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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](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**

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](#)

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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 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](mailto: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

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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