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Award

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

Education Authority NI

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-026522

Procurement identifier (OCID): ocds-h6vhtk-03faf3

Published 7 September 2023, 5:00pm

### **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](mailto:facilities.procure@eani.org.uk)

#### **Country**

United Kingdom

#### **Region code**

UKN - Northern Ireland

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

Main address

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

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**

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.1.4) Short description**

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 VEATs issued on 28 May 2021, 15 April 2022 and 13 December 2022

#### **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: £4,000,000

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

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

NUTS codes

- UKN - Northern Ireland

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

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.2.11) Information about options**

Options: Yes

Description of options

The previous VEAT 2022/S 000-035189 issued on 13 December 2022 extended this contract until 31 May 2024 with an option for the EANI to terminate, at its sole discretion, the contract by providing the contractor with written notice of its intention to terminate the contract. The EANI does not intend to extend the time of this contract beyond the modification referenced in VEAT 2022/S 000-035189 published on 13 December 2022. Rather, this publication is to increase the value of the contract

#### **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:

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)). Due to circumstances which could not have been foreseen at the time of publication of the previous VEAT Notice, EANI are now required to further increase the value of this contract. This is required as additional expenditure has been incurred due to increased demand for Special Educational Needs (SEN) placements, which were not anticipated at the time of the original Contract Notice or subsequent VEAT Notices. The uplift to the contract value also being sought as a precautionary measure to ensure continued service delivery of the SEN placement programme and in particular the potential of further ongoing response maintenance works as may be required before the contract expiry. The EANI does not intend to extend the time of this contract beyond the modification referenced in VEAT 2022/S 000-035189 published on 13 December 2022. Rather, this publication is to increase the value of the contract.

To secure continuity, the provisions of the contract as referenced in VEAT 2022/S 000-035189 and VEAT 2022/S 000-010142 remain. 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 31/05/24.

### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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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**

7 September 2023

#### **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**

LM Services NI Ltd

Belfast

Email

[info@lmservicesni.com](mailto: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 contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £4,000,000

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## **Section VI. Complementary information**

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

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

The UK does not have any special review body with responsibility for appeal/mediation procedures in public procurement competitions

Belfast

Country

United Kingdom