This is a published notice on the Find a Tender service: <a href="https://www.find-tender.service.gov.uk/Notice/035001-2023">https://www.find-tender.service.gov.uk/Notice/035001-2023</a>

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: <u>2021/S 000-012902</u>

## 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

Yes

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

NGS GRITTING SERVICES LTD

RUSHINGTON BUSINESS APRK, CHAPEL LANE

**SOUTHAMPTON** 

SO409AH

Telephone

Country
United Kingdom
NUTS code
UKJ32 - Southampton
The contractor/concessionaire is an SME
Yes
VII.1.7) 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
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

+44 8456045459

#### 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 adaptions and average inflation)

Value excluding VAT: £9,580,000

Total contract value after the modifications

Value excluding VAT: £14,360,000