

This notice in TED website: <https://ted.europa.eu/udl?uri=TED:NOTICE:234630-2022:TEXT:EN:HTML>

**United Kingdom-Belfast: Construction work for pipelines, communication
and power lines, for highways, roads, airfields and railways; flatwork
2022/S 086-234630**

Modification notice

Modification of a contract/concession during its term

Legal Basis:

Directive 2014/25/EU

Section I: Contracting authority/entity

I.1) Name and addresses

Official name: Department of Infrastructure - (formerly TransportNI)

Postal address: Clarence Court ,10-18 Adelaide Street

Town: Belfast

NUTS code: UKN0 Northern Ireland

Postal code: BT2 8GB

Country: United Kingdom

E-mail: pb1@infrastructure-ni.gov.uk

Telephone: +44 2890540540

Internet address(es):

Main address: www.infrastructure-ni.gov.uk

Address of the buyer profile: www.etendersni.gov.uk

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

DfI TNI T-1031 Term Contracts for Street Lighting Maintenance and Improvement Works 2016

Reference number: T-1031-02 SLN2

II.1.2) Main CPV code

45230000 Construction work for pipelines, communication and power lines, for highways, roads, airfields and railways; flatwork

II.1.3) Type of contract

Works

II.2) Description

II.2.1) Title:

DfI TNI T-1031 Term Contracts for Street Lighting Maintenance and Improvement Works 2016 SLN2

Lot No: 2

II.2.2) Additional CPV code(s)

45200000 Works for complete or part construction and civil engineering work

45220000 Engineering works and construction works

45310000 Electrical installation work

45440000 Painting and glazing work

31500000 Lighting equipment and electric lamps

II.2.3) **Place of performance**

NUTS code: UKN0 Northern Ireland

II.2.4) **Description of the procurement at the time of conclusion of the contract:**

SLN2 (2016) Mid and East Antrim, Antrim and Newtownabbey SLE2 (2016), Lisburn and Castlereagh SLS2 (2016), North Down and Ards, Newry, Mourne and Down SLW2 (2016) Derry, Strabane, Omagh and Fermanagh
Within each Contract, the works may include but not be limited to the following, principal work activities which are provided by way of example:

- a) The supply and installation of various types of street lighting columns and attachments, traffic posts and attachments, luminaries and their components, traffic equipment, feeder pillars and their components, cable joints etc.
- b) Electrical maintenance of street lighting networks, street lighting units, lit sign units, internally illuminated bollards and feeder pillars.
- c) Emergency call-out procedures.
- d) Trenching, ducting and cabling.
- e) Directional drilling for the installation of service ducting.
- f) Live working on the supply authority network.
- g) Painting of street furniture.
- h) Identification numbering of street lighting and traffic equipment.
- i) Installation of hi-visibility markings on street furniture.
- j) Reinstatement and Street Works notification.
- k) Installation and removal of traffic signs.
- l) Cable fault repair.
- m) The supply and installation of trial / pilot installations involving new equipment and/or techniques.
- n) The supply and installation of decorative equipment and small scale environmental improvement works.
- o) Periodic electrical Inspection and testing and visual structural inspection of various types of street furniture.
- p) The production of electrical certification to the current version of BS7671 and structural inspection records. in hard copy and electronic format.
- q) Receiving and responding to Works Orders and Instructions through electronic means.
- r) Traffic Management.
- s) Working with Services / Utilities
- t) Other associated ancillary works.

Within each of the Contracts, the Successful Economic Operator will be required to carry out any such works instructed by a Works Order issued under the provisions of the contract. Such works will require a standard of works delivery consistent with that defined in the Tender Documents. Reimbursement to the Successful Economic Operator for such works will be paid to the Successful Economic Operator generally on the basis of applicable rates and prices. Details of the contracts pricing mechanisms will be provided in the Tender Documents. For each of the Contract Areas, it is likely that the Successful Economic Operator will be required to work at more than one location at any one time in order to meet the requirements of Transport NI's programme of work for each of the Contract Areas. The Successful Economic Operator will be expected to have sufficiently skilled and available resources necessary to meet the requirements of such a programme and will be required to, include in his rates and prices for the inevitable peaks and troughs that will be inherent in any such programme. Such peaks and troughs may result from a variety of circumstances, not all within the control of Transport NI.

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

Duration in months: 60

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 in the OJ S: [2016/S 209-377773](#)

Section V: Award of contract/concession

Contract No: T-1031-02 SLN2

Lot No: 2

Title:

Dfl TNI T-1031 Term Contracts for Street Lighting Maintenance and Improvement Works 2016 N2

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

V.2.1) **Date of conclusion of the contract/concession award decision:**
11/10/2016

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**

Official name: F P McCann
Postal address: Knockloughrim Quarry, 3 Drumard Road
Town: Magherafelt
NUTS code: UKN0 Northern Ireland
Postal code: BT45 8QA
Country: United Kingdom
E-mail: ingo@fpmccann.co.uk
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: 7 600 000.00 GBP

Section VI: Complementary information

VI.3) **Additional information:**

VI.4) **Procedures for review**

VI.4.1) **Review body**

Official name: High Court,Royal Courts of Justice
Postal address: Chichester Street
Town: Belfast
Postal code: BT1 3JF
Country: United Kingdom

VI.5) **Date of dispatch of this notice:**

28/04/2022

Section VII: Modifications to the contract/concession

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

VII.1.1) **Main CPV code**

45230000 Construction work for pipelines, communication and power lines, for highways, roads, airfields and railways; flatwork

VII.1.2) **Additional CPV code(s)**

VII.1.3) **Place of performance**

NUTS code: UKN0 Northern Ireland

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

SLN2 (2016) Mid and East Antrim, Antrim and Newtownabbey SLE2 (2016), Lisburn and Castlereagh SLS2 (2016), North Down and Ards, Newry, Mourne and Down SLW2 (2016) Derry, Strabane, Omagh and Fermanagh
Within each Contract, the works may include but not be limited to the following, principal work activities which are provided by way of example:

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joints etc. b) Electrical maintenance of street lighting networks, street lighting units, lit sign units, internally illuminated bollards and feeder pillars. c) Emergency call-out procedures. d) Trenching, ducting and cabling. e) Directional drilling for the installation of service ducting. f) Live working on the supply authority network. g) Painting of street furniture. h) Identification numbering of street lighting and traffic equipment. i) Installation of hi-visibility markings on street furniture. j) Reinstatement and Street Works notification. k) Installation and removal of traffic signs. l) Cable fault repair. m) The supply and installation of trial / pilot installations involving new equipment and/or techniques. n) The supply and installation of decorative equipment and small scale environmental improvement works. o) Periodic electrical Inspection and testing and visual structural inspection of various types of street furniture. p) The production of electrical certification to the current version of BS7671 and structural inspection records. in hard copy and electronic format. q) Receiving and responding to Works Orders and Instructions through electronic means. r) Traffic Management. s) Working with Services / Utilities t) Other associated ancillary works.

Within each of the Contracts, the Successful Economic Operator will be required to carry out any such works instructed by a Works Order issued under the provisions of the contract. Such works will require a standard of works delivery consistent with that defined in the Tender Documents. Reimbursement to the Successful Economic Operator for such works will be paid to the Successful Economic Operator generally on the basis of applicable rates and prices. Details of the contracts pricing mechanisms will be provided in the Tender Documents. For each of the Contract Areas, it is likely that the Successful Economic Operator will be required to work at more than one location at any one time in order to meet the requirements of Transport NI's programme of work for each of the Contract Areas. The Successful Economic Operator will be expected to have sufficiently skilled and available resources necessary to meet the requirements of such a programme and will be required to, include in his rates and prices for the inevitable peaks and troughs that will be inherent in any such programme. Such peaks and troughs may result from a variety of circumstances, not all within the control of Transport NI.

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

Duration in months: 72

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

Total value of the contract/lot/concession: 15 200 000.00 GBP

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

Official name: F P McCann

Postal address: Knockloughrim Quarry, 3 Drumard Road

Town: Magherafelt

NUTS code: UKN0 Northern Ireland

Postal code: BT45 8QA

Country: United Kingdom

E-mail: info@fpmccann.co.uk

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):

Contract Value: Total estimated maximum contract value increased from GBP 9,500,000 to GBP 15,200,000 for remainder of contract period. NB- Does Not cover indexation allowance.

Contract Duration: Extension of time by 12 months

VII.2.2) **Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee (Art. 43(1)(c) of Directive 2014/23/EU, Art. 72(1)(c) of Directive 2014/24/EU, Art. 89(1)(c) of Directive 2014/25/EU)

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

Contract Value: This contract has been affected by additional work requirements subsequent to its commencement in 2016 that could not have been foreseen, including funding for LED retrofitting, public realm works and enhancing streets and sites within council areas. Contract Value increased from £9,500,000 to £15,200,00. Contract Duration: The contract period has been extended, it was extended initially by 6 months beyond the contract term due to Covid-19 workload restriction. A further 6 months extension has been given as the Covid-19 pandemic continues to have an impact on the ability of DfI to develop tender competitions and the roads construction industry to respond to tender opportunities.

VII.2.3) **Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications and price adaptations and, in the case of Directive 2014/23/EU, average inflation in the Member State concerned)

Value excluding VAT: 9 500 000.00 GBP

Total contract value after the modifications

Value excluding VAT: 15 200 000.00 GBP