

Forenede Kongerige, Det-Derry: Andre kollektive, sociale og personlige tjenesteydelser
OJ S 12/2022 18/01/2022
Bekendtgørelse om ændring
Tjenesteydelser

Retsgrundlag:

Direktiv 2014/24/EU

Del I: Ordregivende myndighed/enhed

I.1. Navn og adresser

Officielt navn: Western Health and Social Care Trust

Postadresse: MDEC Building, Altnagelvin Area Hospital Site, Glenshane Road

By: Derry

NUTS-kode: UK United Kingdom

Postnummer: BT47 6SB

Land: Det Forenede Kongerige

E-mail: info.contracts@westerntrust.hscni.net

Telefon: +44 2871345171

Internetadresse(r):

Overordnet internetadresse: <http://www.westerntrust.hscni.net>

Internetadresse for køberprofilen: <https://etendersni.gov.uk/epps>

Del II: Genstand

II.1. Udbuddets omfang

II.1.1. Betegnelse

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area

II.1.2. Hoved-CPV-kode

98000000 Andre kollektive, sociale og personlige tjenesteydelser

II.1.3. Kontrakttype

Tjenesteydelser

II.2. Beskrivelse

II.2.2. Supplerende CPV-kode(r)

98000000 Andre kollektive, sociale og personlige tjenesteydelser, 85000000 Sundhedsvæsen og sociale foranstaltninger

II.2.3. Udførelsessted

NUTS-kode: UKN0 Northern Ireland

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

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area

Lot 8 Castleberg

Guaranteed Hours 2,784 hours per week;

Estimated Time Specific Hours 1,314 hours per week

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

Varighed i måneder: 60

II.2.13. Oplysninger om EU-midler

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

Del IV: Procedure

IV.2. Administrative oplysninger

IV.2.1. Bekendtgørelse om tildeling af kontrakt vedrørende denne kontrakt

Bekendtgørelsens nummer i EUT S: [2016/S 200-361245](#)

Del V: Kontrakt-/koncessionstildeling

Kontraktnr.: 12279

Betegnelse:

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area - Lot 8 Castlederg

V.2. Kontrakt-/koncessionstildeling

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

09/09/2016

V.2.2. Oplysninger om tilbud

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

V.2.3. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: North West Care and Support Ltd

Postadresse: Roe Business Centre, Room F2 and F3, 4-6 Killane Road

By: Limavady

NUTS-kode: UKN0 Northern Ireland

Postnummer: BT49 0DN

Land: Det Forenede Kongerige

E-mail: shaunairwin@nwcare.co.uk

Telefon: +44 2877723514

Internetadresse: www.nwcare.co.uk

Kontrahenten/koncessionshaveren er en SMV: nej

V.2.3. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: Care Plus

By: Enniskillen

NUTS-kode: UKN0 Northern Ireland

Postnummer: BT74 4RL

Land: Det Forenede Kongerige

E-mail: Jackie.finance@careplushomecare.co.uk

Telefon: +44 2866325688

Internetadresse: www.careplushomecare.co.uk

Kontrahenten/koncessionshaveren er en SMV: ja

V.2.3. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

By: Omagh

NUTS-kode: UKN0 Northern Ireland

Postnummer: BT89 7EL

Land: Det Forenede Kongerige

E-mail: lindabeckett@btconnect.com

Telefon: +44 2882251936

Internetadresse: www.glencaring.com

Kontrahenten/koncessionshaveren er en SMV: nej

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

Udbuddets samlede værdi: 12 000 000,00 GBP

Del VI: Supplerende oplysninger

VI.3. Yderligere oplysninger

VI.4. Klageprocedurer

VI.4.1. Organ med ansvar for klageprocedurerne

Officielt navn: The High Court of Justice In Northern Ireland

Postadresse: Royal Courts of Justice, Chichester Street

By: Belfast

Postnummer: BT1 3JF

Land: Det Forenede Kongerige

E-mail: adminoffice@courtsni.gov.uk

Telefon: +00 03002007812

Fax: +44 2890724799

Internetadresse: <https://www.justice-ni.gov.uk/topics/courts-and-tribunals>

VI.4.3. Klageprocedure

Præcise oplysninger om klagefrist(er):

An economic operator that suffers, or risks suffering, loss or damage.. attributable to a breach of duty under the Public Contracts Regulations 2015 (SI 2015/102) (as amended) may bring proceedings to the.. High Court (Northern Ireland). Any such proceedings are subject to the time limits as detailed in the Public Contracts Regulations 2015 (SI.. 2015/102) (as amended).

VI.5. Dato for afsendelse af denne bekendtgørelse

13/01/2022

Del VII: Ændringer til kontrakten/koncessionen

VII.1. Beskrivelse af udbuddet efter ændringerne

VII.1.1. Hoved-CPV-kode

98000000 Andre kollektive, sociale og personlige tjenesteydelser

VII.1.2. Supplerende CPV-kode(r)

98000000 Andre kollektive, sociale og personlige tjenesteydelser, 85000000 Sundhedsvæsen og sociale foranstaltninger

VII.1.3. Udførelsessted

NUTS-kode: UKN0 Northern Ireland

VII.1.4. Beskrivelse af udbuddet

Provision of Domiciliary Care Services in the Western Health and Social Care Trust Area
Lot 8 Castlederg

The Department of Health Northern Ireland ("DoH NI") direction referred to at VII.2.1 and VII.2.2. states the following:

The overarching principles of this additional funding is to ensure that Independent Sector providers deliver significant improvements in the pay, and terms and conditions for staff across the sector. This has been emphasised to the sector representatives who have committed to ensuring that the uplift in funding will be utilised to stabilise and increase capacity across the sector. It is also the

Department's expectation that Trusts will work proactively with the sector to maximise capacity within areas of greatest need in terms of step-down and discharge from hospitals, waiting lists and unmet need. The Department will also continue to engage with the sector to drive these changes.

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

Varighed i måneder: 60

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

Kontraktens/delaftalens/koncessionens samlede værdi: 12 344 932,00 GBP

VII.1.7. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: North West Care and Support Ltd

Postadresse: Roe Business Centre, Room F2 and F3, 4-6 Killane Road

By: Limavady

NUTS-kode: UKN0 Northern Ireland

Postnummer: BT49 0DN

Land: Det Forenede Kongerige

E-mail: shaunairwin@nwcare.co.uk

Telefon: +44 2877723514

Internetadresse: www.nwcare.co.uk

Kontrahenten/koncessionshaveren er en SMV: nej

VII.1.7. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: Care Plus

Postadresse: Enniskillen Business Centre, 21 Lackaboy Road

By: Enniskillen

NUTS-kode: UKN0 Northern Ireland

Postnummer: BT74 4RL

Land: Det Forenede Kongerige

E-mail: Jackie.finance@careplushomecare.co.uk

Telefon: +44 2866325688

Internetadresse: www.careplushomecare.co.uk

Kontrahenten/koncessionshaveren er en SMV: ja

VII.1.7. Kontrahentens/Koncessionshavers navn og adresse

Officielt navn: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

Postadresse: 14 Mountjoy Road
By: Omagh
NUTS-kode: UKN0 Northern Ireland
Postnummer: BT89 7EL
Land: Det Forenede Kongerige
E-mail: lindabeckett@btconnect.com
Telefon: +44 2882251936
Internetadresse: www.glencaring.com
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 Health Minister made an announcement on 24th November 2021 that additional funding for pressures on service provision within the Independent Domiciliary Care sector (“Additional Funding”) would be available for the current financial year for the domiciliary care sector. Following this announcement, the DoH NI made a direction in respect of this Additional Funding.

The Western Health and Social Care Trust (“the Trust”) is bound by statute to comply with directions of the DoH NI and as such to make payment as directed of an increased Hourly Rate of £18.00 to its current domiciliary care providers for the period from 1 November 2021 until 31 March 2022.

The direction from the DoH NI states:-

“The overarching principles of this additional funding is to ensure that Independent Sector providers deliver significant improvements in the pay, and terms and conditions for staff across the sector. This has been emphasised to the sector representatives who have committed to ensuring that the uplift in funding will be utilised to stabilise and increase capacity across the sector. It is also the Department’s expectation that Trusts will work proactively with the sector to maximise capacity within areas of greatest need in terms of step-down and discharge from hospitals, waiting lists and unmet need. The Department will also continue to engage with the sector to drive these changes.”

In compliance with this statutory obligation to comply with the DoH NI direction, the Trust therefore issued a letter dated 22 December 2021 to all current Providers to vary the Contract in respect of this direction.

The Trust refers also to its responses below at VII.2.2 and VII.2.3.

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 Trust refers to its response at VII.2.1 above.

The first condition of this ground under Regulation 72(1)(c)(i) PCR 2015 is that the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen.

Regulation 72(1)(c)(i) PCR 2015 is satisfied in respect of this modification as the need for modification has been brought about by external circumstances, being the referred DoH NI direction, which a diligent contracting authority could not have foreseen when the Trust awarded these contracts back in 2016.

The DoH NI direction has been brought about by exceptional circumstances; the need identified by the DoH NI to provide the Additional Funding to the independent domiciliary care sector is as a result of the Covid-19 pandemic and the exceptional and unforeseen pressures on the domiciliary care sector and this critical frontline service.

The second condition of this ground under Regulation 72(1)(c)(ii) is that the modification does not alter the overall nature of the contract.

Here the service, being a domiciliary care service, is unchanged. As such, the modification does not alter the overall nature of the contract and therefore satisfies Regulation 72(1)(c)(ii).

The final condition of this ground under Regulation 72(c)(iii) is met in that the increase in price does not exceed 50% of the value of the original contract. The increase in price for lot 8 is £275,386 and the value of the original contract for Lot 8 is £12,000,000.

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 eksklusiv moms: 12 069 547,00 GBP

Samlet kontraktværdi efter ændringerne

Værdi eksklusiv moms: 12 344 932,00 GBP