

Ujedinjena Kraljevina-Derry: Ostale javne, društvene i osobne usluge

OJ S 12/2022 18/01/2022

Obavijest o izmjeni

Usluge

Pravna osnova:

Direktiva 2014/24/EU

Odjeljak I: Javni naručitelj/naručitelj

I.1. Naziv i adrese

Službeni naziv: Western Health and Social Care Trust

Poštanska adresa: MDEC Building, Altnagelvin Area Hospital Site, Glenshane Road

Mjesto: Derry

NUTS kod: UK United Kingdom

Poštanski broj: BT47 6SB

Država: Ujedinjeno Kraljevstvo

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

Telefon: +44 2871345171

Internetska(-e) adresa(-e):

Glavna adresa: <http://www.westerntrust.hscni.net>

Adresa profila kupca: <https://etendersni.gov.uk/epps>

Odjeljak II: Predmet

II.1. Opseg nabave

II.1.1. Naziv

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

II.1.2. Glavna CPV oznaka

98000000 Ostale javne, društvene i osobne usluge

II.1.3. Vrsta ugovora

Usluge

II.2. Opis

II.2.2. Dodatne šifre CPV-a

98000000 Ostale javne, društvene i osobne usluge, 85000000 Usluge u području zdravstva i socijalne skrbi

II.2.3. Mjesto izvršenja

NUTS kod: UKN0 Northern Ireland

II.2.4. Opis nabave u vrijeme sklapanja ugovora

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

Lot 8 Castledearg

Guaranteed Hours 2,784 hours per week;

Estimated Time Specific Hours 1,314 hours per week

II.2.7. Trajanje ugovora, okvirnog sporazuma, dinamičkog sustava nabave ili koncesije

Trajanje u mjesecima: 60

II.2.13. Podaci o fondovima Europske unije

Nabava je povezana s projektom i/ili programom koji se financira iz fondova Europske unije: ne

Odjeljak IV: Postupak

IV.2. Administrativni podaci

IV.2.1. Obavijest o dodjeli ugovora povezana s ovim ugovorom

Broj objave u Dodatku SL-u: [2016/S 200-361245](#)

Odjeljak V: Dodjela ugovora/koncesije

Ugovor br.: 12279

Naziv:

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

V.2. Dodjela ugovora/koncesije

V.2.1. Datum sklapanja ugovora/odluke o dodjeli koncesije

09/09/2016

V.2.2. Podaci o ponudama

Ugovor/koncesija je dodijeljen(a) skupini gospodarskih subjekata: da

V.2.3. Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: North West Care and Support Ltd

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

Mjesto: Limavady

NUTS kod: UKN0 Northern Ireland

Poštanski broj: BT49 0DN

Država: Ujedinjeno Kraljevstvo

E-pošta: shaunairwin@nwcare.co.uk

Telefon: +44 2877723514

Internetska adresa: www.nwcare.co.uk

Ugovaratelj/koncesionar je malo ili srednje poduzeće.: ne

V.2.3. Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: Care Plus

Mjesto: Enniskillen

NUTS kod: UKN0 Northern Ireland

Poštanski broj: BT74 4RL

Država: Ujedinjeno Kraljevstvo

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

Telefon: +44 2866325688

Internetska adresa: www.careplushomecare.co.uk

Ugovaratelj/koncesionar je malo ili srednje poduzeće.: da

V.2.3.

Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

Mjesto: Omagh

NUTS kod: UKN0 Northern Ireland

Poštanski broj: BT89 7EL

Država: Ujedinjeno Kraljevstvo

E-pošta: lindabeckett@btconnect.com

Telefon: +44 2882251936

Internetska adresa: www.glencaring.com

Ugovaratelj/koncesionar je malo ili srednje poduzeće.: ne

V.2.4. Podaci o vrijednosti ugovora/grupe/koncesije

Ukupna vrijednost nabave: 12 000 000,00 GBP

Odjeljak VI: Dopunski podaci

VI.3. Dodatni podaci**VI.4. Postupci pravne zaštite****VI.4.1. Tijelo nadležno za postupak pravne zaštite**

Službeni naziv: The High Court of Justice In Northern Ireland

Poštanska adresa: Royal Courts of Justice, Chichester Street

Mjesto: Belfast

Poštanski broj: BT1 3JF

Država: Ujedinjeno Kraljevstvo

E-pošta: adminoffice@courtsni.gov.uk

Telefon: +00 03002007812

Telefaks: +44 2890724799

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

VI.4.3. Postupak pravne zaštite

Detaljniji podaci o roku(-ovima) za postupke pravne zaštite:

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. Datum slanja ove obavijesti

13/01/2022

Odjeljak VII: Izmjene ugovora/koncesije

VII.1. Opis nabave nakon izmjena**VII.1.1. Glavna CPV oznaka**

98000000 Ostale javne, društvene i osobne usluge

VII.1.2. Dodatne šifre CPV-a

98000000 Ostale javne, društvene i osobne usluge, 85000000 Usluge u području zdravstva i socijalne skrbi

VII.1.3. Mjesto izvršenja

NUTS kod: UKN0 Northern Ireland

VII.1.4. Opis nabave

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

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. Trajanje ugovora, okvirnog sporazuma, dinamičkog sustava nabave ili koncesije

Trajanje u mjesecima: 60

VII.1.6. Podaci o vrijednosti ugovora/grupe/koncesije

Ukupna konačna vrijednost ugovora/grupe/koncesije: 12 344 932,00 GBP

VII.1.7. Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: North West Care and Support Ltd

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

Mjesto: Limavady

NUTS kod: UKN0 Northern Ireland

Poštanski broj: BT49 0DN

Država: Ujedinjeno Kraljevstvo

E-pošta: shaunairwin@nwcare.co.uk

Telefon: +44 2877723514

Internetska adresa: www.nwcare.co.uk

Ugovaratelj/koncesionar je malo ili srednje poduzeće.: ne

VII.1.7. Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: Care Plus

Poštanska adresa: Enniskillen Business Centre, 21 Lackaboy Road

Mjesto: Enniskillen

NUTS kod: UKN0 Northern Ireland

Poštanski broj: BT74 4RL

Država: Ujedinjeno Kraljevstvo

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

Telefon: +44 2866325688

Internetska adresa: www.careplushomecare.co.uk

Ugovaratelj/koncesionar je malo ili srednje poduzeće.: da

VII.1.7. Naziv i adresa ugovaratelja/koncesionara

Službeni naziv: Glen Caring Services: “official name” Hillview Lodge Limited t/a Glen Caring Services

Poštanska adresa: 14 Mountjoy Road

Mjesto: Omagh
NUTS kod: UKN0 Northern Ireland
Poštanski broj: BT89 7EL
Država: Ujedinjeno Kraljevstvo
E-pošta: lindabeckett@btconnect.com
Telefon: +44 2882251936
Internetska adresa: www.glencaring.com
Ugovaratelj/koncesionar je malo ili srednje poduzeće.: ne

VII.2. Podaci o izmjenama

VII.2.1. Opis izmjena

Priroda i opseg izmjena (s naznakom mogućih ranijih izmjena ugovora):

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. Razlozi izmjene

Potreba za izmjenom nastala zbog okolnosti koje pažljivi javni naručitelj nije mogao predvidjeti (čl. 43. st. 1. t. (c) Direktive 2014/23/EU, čl. 72. st. 1. t. (c) Direktive 2014/24/EU, čl. 89. st. 1. t. (c) Direktive 2014/25/EU)

Opis okolnosti zbog kojih je izmjena nužna i objašnjenje nepredviđene naravi tih okolnosti:
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. Povećanje cijena

Ažurirana ukupna vrijednost ugovora prije izmjena (uzimajući u obzir moguće ranije izmjene ugovora i prilagodbe cijene te, u slučaju Direktive 2014/23/EU, prosječnu inflaciju u predmetnoj državi članici)

Vrijednost bez PDV-a: 12 069 547,00 GBP

Ukupna vrijednost ugovora nakon izmjena

Vrijednost bez PDV-a: 12 344 932,00 GBP