

Royaume-Uni-Londres: Services de réinsertion
OJ S 1/2021 04/01/2021
Avis de modification
Services

Base juridique:
Directive 2014/24/UE

Section I: Pouvoir adjudicateur/entité adjudicatrice

I.1. Nom et adresses

Nom officiel: Ministry of Justice
Adresse postale: 102 Petty France
Ville: London
Code NUTS: UK United Kingdom
Pays: Royaume-Uni
Point(s) de contact: Paul Carter
Courriel: probationcommercialteam@justice.gov.uk
Téléphone: +44 2033343555
Adresse(s) internet:
Adresse principale: www.gov.uk/government/organisations/ministry-of-justice

Section II: Objet

II.1. Étendue du marché

II.1.1. Intitulé

Transforming Rehabilitation

II.1.2. Code CPV principal

75231240 Services de réinsertion

II.1.3. Type de marché

Services

II.2. Description

II.2.1. Intitulé

Transforming Rehabilitation: Contracts for the Services of Rehabilitative Services and Offender Management
Lot n°: 21

II.2.2. Code(s) CPV additionnel(s)

75100000 Services de l'administration publique, 75230000 Services de la justice, 75240000 Services de sécurité et d'ordre public, 80400000 Services d'éducation des adultes et autres services d'enseignement, 80500000 Services de formation, 85100000 Services de santé, 85300000 Services d'action sociale et services connexes

II.2.3. Lieu d'exécution

Code NUTS: UK United Kingdom
Lieu principal d'exécution: England and Wales.

II.2.4. Description du contrat au moment de la conclusion du contrat

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. Durée du marché, accord-cadre, système d'acquisition dynamique ou concession

Début: 18/12/2014 Fin: 25/06/2021

II.2.13. Information sur les fonds de l'Union européenne

Le contrat s'inscrit dans un projet/programme financé par des fonds de l'Union européenne:
non

Section V: Attribution du marché/de la concession

Marché n°: 2015/S 027-045770

Lot n°: 21

Intitulé:

Kent, Surrey and Sussex

V.2. Attribution du marché/de la concession

V.2.1. Date de la conclusion du marché/de la décision d'attribution de la concession

18/12/2014

V.2.2. Informations sur les offres

Le marché/la concession a été attribué(e) à un groupement d'opérateurs économiques: non

V.2.3. Nom et adresse du titulaire/concessionnaire

Nom officiel: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Numéro national d'identification: 08802556

Adresse postale: 75-77 Main Road

Ville: Hockley

Code NUTS: UK United Kingdom

Code postal: SS5 4RG

Pays: Royaume-Uni

Le titulaire/concessionnaire est une PME: non

V.2.4. Informations sur le montant du marché/du lot/de la concession

Valeur totale du marché: 372 000 000,00 GBP

Section VI: Renseignements complémentaires

VI.3. Informations complémentaires

VI.4. Procédures de recours

VI.4.1. Instance chargée des procédures de recours

Nom officiel: High Court of Justice

Ville: London

Pays: Royaume-Uni

VI.5. Date d'envoi du présent avis

30/12/2020

Section VII: Modifications du contrat/de la concession

VII.1. Description du contrat après les modifications

VII.1.1. Code CPV principal

75231240 Services de réinsertion

VII.1.2. Code(s) CPV additionnel(s)

VII.1.3. Lieu d'exécution

Code NUTS: UK United Kingdom

Lieu principal d'exécution: England and Wales.

VII.1.4. Description des prestations

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. Durée du marché, accord-cadre, système d'acquisition dynamique ou concession

Début: 18/12/2014 Fin: 25/06/2021

VII.1.6. Informations sur le montant du marché/du lot/de la concession

Valeur totale du marché/du lot/de la concession: 372 000 000,00 GBP

VII.1.7. Nom et adresse du titulaire/concessionnaire

Nom officiel: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Numéro national d'identification: 08802556

Adresse postale: 75-77 Main Road

Ville: Hockley

Code NUTS: UK United Kingdom

Code postal: SS5 4RG

Pays: Royaume-Uni

Le titulaire/concessionnaire est une PME: non

VII.2. Informations sur les modifications

VII.2.1.

Description des modifications

Nature et étendue des modifications (avec indication des éventuels changements préalablement apportés au contrat):

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. Raisons de la modification

Modification rendue nécessaire par des circonstances qu'un pouvoir adjudicateur/une entité adjudicatrice diligent(e) ne pouvait pas prévoir [article 43, paragraphe 1, point c), de la directive 2014/23/UE; article 72, paragraphe 1, point c), de la directive 2014/24/UE; article 89, paragraphe 1, point c), de la directive 2014/25/UE]

Description des circonstances ayant rendu la modification nécessaire et explication du caractère imprévu de ces circonstances:

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. Augmentation de prix

Valeur totale actualisée du marché avant les modifications (prenant en compte les éventuelles modifications contractuelles et adaptations de prix antérieures et, dans le cas de la directive 2014/23/UE, l'inflation moyenne dans l'État membre concerné)

Valeur hors TVA: 279 731 000,00 GBP

Montant total du marché après les modifications

Valeur hors TVA: 279 731 000,00 GBP