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Award

## **CAT-19-013 - Frozen Food Products**

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-023694

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

Published 30 July 2024, 8:40am

### **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**

UK - United Kingdom

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

Main address

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

Buyer's address

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

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

Body governed by public law

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

Education

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### **Section II: Object**

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

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

CAT-19-013 - Frozen Food Products

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

- 15800000 - Miscellaneous food products

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

Supplies

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

The award of a contract by Education Authority N.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.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: £21,879,000

## **II.2) Description**

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

NUTS codes

- UKN - Northern Ireland

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

The Supply of Frozen Food Products to the Education Authority N.Ireland

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

Options: No

### **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.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 procurement falls outside the scope of application of the regulations

Explanation:

Modification to the framework is necessary to ensuring ongoing service provision and to facilitate the procurement of essential frozen food products required to serve meals 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; There is currently a new tender process for the re procurement of Frozen Foods which it was anticipated would be completed by 30th June 2024 with a view to a new contract start date of 1st August 2024. However, there has been a delay in the evaluation which is outside of EA's control. The supplies are required by schools and therefore require this short modification to term of 3 months to ensure no break in service. The additional 3 months is within the timeframes permissible under the Regulation 72. (ii) the modification does not alter the overall nature of the contract; The proposed modification does not impact the overall nature of the contract, it remains to be there to supply frozen food products. (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement. The awarded value of the original Framework was £21,879,000 GBP. This modification of £2,500,000 represents 11% of the awarded value which is less than 50% which is permissible

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

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## Section V. Award of contract/concession

A contract/lot is awarded: Yes

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

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

30 July 2024

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

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

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

Henderson Food Service

Belfast

BT364RT

Email

[sales@henderson-group.com](mailto:sales@henderson-group.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://www.henderson-foodservice.com>

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £2,500,000

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## **Section VI. Complementary information**

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

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

The UK does not currently have such bodies with responsibilities for appeal/mediation procedures

Belfast

Country

United Kingdom