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Contract

## **Specialist Medical Advisory Services**

Driver and Vehicle Agency

F20: Modification notice

Notice identifier: 2024/S 000-041495

Procurement identifier (OCID): ocds-h6vhtk-03a7c1

Published 24 December 2024, 9:59am

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

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

Driver and Vehicle Agency

Hydebank House

BELFAST

BT8 8JL

#### **Email**

[ssdadmin.cpd@finance-ni.gov.uk](mailto:ssdadmin.cpd@finance-ni.gov.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>

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Specialist Medical Advisory Services

Reference number

ID 4628940

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

- 85121200 - Medical specialist services

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

Services

### **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:**

This DAC is to provide medical fitness to drive assessment services to the DVA acting on behalf of the Department for Infrastructure. DVA are required to be satisfied that an applicant for or holder of a diving licence (including taxi driver licence) meets the required medical fitness to drive standards as part of the licencing consideration.

These are urgent, critical services. The ability to procure these services to support and safeguard the delivery of fitness to drive medical assessments to the DVA. There are capacity and capability issues within this sector with competing demand for resources in both the public and private sector and the Department must act quickly to secure essential

support. There is no option to do nothing and it is in the public interest to expedite the appointment of a Contractor

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

Duration in months

96

### **II.2.13) Information about European Union Funds**

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

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2023/S 000-005419](#)

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## **Section V. Award of contract/concession**

### **Contract No**

DAC 156/22 - DVA - Provision of Professional Medical Advisory Services relating to DVA Licence Appli

### **Title**

DAC 156/22 - DVA - Provision of Professional Medical Advisory Services relating to DVA Licence Applications

### **V.2) Award of contract/concession**

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

23 December 2024

#### **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**

3fivetwo Healthcare

21 Old Channel Road

Belfast

Email

[contactus@3fivetwo.com](mailto:contactus@3fivetwo.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.3fivetwohealthcare.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: £5,929,703

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## **Section VI. Complementary information**

### **VI.3) Additional information**

The value of this contract and modification is above the UK threshold therefore the Public Contracts Regulations 2015 (as amended) apply.. . The Regulations permit the modification of a contract where the changes proposed meet one or more of the prescribed tests as set out in Regulation 72. Having considered the information provided there would appear to be convincing reasons to modify this contract in accordance with Regulation 72(1)(b) for additional works, services or supplies that “have become necessary” and were not included in the initial procurement and a change of supplier would not be practicable (for economic, technical or interoperability reasons) and would involve substantial inconvenience/duplication of costs - provided the change does not exceed 50% of the value of the original contract. With respect to Regulation 72(1)(b) it should be noted that more than one such change (previous modifications documented) can be made during the life of the contract even if, in total, the value is more than 50% of the original contract value, however, the successive changes must not be made in order to circumvent the regulations.. . This short modification period of 6 months is not to circumvent the Regulations but required to ensure that the Department can meet statutory obligations and carry out essential public services whilst a new tender competition is expedited. . . An interim contract would not be possible given potential TUPE application and no economic incentive to take on a short term contract and associated liabilities. .

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

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

The UK has no such bodies

Belfast

Country

United Kingdom

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 85121200 - Medical specialist services

#### **VII.1.3) Place of performance**

NUTS code

- UKN - Northern Ireland

#### **VII.1.4) Description of the procurement:**

The value of this contract and modification is above the UK threshold therefore the Public Contracts Regulations 2015 (as amended) apply.

The Regulations permit the modification of a contract where the changes proposed meet one or more of the prescribed tests as set out in Regulation 72. Having considered the information provided there would appear to be convincing reasons to modify this contract in accordance with Regulation 72(1)(b) for additional works, services or supplies that “have become necessary” and were not included in the initial procurement and a change of supplier would not be practicable (for economic, technical or interoperability reasons) and would involve substantial inconvenience/duplication of costs - provided the change does not exceed 50% of the value of the original contract. With respect to Regulation 72(1)(b) it should be noted that more than one such change (previous modifications documented) can be made during the life of the contract even if, in total, the value is more than 50% of the original contract value, however, the successive changes must not be made in order to circumvent the regulations.

This short modification period of 6 months is not to circumvent the Regulations but required to ensure that the Department can meet statutory obligations and carry out essential public services whilst a new tender competition is expedited.

An interim contract would not be possible given potential TUPE application and no economic incentive to take on a short term contract and associated liabilities.

The new tender has been delayed for a number of factors which are now approaching resolution and will allow the specification of services to be finalised and issued to open competition.

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

Duration in months

6

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

Total value of the contract/lot/concession:

£5,929,703,000

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

3fiveTwo Healthcare

Belfast

Email

[contactus@3fivetwo.com](mailto:contactus@3fivetwo.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.3fivetwohealthcare.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):

With respect to Regulation 72(1)(b) it should be noted that more than one such change (previous modifications documented) can be made during the life of the contract even if, in total, the value is more than 50% of the original contract value, however, the successive

changes must not be made in order to circumvent the regulations.

This short modification period of 6 months is not to circumvent the Regulations but required to ensure that the Department can meet statutory obligations and carry out essential public services whilst a new tender competition is expedited.

### **VII.2.2) Reasons for modification**

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

With respect to Regulation 72(1)(b) it should be noted that more than one such change (previous modifications documented) can be made during the life of the contract even if, in total, the value is more than 50% of the original contract value, however, the successive changes must not be made in order to circumvent the regulations.

This short modification period of 6 months is not to circumvent the Regulations but required to ensure that the Department can meet statutory obligations and carry out essential public services whilst a new tender competition is expedited.

### **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: £5,067,203

Total contract value after the modifications

Value excluding VAT: £5,929,703