

Reino Unido-Londres: Servicios de reinserción
OJ S 1/2021 04/01/2021
Anuncio de modificación
Servicios

Base jurídica:

Directiva 2014/24/UE

Apartado I: Poder adjudicador/entidad adjudicadora

I.1. Nombre y direcciones

Nombre oficial: Ministry of Justice

Dirección postal: 102 Petty France

Localidad: London

Código NUTS: UK United Kingdom

País: Reino Unido

Persona de contacto: Paul Carter

Correo electrónico: probationcommercialteam@justice.gov.uk

Teléfono: +44 2033343555

Direcciones de internet:

Dirección principal: www.gov.uk/government/organisations/ministry-of-justice

Apartado II: Objeto

II.1. Ámbito de la contratación

II.1.1. Denominación

Transforming Rehabilitation

II.1.2. Código CPV principal

75231240 Servicios de reinserción

II.1.3. Tipo de contrato

Servicios

II.2. Descripción

II.2.1. Denominación

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

Lote nº: 21

II.2.2. Código(s) CPV adicional(es)

75100000 Servicios de administración pública, 75230000 Servicios de justicia, 75240000 Servicios de seguridad y orden públicos, 80400000 Servicios de enseñanza para adultos y otros servicios de enseñanza, 80500000 Servicios de formación, 85100000 Servicios de salud , 85300000 Servicios de asistencia social y servicios conexos

II.2.3. Lugar de ejecución

Código NUTS: UK United Kingdom

Emplazamiento o lugar de ejecución principal: England and Wales.

II.2.4. Descripción del contrato en el momento de celebración del contrato

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. Duración del contrato, acuerdo marco, concesión o sistema dinámico de adquisición

Comienzo: 18/12/2014 Fin: 25/06/2021

II.2.13. Información sobre fondos de la Unión Europea

El contrato se refiere a un proyecto o programa financiado con fondos de la Unión Europea: no

Apartado V: Adjudicación de contrato/concesión

Contrato nº: 2015/S 027-045770

Lote nº: 21

Denominación:

Kent, Surrey and Sussex

V.2. Adjudicación de contrato/concesión

V.2.1. Fecha de celebración del contrato/de la decisión de adjudicación de la concesión

18/12/2014

V.2.2. Información sobre las ofertas

El contrato/la concesión se ha adjudicado a un grupo de operadores económicos: no

V.2.3. Nombre y dirección del contratista/concesionario

Nombre oficial: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Número de identificación fiscal: 08802556

Dirección postal: 75-77 Main Road

Localidad: Hockley

Código NUTS: UK United Kingdom

Código postal: SS5 4RG

País: Reino Unido

El contratista/concesionario es una PYME: no

V.2.4. Información sobre el valor del contrato/lote/concesión

Valor total de la contratación: 372 000 000,00 GBP

Apartado VI: Información complementaria

VI.3. Información adicional

VI.4. Procedimientos de recurso

VI.4.1. Órgano competente para los procedimientos de recurso

Nombre oficial: High Court of Justice

Localidad: London

País: Reino Unido

VI.5. Fecha de envío del presente anuncio

30/12/2020

Apartado VII: Modificaciones del contrato/concesión

VII.1. Descripción del contrato tras las modificaciones

VII.1.1. Código CPV principal

75231240 Servicios de reinserción

VII.1.2. Código(s) CPV adicional(es)

VII.1.3. Lugar de ejecución

Código NUTS: UK United Kingdom

Emplazamiento o lugar de ejecución principal: England and Wales.

VII.1.4. Descripción del contrato

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. Duración del contrato, acuerdo marco, concesión o sistema dinámico de adquisición

Comienzo: 18/12/2014 Fin: 25/06/2021

VII.1.6. Información sobre el valor del contrato/lote/concesión

Valor total del contrato/lote/concesión: 372 000 000,00 GBP

VII.1.7. Nombre y dirección del contratista/concesionario

Nombre oficial: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Número de identificación fiscal: 08802556

Dirección postal: 75-77 Main Road

Localidad: Hockley

Código NUTS: UK United Kingdom

Código postal: SS5 4RG

País: Reino Unido

El contratista/concesionario es una PYME: no

VII.2. Información sobre las modificaciones

VII.2.1.

Descripción de las modificaciones

Naturaleza y alcance de las modificaciones (con indicación de posibles cambios anteriores del contrato):

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. Justificación de la modificación

Necesidad de modificación derivada de circunstancias que un poder adjudicador diligente no podría prever [artículo 43, apartado 1, letra c), de la Directiva 2014/23/UE; artículo 72, apartado 1, letra c), de la Directiva 2014/24/UE y artículo 89, apartado 1, letra c), de la Directiva 2014/25/UE]

Descripción de las circunstancias que hicieron necesaria la modificación y explicación de la naturaleza imprevista de estas circunstancias:

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. Aumento de precio

Valor total actualizado del contrato antes de las modificaciones (habida cuenta de las posibles modificaciones anteriores del contrato y las adaptaciones en cuanto al precio, así como, en el caso de la Directiva 2014/23/UE, la inflación media en el Estado miembro en cuestión)

Valor IVA excluido: 279 731 000,00 GBP

Valor total del contrato tras las modificaciones

Valor IVA excluido: 279 731 000,00 GBP