

Regno Unito-Londra: Servizi di reinserimento

OJ S 1/2021 04/01/2021

Avviso di modifica

Servizi

Base giuridica:

Direttiva 2014/24/UE

Sezione I: Amministrazione aggiudicatrice/ente aggiudicatore

I.1. Denominazione e indirizzi

Denominazione ufficiale: Ministry of Justice

Indirizzo postale: 102 Petty France

Città: London

Codice NUTS: UK United Kingdom

Paese: Regno Unito

Persona di contatto: Paul Carter

E-mail: probationcommercialteam@justice.gov.uk

Tel.: +44 2033343555

Indirizzi Internet:

Indirizzo principale: www.gov.uk/government/organisations/ministry-of-justice

Sezione II: Oggetto

II.1. Entità dell'appalto

II.1.1. Denominazione

Transforming Rehabilitation

II.1.2. Codice CPV principale

75231240 Servizi di reinserimento

II.1.3. Tipo di appalto

Servizi

II.2. Descrizione

II.2.1. Denominazione

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

Lotto n.: 21

II.2.2. Codici CPV supplementari

75100000 Servizi di pubblica amministrazione, 75230000 Servizi di giustizia, 75240000 Servizi di pubblica sicurezza e di ordine pubblico, 80400000 Servizi di istruzione per adulti e altri servizi di istruzione, 80500000 Servizi di formazione, 85100000 Servizi sanitari, 85300000 Servizi di assistenza sociale e servizi affini

II.2.3. Luogo di esecuzione

Codice NUTS: UK United Kingdom

Luogo principale di esecuzione: England and Wales.

II.2.4. Descrizione dell'appalto al momento della conclusione del contratto

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. Durata del contratto d'appalto, dell'accordo quadro, del sistema dinamico di acquisizione o della concessione

Inizio: 18/12/2014 Fine: 25/06/2021

II.2.13. Informazioni relative ai fondi dell'Unione europea

L'appalto è connesso ad un progetto e/o programma finanziato da fondi dell'Unione europea:
no

Sezione V: Aggiudicazione dell'appalto/della concessione

Contratto d'appalto n.: 2015/S 027-045770

Lotto n.: 21

Denominazione:

Kent, Surrey and Sussex

V.2. Aggiudicazione dell'appalto/della concessione

V.2.1. Data di conclusione del contratto d'appalto/della decisione di aggiudicazione della concessione

18/12/2014

V.2.2. Informazioni sulle offerte

L'appalto/concessione è stato aggiudicato a un raggruppamento di operatori economici: no

V.2.3. Denominazione e indirizzo del contraente/concessionario

Denominazione ufficiale: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Numero di identificazione nazionale: 08802556

Indirizzo postale: 75-77 Main Road

Città: Hockley

Codice NUTS: UK United Kingdom

Codice postale: SS5 4RG

Paese: Regno Unito

Il contraente/concessionario è una PMI: no

V.2.4. Informazioni relative al valore del contratto d'appalto/del lotto/della concessione

Valore totale dell'appalto: 372 000 000,00 GBP

Sezione VI: Altre informazioni

VI.3. Informazioni complementari

VI.4. Procedure di ricorso

VI.4.1. Organismo responsabile delle procedure di ricorso

Denominazione ufficiale: High Court of Justice

Città: London

Paese: Regno Unito

VI.5. Data di spedizione del presente avviso

30/12/2020

Sezione VII: Modifiche all'appalto/concessione

VII.1. Descrizione dell'appalto dopo le modifiche

VII.1.1. Codice CPV principale

75231240 Servizi di reinserimento

VII.1.2. Codici CPV supplementari

VII.1.3. Luogo di esecuzione

Codice NUTS: UK United Kingdom

Luogo principale di esecuzione: England and Wales.

VII.1.4. Descrizione dell'appalto

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. Durata del contratto d'appalto, dell'accordo quadro, del sistema dinamico di acquisizione o della concessione

Inizio: 18/12/2014 Fine: 25/06/2021

VII.1.6. Informazioni relative al valore del contratto d'appalto/del lotto/della concessione

Valore totale del contratto d'appalto/del lotto/della concessione: 372 000 000,00 GBP

VII.1.7. Denominazione e indirizzo del contraente/concessionario

Denominazione ufficiale: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Numero di identificazione nazionale: 08802556

Indirizzo postale: 75-77 Main Road

Città: Hockley

Codice NUTS: UK United Kingdom

Codice postale: SS5 4RG

Paese: Regno Unito

Il contraente/concessionario è una PMI: no

VII.2. Informazioni relative alle modifiche

VII.2.1. Descrizione delle modifiche

Natura e portata delle modifiche (con indicazione di eventuali modifiche contrattuali precedenti):

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. Motivi della modifica

Necessità di modifica determinata da circostanze che un'amministrazione aggiudicatrice diligente non ha potuto prevedere [articolo 43, paragrafo 1, lettera c), della direttiva 2014/23/UE, articolo 72, paragrafo 1, lettera c), della direttiva 2014/24/UE, articolo 89, paragrafo 1, lettera c), della direttiva 2014/25/UE]

Descrizione delle circostanze che hanno reso necessaria la modifica e spiegazione della natura imprevista di tali circostanze:

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 del prezzo

Valore totale aggiornato dell'appalto prima delle modifiche (tenendo conto di eventuali modifiche contrattuali e adeguamenti di prezzo precedenti e, nel caso della direttiva 2014/23/UE, dell'inflazione media dello Stato membro interessato)

Valore, IVA esclusa: 279 731 000,00 GBP

Valore totale dell'appalto dopo le modifiche

Valore, IVA esclusa: 279 731 000,00 GBP