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Award

## **Provision of Planned and Responsive Maintenance and Minor Works - Ballymena ME Lot 1**

Education Authority NI

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-035201

Procurement identifier (OCID): ocids-h6vhtk-038cf3

Published 13 December 2022, 12:05pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Education Authority NI

40 Academy Street

Belfast

BT1 2NQ

#### **Email**

[facilities.procure@eani.org.uk](mailto:facilities.procure@eani.org.uk)

#### **Country**

United Kingdom

#### **Region code**

UKN - Northern Ireland

#### **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**

Provision of Planned and Responsive Maintenance and Minor Works - Ballymena ME Lot 1

Reference number

Ballymena ME Lot 1

#### **II.1.2) Main CPV code**

- 45210000 - Building construction work

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

The award of a contract 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 continued provision of Contract Lot 1: Term Service Contracts for Mechanical and Electrical Maintenance Works in the old North Eastern Education and Library Board area (Area 1), Contract Lot 1 as further described in OJEU Contract Notice

and as outlined in the previous VEATs issued on 28 May 2021 and 15 April 2022.

#### **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: £4,000,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKN - Northern Ireland

#### **II.2.4) Description of the procurement**

II.2.4 – Description of the Procurement

Provision of planned and responsive maintenance works for EANI across its property portfolio in the old North Eastern Education and Library Board area, Contract Lot 1 which includes but is not limited to controlled and uncontrolled schools.

#### **II.2.11) Information about options**

Options: Yes

Description of options

The previous VEAT 2022/S 000-010143 issued on 15 April 2022 extended this contract until 31 May 2023 with an option for the EANI to extend, at its sole discretion, until 30 September 2023. This option has not been exercised. Instead, this notice shall extend the contract until 31 May 2024 with the further option for EANI, in its absolute discretion, terminate the contract by providing the contractor with written notice of its intention to terminate the contract.

#### **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:

Due to the EANI's desire to develop and design a procurement strategy for the future term service contract that takes cognisance of representations made by the market; additional works required for special educational needs schools and the late exiting of the incumbent contractors across three lots and the consequent added pressure on the relevant supporting lots, it has become necessary to extend the contract until 31 May 2024 to facilitate the development and design of a new procurement. To ensure value for money and to assist the procurement strategy for the future term service contract, the EANI shall have, at its absolute discretion, the ability to terminate the contract by giving the contractor written notice of its intention to terminate.

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 Modification value is does not exceed 50 % of the original contract value. This contingency includes sums to permit work in other Lots (as per the contract and Regulation 72 (1) (a)). To secure continuity, the provisions of the contract as referenced in VEAT 2021/S 105-278055

remain.

Regulation 72(1)(b) further permits this extension as a change of provider:

(i) cannot be made for economic and technical reasons as requirements of interchangeability or interoperability of services procured under the original procurement and given the need to ensure continued access to EANI schools and facilities and could result in partial/total closure of schools; and

(ii) will cause significant inconvenience and duplication of costs.

EANI envisages new contract award by 31/05/24.

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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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**

12 December 2022

#### **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**

LM Services NI Ltd

Belfast

Email

[info@lmservicesni.com](mailto:info@lmservicesni.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<http://lmservicesni.com/>

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £4,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

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

Belfast

Country

United Kingdom