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Contract

Supply of Rock Salt and Associated Products Framework

Llywodraeth Cymru / Welsh Government - Commercial Delivery

F20: Modification notice

Notice identifier: 2023/S 000-035001

Procurement identifier (OCID): ocds-h6vhtk-02b9d7

Published 28 November 2023, 9:30am

Section I: Contracting authority/entity

I.1) Name and addresses

Llywodraeth Cymru / Welsh Government - Commercial Delivery

T'yr Afon, Bedwas Road

Caerphilly

CF83 8WT

Email

commercialprocurement.buildings@gov.wales

Country

United Kingdom

NUTS code

UKL - Wales

Internet address(es)

Main address

<https://gov.wales/public-sector-procurement>

Buyer's address

https://www.sell2wales.gov.wales/search/Search_AuthProfile.aspx?ID=AA27760

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Supply of Rock Salt and Associated Products Framework

Reference number

NPS-CFM-106-20

II.1.2) Main CPV code

- 14410000 - Rock salt

II.1.3) Type of contract

Supplies

II.2) Description

II.2.2) Additional CPV code(s)

- 34927100 - Road salt
- 15872400 - Salt
- 24951310 - De-icing agents
- 14781000 - Potassium
- 14311300 - Crude natural potassium salts
- 03100000 - Agricultural and horticultural products

II.2.3) Place of performance

NUTS codes

- UKL - Wales

Main site or place of performance

Wales

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

Framework for the supply of rock salt and de-icing products

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

Duration in months

48

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 000-012902](#)

Section V. Award of contract/concession

Contract No

NPS-CFM-106-20

Title

Supply of Rock Salt and Associated Products Framework

V.2) Award of contract/concession

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

1 July 2021

V.2.2) Information about tenders

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

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

LBS Builders Merchant

L B S Business Centre, Parc Amanwy

Ammanford

SA183FE

Telephone

+44 7972520525

Country

United Kingdom

NUTS code

- UKL1 - West Wales and the Valleys

The contractor/concessionaire is an SME

Yes

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

Safecote Limited

Houldsworth Mill Business Centre, Houldsworth Street

Reddish, Stockport

SK56DA

Telephone

+44 7717212313

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

NGS GRITTING SERVICES LTD

RUSHINGTON BUSINESS APRK, CHAPEL LANE

SOUTHAMPTON

SO409AH

Telephone

+44 8456045459

Country

United Kingdom

NUTS code

- UKJ32 - Southampton

The contractor/concessionaire is an SME

Yes

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

Compass Minerals UK

Bradford Road, Winsford Cheshire

Winsford

CW72PE

Telephone

+44 1606305150

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Irish Salt Mining Co. Ltd.

10, Fort Rd Carrickfergus

Co. Antrim

BT389BT

Telephone

+44 2893351151

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

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: £9,580,000

Section VI. Complementary information

VI.3) Additional information

(WA Ref:136791)

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Telephone

+44 2079477501

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

- 14410000 - Rock salt

VII.1.2) Additional CPV code(s)

- 34927100 - Road salt
- 15872400 - Salt
- 24951310 - De-icing agents
- 14774000 - Calcium
- 14311000 - Natural calcium, aluminium calcium phosphate and crude natural potassium salts
- 14770000 - Caesium, strontium, rubidium and calcium
- 03100000 - Agricultural and horticultural products

VII.1.3) Place of performance

NUTS code

- UKL - Wales

Main site or place of performance

Wales

VII.1.4) Description of the procurement:

Framework for the supply of rock salt and associated de-icing products

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

Duration in months

48

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

Total value of the contract/lot/concession:

£14,360,000

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

LBS Builders Merchant

L B S Business Centre, Parc Amanwy

Ammanford

SA183FE

Telephone

+44 7972520525

Country

United Kingdom

NUTS code

- UKL1 - West Wales and the Valleys

The contractor/concessionaire is an SME

Yes

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

Safecote Limited

Houldsworth Mill Business Centre, Houldsworth Street

Reddish, Stockport

SK56DA

Telephone

+44 7717212313

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Compass Minerals UK

Bradford Road, Winsford Cheshire

Winsford

CW72PE

Telephone

+44 1606305150

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

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

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The contractor/concessionaire is an SME

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

Irish Salt Mining Co. Ltd.

10, Fort Rd Carrickfergus

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BT389BT

Telephone

+44 2893351151

Country

United Kingdom

NUTS code

- UKN0 - Northern Ireland

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 modification is to increase the published contract value of the WGCD (formerly NPS) Rock Salt and Associated Products Framework by 4.78million GBP

Explanation:

The Rock Salt and Associated Products Framework will reach the end of its four year term in July 2025. This modification will ensure that the framework spend remains complaint within the published contract value over the remaining duration of the framework. The modification will ensure continuity of supply of products that are critical to the safe operation of the Welsh road network.

The modification to the Framework is permissible under Regulation Reg 72 (1) (c) Public Contracts Regulations 2015. Under this Regulation amendments can be made to the framework if the following conditions are met:

- (i) the need for the modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

Our assessment has concluded that these conditions have been met as follows:

- (i) the supplier price increases and associated higher than anticipated contract spend has been brought about by the significant increases in energy and fuel costs and inflationary increases which the WGCD could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) the increase of 4.78m GBP does not exceed 50% of the original framework 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:

The modification in the published framework value is due to increased supplier product

costs which could not have been foreseen.

The price increases have been largely driven by significant increases in fuel and energy costs over the last 12 months. The increases in fuel and energy have had a significant impact on the mining sector as its operations are heavily dependent on both.

Another contributory factor to the price increases is the higher than anticipated inflation increases over the last 12 months.

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: £9,580,000

Total contract value after the modifications

Value excluding VAT: £14,360,000