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Award

Refrigeration, Freezing and Chilling

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-032017

Procurement identifier (OCID): ocids-h6vhtk-041032

Published 30 October 2023, 3:30pm

Section I: Contracting authority/entity

I.1) Name and addresses

the Education Authority

40 Academy Street

Belfast

BT1 2NQ

Email

cater.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

Refrigeration, Freezing and Chilling

Reference number

CAT 19 015

II.1.2) Main CPV code

- 39310000 - Catering equipment

II.1.3) Type of contract

Supplies

II.1.4) Short description

The award of a framework agreement 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 provision Refrigeration, Freezing and Chilling equipment for EANI CAT-19-015 as further described in OJEU Contract Notice.

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £1,128,600

II.2) Description

II.2.1) Title

Refrigeration, Freezing and Chilling

Lot No

1

II.2.2) Additional CPV code(s)

- 39310000 - Catering equipment

II.2.3) Place of performance

NUTS codes

- UKN0 - Northern Ireland

II.2.4) Description of the procurement

Supply and Delivery of Refrigeration, Freezing and Chilling equipment to individual educational establishments within the Northern Ireland Education Authority Regions.

II.2.5) Award criteria

Quality criterion - Name: quality / Weighting: 30

Price - Weighting: 70

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2) Description

II.2.1) Title

Refrigeration, Freezing and Chilling

Lot No

2

II.2.2) Additional CPV code(s)

- 39310000 - Catering equipment

II.2.3) Place of performance

NUTS codes

- UKN0 - Northern Ireland

II.2.4) Description of the procurement

Supply and Delivery of Refrigeration, Freezing and Chilling equipment to individual educational establishments within the Northern Ireland Education Authority Regions.

II.2.5) Award criteria

Quality criterion - Name: quality / Weighting: 30

Price - Weighting: 30

II.2.11) Information about options

Options: No

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 the value of the original Framework Agreement will not change due to this modification. The modification is required to allow additional time ie 4 months to allow the completion of the new procurement. The Framework Agreement set out in OJEU Contract Notice was entered into by EANI as per the published Contract Award Notice. The Framework Agreement was initially for a term ending 30 November 2023.

EANI intended to commence a new procurement exercise in September 2023. However, the new procurement exercise has been delayed due to resourcing issues within the catering industry. The new tender process will be issued via the CAT 23 001 Dynamic Purchasing System early in 2024. (Interested suppliers can register to participate and further details can be found here

<https://etendersni.gov.uk/epps/dps/prepareViewCfTDPSWS.do?resourceId=4841480>).

EANI anticipates the new contract commencement will be 01 April 2024, with services extended under the current Framework Agreement until then.

The value of the Framework Agreement was set at £1,128,600. There is no change to the expected value. The only change will be a short 4 month extension

A short extension to the original framework has become necessary and is 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. Catering Industry wide resourcing issues has delayed the new procurement exercise commencing, with such resourcing issues entirely unforeseeable by EANI. Accordingly, an extension is required in order to allow a procurement exercise to be carried out and to ensure continuity of service until the new contract commences. The new contract will be issued via CAT 23 001 Dynamic

Purchasing System – contractors are welcome to join further information can be found here European Dynamics - View DPS Workspace (etendersni.gov.uk).

(ii) The modification does not alter the overall nature of the contract. Other than the term of the Framework Agreement being extended for a short time to allow the new procurement to be concluded, the nature of the Framework Agreement is not being amended; and

(iii) Any increase in price does not exceed 50% of the value of the original contract or framework agreement. The value of the original Framework Agreement was 1,128,600 GBP, this will not change.

IV.1.3) Information about a framework agreement

The procurement involves the establishment of a framework agreement

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: [2019/S 219-537458](#)

Section V. Award of contract/concession

Contract No

CAT 19 -15

Lot No

1

Title

Refrigeration, Freezing and Chilling

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

30 October 2023

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor/concessionaire

S. McKenna Company T/A Galgorm Group

7 Corbally Road

Email

Phil.Alexander@galgormgroup.com

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

Internet address

<https://www.galgormgroup.com/>

The contractor/concessionaire is an SME

Yes

V.2.3) Name and address of the contractor/concessionaire

Massey Catering Equipment Limited

Moira

Email

philip@masseycatering.co.uk

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://masseycatering.com/>

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £1,128,600

Total value of the contract/lot/concession: £1,128,600

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The UK does not currently have any such bodies with responsibilities for appeal/mediation procedures

belfast

Country

United Kingdom