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Awarded contract

## **Supply of two mobile libraries**

Norfolk County Council

F03: Contract award notice

Notice reference: 2023/S 000-020460

Published: 17 July 2023, 11:27am

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Norfolk County Council

Martineau Lane

NORWICH

NR12DH

#### **Email**

[sourcingteam@norfolk.gov.uk](mailto:sourcingteam@norfolk.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKH15 - Norwich and East Norfolk

#### **Justification for not providing organisation identifier**

Not on any register

### **Internet address(es)**

Main address

[www.norfolk.gov.uk](http://www.norfolk.gov.uk)

## **I.4) Type of the contracting authority**

Regional or local authority

## **I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Supply of two mobile libraries

#### **II.1.2) Main CPV code**

- 34144760 - Mobile library vehicles

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

Norfolk County Council conducted a competitive procurement to purchase two mobile libraries to replace ageing fleet in 2021. The contract was awarded to Nu-Track Ltd (contract award notice reference 2021/S 000-021840) to build two mobile libraires on chassis which were purchased by Nu-Track Ltd from TBF Thompson DAF Trucks Ltd, a division of TBF Thompson (Garvagh) Ltd.

Nu-Track Ltd subsequently entered insolvency and were unable to complete the build of the

two mobile libraries that were commissioned.

The partially completed libraries were re-acquired by TBF Thompson (Garvagh) limited and Norfolk County Council have entered into a contract for the completion of the mobile libraries by T B F THOMPSON (GARVAGH) LIMITED as they hold legal title to the partly completed vans and therefore Norfolk County Council was not able to compete this requirement.

#### **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: £311,300

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 34000000 - Transport equipment and auxiliary products to transportation

#### **II.2.3) Place of performance**

NUTS codes

- UKN - Northern Ireland

#### **II.2.4) Description of the procurement**

Norfolk County Council conducted a competitive procurement to purchase two mobile libraries to replace ageing fleet in 2021. The contract was awarded to Nu-Track Ltd (contract award notice reference 2021/S 000-021840) to build two mobile libraries on chassis which were purchased by Nu-Track Ltd from TBF Thompson DAF trucks, a division of TBF Thompson (Garvagh) Ltd.

Nu-Track Ltd subsequently entered insolvency and were unable to complete the build of the two mobile libraries that were commissioned.

The partially completed libraries were re-acquired by TBF Thompson (Garvagh) limited and Norfolk County Council has entered into a contract for the completion of the mobile libraries by T B F THOMPSON (GARVAGH) LIMITED as they hold legal title to the partly completed vans and therefore Norfolk County Council was not able to compete this requirement.

## **II.2.5) Award criteria**

Price

## **II.2.11) Information about options**

Options: No

## **II.2.14) Additional information**

This is a notice under regulation 32(b)(ii) of the Public Contracts Regulations 2015 (as amended) as the Council was unable to compete the procurement for the partially completed mobile libraries for technical reasons, those reasons being that the title of the vehicles belongs to TBF Thompson (Garvagh) Ltd and not Norfolk County Council, and the roadworthiness of the vehicles will need to be certified by TBF Thompson (Garvagh) Ltd before the purchase can be completed.

Furthermore, due to global market forces, delays in the supply chain of vehicles and inflation, the price of purchasing new chassis would add approximately 20% to the original purchase value, and a further year to completion of the mobile libraries. This would therefore have added considerable delay and cost to the acquisition of new mobile libraries for use by the residents of Norfolk.

Therefore, in order to not further delay the process and achieve the best value for money the Authority has awarded the contract for completion of the mobile libraries to the owner of the vehicles.

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## 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 services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The title of the partially completed mobile libraries belongs to TB F THOMPSON (GARVAGH) LIMITED and Norfolk County Council has entered into a contract for the completion of the mobile libraries with them as they hold legal title to the partly completed vans. Therefore Norfolk County Council is not able to compete this requirement. The roadworthiness of the vehicles will need to be certified by T B F THOMPSON (GARVAGH) LIMITED before the acquisition by Norfolk County Council can be completed.

#### 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: [2023/S 000-002925](#)

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## Section V. Award of contract

A contract/lot is awarded: Yes

### V.2) Award of contract

#### V.2.1) Date of conclusion of the contract

10 July 2023

### **V.2.2) Information about tenders**

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

### **V.2.3) Name and address of the contractor**

TBF Thompson (Garvagh) Limited

19 Michelin Road

Newtownabbey

BY36 4PT

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Companies House

NI036301

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £307,000

Total value of the contract/lot: £311,300

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## **Section VI. Complementary information**

### **VI.3) Additional information**

A standstill period was held for 10 days after the publication of the Voluntary ex ante transparency notice on 31 January 2023 reference 2023/S 000-002925.

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

nplaw

Norwich

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

The Public Contracts Regulations 2015 (as amended) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Proceedings must be brought within 30 days from the date of knowledge (the date on which the economic operator first knew or ought to have known that grounds for starting the proceedings had arisen) unless the Court considers that there is good reason for extending the period within which proceedings may be brought, in which case the Court may extend that period up to a maximum of 3 months from the date of knowledge.