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Award

# Provision of Planned and Responsive Maintenance and Minor Works - Omagh M&E Lot 1

**Education Authority NI** 

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-026533

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

Published 7 September 2023, 5:01pm

# 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

### 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

# **Section II: Object**

## II.1) Scope of the procurement

## II.1.1) Title

Provision of Planned and Responsive Maintenance and Minor Works - Omagh M&E Lot 1

Reference number

Omagh M&E Lot 1

#### 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 a Term Service Contract for Maintenance (M&E) and Minor Works in the Western Education and Library Board area (Area 1), Contract Lot 3 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 Maintenance and Response Works for EANI across its property portfolio in the old Western Education and Library Board area, Contract Lot 3 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 000-035181 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 000-035181 published on 16 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

# 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, the overall nature of the contract is not altered and Modification value is GBP 4 000 000 which does not exceed 50 % of the 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 000-035181 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 000-035181 and VEAT 2022/S 000-010148 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

# 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

Irwin ME Ltd

Portadown

Email

info@irwinm-e.com

Country

**United Kingdom** 

**NUTS** code

• UKN - Northern Ireland

Internet address

#### https://irwinm-e.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

# **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