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Contract

Catering Disposables

Ministry of Justice

F20: Modification notice

Notice identifier: 2022/S 000-030375

Procurement identifier (OCID): ocids-h6vhtk-037cd8

Published 27 October 2022, 3:11pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Justice

102 Petty France

London

Email

mojprocurementfood@justice.gov.uk

Telephone

+44 02033343555

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/ministry-of-justice>

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Catering Disposables

II.1.2) Main CPV code

- 39222100 - Disposable catering supplies

II.1.3) Type of contract

Supplies

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement at the time of conclusion of the contract:

Catering Disposables products are required to be delivered to all non-contracted prisons throughout England and Wales. Catering Disposables are critical items in a prison kitchen. These types of items assist with food preparation, service, storage and portion control.

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

Start date

1 November 2018

End date

31 October 2022

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.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2018/S 188-424546](#)

Section V. Award of contract/concession

Contract No

Con_15983

V.2) Award of contract/concession

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

27 September 2018

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

Hamilton and Pollock 2012 Ltd T/A HDKP

Kings Langley

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £4,800,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales Royal Courts of Justice

London

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 39222100 - Disposable catering supplies

VII.1.3) Place of performance

NUTS code

- UK - United Kingdom

VII.1.4) Description of the procurement:

Catering Disposables products are required to be delivered to all non-contracted prisons throughout England and Wales. Catering Disposables are critical items in a prison kitchen. These types of items assist with food preparation, service, storage and portion control.

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

Start date

1 November 2018

End date

31 October 2023

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

Total value of the contract/lot/concession:

£1,836,000

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

Hamilton and Pollock 2012 Ltd T/A HDKP

Kings Langley

Country

United Kingdom

NUTS code

- UK - United Kingdom

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 notice relates to a modification to the end date of the existing contract by way of an extension of a period of 12 months

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:

An unforeseen change in business requirements has meant the recent re-procurement of this contract had to be discontinued. Catering Disposable items are critical to the running of HMPPS prison kitchens, and so a 12 month extension is required to ensure surety of

supply, and thereby stability of our prisons and safety of prisoners and prison staff. Procurement processes are already underway for the re-tender of this service, taking into consideration the new business needs.

The extension is implemented in line with Regulation 72(1)e of the EU Procurement Directives which cites contracts and framework agreements may be modified without a new procurement procedure 'where the modifications, irrespective of their value, are not substantial'. The modification does not alter the overall nature of the contract and only extends the term of the contract. The Authority considers this not to be substantial within the meaning of Regulation 72(8).

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: £4,800,000

Total contract value after the modifications

Value excluding VAT: £6,636,000