

Ríocht Aontaithe, an-Derry: Other community, social and personal services

OJ S 12/2022 18/01/2022

Fógra um mhionathrú

Seirbhísí

Bunús dlí:

Treoir 2014/24/AE

Alt I: Aonán/údarás conarthachta

I.1. Ainm agus seoltaí

Ainm oifigiúil: Western Health and Social Care Trust

Seoladh poist: MDEC Building, Altnagelvin Area Hospital Site, Glenshane Road

Baile: Derry

Cód NUTS: UK United Kingdom

Cód poist: BT47 6SB

Tír: An Ríocht Aontaithe

Ríomhphost: info.contracts@westerntrust.hscni.net

Guthán: +44 2871345171

Seoladh/seoltaí idirlín:

Príomhsheoladh: <http://www.westerntrust.hscni.net>

Seoladh phróifíl an cheannaitheora: <https://etendersni.gov.uk/epps>

Alt II: Cuspóir

II.1. Raon feidhme an tsoláthair

II.1.1. Teideal

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

II.1.2. Príomhchód CPV

98000000 Other community, social and personal services

II.1.3. An cineál conartha

Seirbhísí

II.2. Cur síos

II.2.2. Cód(Cóid) CPV breise

98000000 Other community, social and personal services, 85000000 Health and social work services

II.2.3. Láthair feidhmíochta

Cód NUTS: UKN0 Northern Ireland

II.2.4. Cur síos ar an soláthar ag am chur i gcrích an chonartha

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

Lot 8 Castlederg

Guaranteed Hours 2,784 hours per week;

Estimated Time Specific Hours 1,314 hours per week

II.2.7. Tréimhse an chonartha, comhaontú creatlaí, córas dinimiciúil ceannaigh nó lamháltas

Fad ina mhíonna: 60

II.2.13. Faisnéis faoi Chistí an Aontais Eorpaigh

Baineann an soláthar le tionscadal agus/nó clár arna mhaoiniú ag cistí an Aontais Eorpaigh: níl

Alt IV: Nós imeachta

IV.2. Faisnéis riaracháin

IV.2.1. Foilseachán dámhachtana conartha maidir leis an gconradh

Uimhir an fhógra in IO S: [2016/S 200-361245](#)

Alt V: Dámhachtain an chonartha/lamháltais

Uimhir an chonartha: 12279

Teideal:

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

V.2. Dámhachtain an chonartha/lamháltais

V.2.1. Dáta chur i gcrích an chonartha/chinneadh na dámhachtana lamháltais

09/09/2016

V.2.2. Faisnéis faoi thairiscintí

Dámhadh an conradh/lamháltas do ghrúpa oibreoirí eacnamaíocha: tá

V.2.3. Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: North West Care and Support Ltd

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

Baile: Limavady

Cód NUTS: UKN0 Northern Ireland

Cód poist: BT49 0DN

Tír: An Ríocht Aontaithe

Ríomhphost: shaunairwin@nwcare.co.uk

Guthán: +44 2877723514

Seoladh idirlín: www.nwcare.co.uk

FBM atá sa chonraitheoir/lamháltóir: níl

V.2.3. Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: Care Plus

Baile: Enniskillen

Cód NUTS: UKN0 Northern Ireland

Cód poist: BT74 4RL

Tír: An Ríocht Aontaithe

Ríomhphost: Jackie.finance@careplushomecare.co.uk

Guthán: +44 2866325688

Seoladh idirlín: www.careplushomecare.co.uk

FBM atá sa chonraitheoir/lamháltóir: tá

V.2.3.

Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

Baile: Omagh

Cód NUTS: UKN0 Northern Ireland

Cód poist: BT89 7EL

Tír: An Ríocht Aontaithe

Ríomhphost: lindabeckett@btconnect.com

Guthán: +44 2882251936

Seoladh idirlín: www.glencaring.com

FBM atá sa chonraitheoir/lamháltóir: níl

V.2.4. Faisnéis faoi luach an chonartha/an bhirt/an lamháltais

Luach iomlán an tsoláthair: 12 000 000,00 GBP

Alt VI: Faisnéis chomhlántach

VI.3. Faisnéis bhreise

VI.4. Nósanna imeachta athbhreithniúcháin

VI.4.1. Comhlacht athbhreithniúcháin

Ainm oifigiúil: The High Court of Justice In Northern Ireland

Seoladh poist: Royal Courts of Justice, Chichester Street

Baile: Belfast

Cód poist: BT1 3JF

Tír: An Ríocht Aontaithe

Ríomhphost: adminoffice@courtsni.gov.uk

Guthán: +00 03002007812

Facs: +44 2890724799

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

VI.4.3. Nós imeachta athbhreithniúcháin

Faisnéis chruinn faoi spriocdháta(i) le haghaidh nósanna imeachta athbhreithniúcháin:

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. Dáta seolta an fhógra seo

13/01/2022

Alt VII: Mionathruithe ar an gconradh/lamháltas

VII.1. Cur síos ar an soláthar tar éis na mionathruithe

VII.1.1. Príomhchód CPV

98000000 Other community, social and personal services

VII.1.2. Cód(Cóid) CPV breise

98000000 Other community, social and personal services, 85000000 Health and social work services

VII.1.3. Láthair feidhmíochta

Cód NUTS: UKN0 Northern Ireland

VII.1.4. Cur síos ar an soláthar

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. Tréimhse an chonartha, comhaontú creatlaí, córas dinimiciúil ceannaigh nó lamháltas

Fad ina mhíonna: 60

VII.1.6. Faisnéis faoi luach an chonartha/an bhirt/an lamháltais

Luach iomlán an chonartha/an bhirt/an lamháltais: 12 344 932,00 GBP

VII.1.7. Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: North West Care and Support Ltd

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

Baile: Limavady

Cód NUTS: UKN0 Northern Ireland

Cód poist: BT49 0DN

Tír: An Ríocht Aontaithe

Ríomhphost: shaunairwin@nwcare.co.uk

Guthán: +44 2877723514

Seoladh idirlín: www.nwcare.co.uk

FBM atá sa chonraitheoir/lamháltóir: níl

VII.1.7. Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: Care Plus

Seoladh poist: Enniskillen Business Centre, 21 Lackaboy Road

Baile: Enniskillen

Cód NUTS: UKN0 Northern Ireland

Cód poist: BT74 4RL

Tír: An Ríocht Aontaithe

Ríomhphost: Jackie.finance@careplushomecare.co.uk

Guthán: +44 2866325688

Seoladh idirlín: www.careplushomecare.co.uk

FBM atá sa chonraitheoir/lamháltóir: tá

VII.1.7. Ainm agus seoladh an chonraitheora/an lamháltóra

Ainm oifigiúil: Glen Caring Services: “official name” Hillview Lodge Limited t/a Glen Caring Services

Seoladh poist: 14 Mountjoy Road

Baile: Omagh
Cód NUTS: UKN0 Northern Ireland
Cód poist: BT89 7EL
Tír: An Ríocht Aontaithe
Ríomhphost: lindabeckett@btconnect.com
Guthán: +44 2882251936
Seoladh idirlín: www.glencaring.com
FBM atá sa chonraitheoir/lamháltóir: níl

VII.2. Faisnéis maidir le mionathruithe

VII.2.1. Cur síos ar na mionathruithe

Cineál agus méid na mionathruithe (mar aon le tásca maidir le hathruithe féideartha níos luaithe ar an gconradh):

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. Cúiseanna le haghaidh mionathraithe

Athrú is gá mar thoradh ar imthosca nach mbeadh coinne ag údarás conarthachta dícheallach leo (Airt. 43(1)(c) de Threoir 2014/23/AE, Airt. 72(1)(c) de Threoir 2014/24/AE, Airt. 89(1)(c) de Threoir 2014/25/AE)

Cur síos ar na himthosca a d'éiligh an mionathrú agus míniú faoin gcaoi go raibh na himthosca sin gan coinne:

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. Méadú ar an bpraghas

Luach iomlán nuashonraithe an chonartha roimh na mionathruithe (agus mionathruithe féideartha níos luaithe ar an gconradh á dtabhairt san áireamh mar aon le hathruithe i dtaobh an phraghais agus, i gcás Threoir 2014/23/AE, meánmhéid an bhoilscithe sa Bhallstát lena mbaineann)

Luach gan CBL san áireamh: 12 069 547,00 GBP

Luach an chonartha iomláin tar éis na mionathruithe

Luach gan CBL san áireamh: 12 344 932,00 GBP