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Contract

CAT-19-013 Frozen Food Products

the Education Authority

F20: Modification notice

Notice identifier: 2024/S 000-032168

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

Published 8 October 2024, 9:28am

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>

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

CAT-19-013 Frozen Food Products

Reference number

CAT-19-013

II.1.2) Main CPV code

- 15800000 - Miscellaneous food products

II.1.3) Type of contract

Supplies

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland

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

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

Duration in months

36

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: [2021/S 000-018224](#)

Section V. Award of contract/concession

Contract No

CAT-19-015

V.2) Award of contract/concession

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

30 July 2021

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

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 the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £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

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 15800000 - Miscellaneous food products

VII.1.3) Place of performance

NUTS code

- UKN - Northern Ireland

VII.1.4) Description of the procurement:

The Supply of Frozen Food Products to the Education Authority N.Ireland

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

Start date

1 August 2021

End date

31 January 2025

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

Total value of the contract/lot/concession:

£32,424,984

VII.1.7) 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

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):

Modification to extend the contract period by an additional 3 months (01s November 2024-31st January 2025) and an additional £3,670,184.14 added to the maximum contract value.

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:

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;

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. Previous modifications have increased this figure to £28,754,800. This modification of £3,670,184.14 represents 16.77% of the awarded value which is less than 50% which is permissible.

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: £28,754,800

Total contract value after the modifications

Value excluding VAT: £32,424,984