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Contract

## **DoF - Collaborative Arrangement - Supply of Unmetered electricity 2021- 2023**

Department of Finance

F20: Modification notice

Notice identifier: 2022/S 000-020650

Procurement identifier (OCID): ocds-h6vhtk-035701

Published 28 July 2022, 3:00pm

### **Section I: Contracting authority/entity**

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

Department of Finance

303 Airport Road West

BELFAST

BT3 9ED

#### **Email**

[Collaboration.CPD@finance-ni.gov.uk](mailto:Collaboration.CPD@finance-ni.gov.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>

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## **Section II: Object**

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

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

DoF - Collaborative Arrangement - Supply of Unmetered electricity 2021- 2023

Reference number

ID 3098149

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

- 09310000 - Electricity

#### **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:**

This contract will be for the supply of 100 percent green Unmetered Electricity for a term of 24 months. The

anticipated commencement date shall be 1st April 2021 and expire on 31st March 2023.

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

Duration in months

24

### **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: [2020/S 001-611590](#)

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## **Section V. Award of contract/concession**

### **Contract No**

ID 3098149

### **V.2) Award of contract/concession**

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

28 July 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**

POWER NI ENERGY LIMITED

Belfast

Email

[kylie.best@powerni.co.uk](mailto:kylie.best@powerni.co.uk)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

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

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: £27,000,000

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## **Section VI. Complementary information**

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

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

The UK does not have any such bodies with responsibility for review/appeal or mediation procedures

Belfast

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The Public Contract Regulations 2015 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). The authority incorporated a standstill period (i.e. a minimum. of 10 calendar days) before this contract was awarded.

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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**

- 09310000 - Electricity

#### **VII.1.3) Place of performance**

NUTS code

- UKN - Northern Ireland

#### **VII.1.4) Description of the procurement:**

This contract will be for the supply of 100 percent green Unmetered Electricity for a term of 24 months. The

anticipated commencement date shall be 1st April 2021 and expire on 31st March 2023.

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

Duration in months

24

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

Total value of the contract/lot/concession:

£40,750,000

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

POWER NI ENERGY LIMITED

Belfast

Email

[kylie.best@powerni.co.uk](mailto:kylie.best@powerni.co.uk)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

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

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):

This modification is to increase the contract 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:

In accordance with Regulation 72(1)(c) where need for the change could not have been foreseen by a "diligent" Department this modification is for an uplift to the anticipated contract value. The original estimated value of the contract was based on market conditions and pricing at that time. Since then there has been the significant, unforeseen war initiated by Russia on Ukraine which has had an unprecedented global impact on supply and pricing in the energy market. Prices continue to escalate significantly with the pressure of the continued conflict and the impact of the disruption to production, supply and that of associated political sanctions.

### **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: £27,000,000

Total contract value after the modifications

Value excluding VAT: £40,750,000