

Forenede Kongerige, Det-London: Tjenester i forbindelse med prøveløsladelse

OJ S 1/2021 04/01/2021

Bekendtgørelse om ændring

Tjenesteydelser

Retsgrundlag:

Direktiv 2014/24/EU

Del I: Ordregivende myndighed/enhed

I.1. Navn og adresser

Officielt navn: Ministry of Justice

Postadresse: 102 Petty France

By: London

NUTS-kode: UK United Kingdom

Land: Det Forenede Kongerige

Kontaktperson: Paul Carter

E-mail: probationcommercialteam@justice.gov.uk

Telefon: +44 2033343555

Internetadresse(r):

Overordnet internetadresse: www.gov.uk/government/organisations/ministry-of-justice

Del II: Genstand

II.1. Udbuddets omfang

II.1.1. Betegnelse

Transforming Rehabilitation

II.1.2. Hoved-CPV-kode

75231240 Tjenester i forbindelse med prøveløsladelse

II.1.3. Kontrakttype

Tjenesteydelser

II.2. Beskrivelse

II.2.1. Betegnelse

Transforming Rehabilitation: Contracts for the Services of Rehabilitative Services and Offender Management

Delkontraktnr.: 21

II.2.2. Supplerende CPV-kode(r)

75100000 Virksomhed i forbindelse med administration, 75230000 Tjenester vedrørende retsvæsen og domstole, 75240000 Tjenester vedrørende offentlig lov, orden og sikkerhed, 80400000 Voksenundervisning og undervisning i øvrigt, 80500000 Uddannelsesstilbud, 85100000 Tjenesteydelser inden for sundhedsvæsenet, 85300000 Sociale foranstaltninger og hermed beslægtet virksomhed

II.2.3. Udførelsessted

NUTS-kode: UK United Kingdom

Hovedudførelsessted: England and Wales.

II.2.4. Beskrivelse af udbuddet på tidspunktet for indgåelse af kontrakten

Following publication of Contract Notice ref [2013/S 183-315991](#), successful bidders acquired the Community Rehabilitation Companies (CRCs) and contracts were awarded on 5 December 2014 for the delivery of probation services, with contracts entered on 18 December 2014. The scope of services was a rehabilitation programme which involved the split of the then current probation and offender resettlement services into a single national public probation service (National Probation Service (NPS)) and the setting up of a series of independently owned and operated Community Rehabilitation Companies (CRCs) to deliver rehabilitation (probation and resettlement) services in 21 Contract Package Areas (CPAs) across England and Wales. The contracts were for a 7-year initial term with an option to extend for a further 3 years. The contracts are due to expire on 25 June 2021, following service of termination notices in December 2018 and subsequent extensions being agreed in December 2019. The GBP (£) figures quoted within the original contract award notice were the maximum anticipated, total, real value of the contracts if the contracts had been extended to the fullest amount allowed under the contract and payment by results had been paid at the maximum level in all periods including all extensions.

II.2.7. Varighed af kontrakten, rammeaftalen, det dynamiske indkøbssystem eller koncessionen

Start: 18/12/2014 Slut: 25/06/2021

II.2.13. Oplysninger om EU-midler

Udbuddet vedrører et EU-finansieret projekt og/eller program: nej

Del V: Kontrakt-/koncessionstildeling

Kontraktnr.: 2015/S 027-045770

Delkontraktnr.: 21

Betegnelse:

Kent, Surrey and Sussex

V.2. Kontrakt-/koncessionstildeling

V.2.1. Dato for indgåelse af kontrakten/beslutningen om tildeling af koncession

18/12/2014

V.2.2. Oplysninger om tilbud

Kontrakten/koncessionen er blevet tildelt en sammenslutning af økonomiske aktører: nej

V.2.3. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

CVR-nummer: 08802556

Postadresse: 75-77 Main Road

By: Hockley

NUTS-kode: UK United Kingdom

Postnummer: SS5 4RG

Land: Det Forenede Kongerige

Kontrahenten/koncessionshaveren er en SMV: nej

V.2.4. Oplysninger om kontraktens/delkontraktens/koncessionens værdi

Udbuddets samlede værdi: 372 000 000,00 GBP

Del VI: Supplerende oplysninger

VI.3. Yderligere oplysninger

VI.4. Klageprocedurer

VI.4.1. Organ med ansvar for klageprocedurerne

Officielt navn: High Court of Justice

By: London

Land: Det Forenede Kongerige

VI.5. Dato for afsendelse af denne bekendtgørelse

30/12/2020

Del VII: Ændringer til kontrakten/koncessionen

VII.1. Beskrivelse af udbuddet efter ændringerne

VII.1.1. Hoved-CPV-kode

75231240 Tjenester i forbindelse med prøveløsladelse

VII.1.2. Supplerende CPV-kode(r)

VII.1.3. Udførelsessted

NUTS-kode: UK United Kingdom

Hovedudførelsessted: England and Wales.

VII.1.4. Beskrivelse af udbuddet

The scope of services was a rehabilitation programme which involved the split of the then current probation and offender resettlement services into a single national public probation service (National Probation Service (NPS)) and the setting up of a series of independently owned and operated Community Rehabilitation Companies (CRCs) to deliver rehabilitation (probation and resettlement) services in 21 Contract Package Areas (CPAs) across England and Wales.

VII.1.5. Varighed af kontrakten, rammeaftalen, det dynamiske indkøbssystem eller koncessionen

Start: 18/12/2014 Slut: 25/06/2021

VII.1.6. Oplysninger om kontraktens/delkontraktens/koncessionens værdi

Kontraktens/delaftalens/koncessionens samlede værdi: 372 000 000,00 GBP

VII.1.7. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

CVR-nummer: 08802556

Postadresse: 75-77 Main Road

By: Hockley

NUTS-kode: UK United Kingdom

Postnummer: SS5 4RG

Land: Det Forenede Kongerige

Kontrahenten/koncessionshaveren er en SMV: nej

VII.2. Oplysninger om ændringerne

VII.2.1. Beskrivelse af ændringerne

Ændringernes art og omfang (med angivelse af eventuelle tidligere ændringer til kontrakten):
The authority has made previous modifications which have been subject to prior modification notices (where applicable). This notice relates to modifications to the Lot 21. The Kent, Surrey and Sussex Community Rehabilitation Company ('CRC') contract (the Agreement). The change is made to support the CRC to move from the Covid Relief Period to 'transition and recovery' in accordance with the previous modification pursuant to the guidance set out in PPN4/20 (Procurement Policy Note 04/20: Recovery and Transition from Covid-19).

The authority has made variations to deal with the following two phases:

- Phase 1 – The Covid Transition Period (from 31 August 2020 (being when the Covid Relief Period expired under the previous modification) until 4 December 2020. The initial previous modification was effective until 31 October 2020 with a right for the Authority to change this date. The authority issued a notice to change the date to 4 December 2020 — during this phase the CRC shall have its service delivery obligations amended temporarily to reflect the continuing difficulties of delivering their obligations under pandemic restrictions (and the authority shall waive its remedies and rights under the Agreement in whole or in part, as and where appropriate, in respect of such obligations). The CRC shall deliver the services to the extent provided for (from 1 September 2020) in the Transition EDM and Transition Plan and the CRC shall carry out all obligations on it as set out in the Transition EDM and Transition Plan. The Transition EDM and Transition Plan are integral to the CRC moving away from the EDM and achieving progress back to business as usual delivery of the Services in line with the Agreement prior to the impact of the pandemic,
- Phase 2 – The Recovery Period (being the period from 5 December 2020 to 31 March 2021 (or such other date as may be notified by the authority to the CRC)) – during this period the CRC's shall operate in accordance with the Transition EDM and Transition Plan with associated contractual relief but with pricing and transparency on a cost plus basis as set out in a previous modification. The invoicing procedures are also updated for this period,
- the CRC shall be required to pay any service credits that accrue during the service credit transition period (being the period from 1 October 2020 to 31 March 2021 (or such other date as may be notified by the Authority to the CRC)) for service level 4 and service level 18 only. The remainder of the service credits shall continue to be disapplied during this period but must continue to be monitored and reported against by the CRC,
- there is a process for reviewing and updating the Transition EDM and Covid Transition Plan during the Covid Transition Period and/or the Recovery Period,
- additional obligations are included on the CRC relating to transparency, open book and audit during the Covid Transition Period and the recovery period and
- the authority has the right to cease the relief granted and recover payments where the CRC does not comply with the amended obligations.

The authority considers the modifications of the contract without prior publication of a contract notice is permitted by the Public Contracts Regulations 2015 and Directive 2014/24/EU. The contract was modified in accordance with Regulations 72(1)(c) and/or (e)/Articles 72(1)(c) and/or (e) and accordingly does not in the authority's view amount to the award of a new contract and/or an unlawful substantial change. The modification does not alter the overall nature of the contract and the increase in price does not exceed 50 % of the value of the original contract.

As has been recognised by the European Commission (2020/C 108 I/01 refers), the Covid-19 crisis is an event which could not have been foreseen nor planned for in advance by the authority.

VII.2.2. Årsager til ændring

Behovet for ændring skyldes omstændigheder, som ikke kunne forudses af en påpasselig ordregivende myndighed/enhed (artikel 43, stk. 1, litra c), i direktiv 2014/23/EU, artikel 72, stk. 1, litra c), i direktiv 2014/24/EU, artikel 89, stk. 1, litra c), i direktiv 2014/25/EU)

Beskrivelse af de omstændigheder, som gjorde ændringen nødvendig, og redegørelse for disse omstændigheders uforudseelige karakter:

The modification is brought about due to the unforeseen circumstance surrounding the Covid-19 pandemic and its impact on the economy, to allow for the temporary, proportionate, and appropriate relief to the CRC in line with government guidance.

VII.2.3. Forhøjelse af pris

Opdateret samlet kontraktværdi inden ændringerne (under hensyntagen til eventuelle tidligere kontraktændringer og pristilpasninger og, hvad angår direktiv 2014/23/EU, den gennemsnitlige inflation i den pågældende medlemsstat)

Værdi eksklusive moms: 279 731 000,00 GBP

Samlet kontraktværdi efter ændringerne

Værdi eksklusive moms: 279 731 000,00 GBP