhtk-02a978

Published 25 June 2024, 9:14am

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

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

Frozen Food Products

Reference number

CAT-19-013

II.1.2) Main CPV code

- 15800000 - Miscellaneous food products

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:

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 provision of Frozen Food Products for EANI. CAT-19-013.

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

Start date

26 June 2024

End date

31 July 2024

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: [2021/S 000-018224](#)

Section V. Award of contract/concession

Contract No

CAT-19-013

Title

Frozen Food Products

V.2) Award of contract/concession

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

31 July 2020

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

Hendersons Food Service

Belfast

BT364RT

Email

sales@henderson-group.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.henderson-foodservice.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: £26,254,800

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

- 15800000 - Miscellaneous food products

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 provision of Frozen Food Products for EANI. CAT-19-013.

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

Start date

24 June 2024

End date

31 July 2024

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

Total value of the contract/lot/concession:

£26,254,800

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

Hendersons Food Service

Belfast

BT364RT

Email

sales@henderson-group.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.henderson-foodservice.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):

A modification to the value of the Framework Agreement for Frozen Food Products (CAT 19 013) by 20% is necessary to cover anticipated

orders to the remaining contract period (until 31 July 2024).

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 following issues that could not have been predicted and have impacted on costs and

therefore increased spend under the current

Framework:

- Hyper food inflation experienced as a result of the conflict in Ukraine which has impacted supply on European products.
- Much higher than anticipated energy prices that impacted all processing, production, and transportation of goods.
- Increased costs due to farming pressures and weather creating stock shortages.

(ii) the modification does not alter the overall nature of the contract;

The proposed modification does not impact the overall nature of the agreement, it remains to be there to supply frozen food products to schools.

(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 Framework was £21,879,000 GBP, this modification is for an additional £4,375,800 (20%) which is less

than 50% of the original maximum value.

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:

A modification to the value of the Framework Agreement for Frozen Food Products (CAT 19 013) by 20% is necessary to cover anticipated

orders to the remaining contract period (until 31 July 2024).

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

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The upper estimate of the original Framework was £21,879,000 GBP, this modification is for an additional £4,375,800 (20%) which is less

than 50% of the original maximum value.

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: £21,879,000

Total contract value after the modifications

Value excluding VAT: £26,254,800