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Award

CAT-19-013 Frozen Food Products

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-030423

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

Published 24 September 2024, 9:09am

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

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

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

For the Supply and Delivery of Frozen Food Products to EA Catering Units/Kitchens or other locations within Northern for the period 1 August 2021 to 31 July 2022 with the option to extend for two further periods of 12 months.

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

For the Supply and Delivery of Frozen Food Products to EA Catering Units/Kitchens or other locations within Northern for the period 1 August 2021 to 31 July 2022 with the option to extend for two further periods of 12 months.

II.2.5) Award criteria

Quality criterion - Name: Qualitative Methodology Performance Management / Weighting: 15

Cost criterion - Name: Quantitative Evaluation Cost / Weighting: 85

II.2.11) Information about options

Options: Yes

Description of options

1 August 2021 to 31 July 2022 with the option to extend for two further periods of 12 months or parts thereof.

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:

This contract is not an award without prior notice. This contract was awarded as per publication reference 2021/S 000-018224 July 2021.

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. Further modified in May 2024 by £4,375,800 and again in July 2024 for an additional £2,500,000. This modification of £3,670,184.14 represents 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](#)

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 2021

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

Email

sales@henderson-group.com

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

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: £21,879,000

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