

Verenigd Koninkrijk-Londen: Proeftijddiensten

OJ S 1/2021 04/01/2021

Aankondiging van een wijziging

Diensten

Rechtsgrond:

Richtlijn 2014/24/EU

Afdeling I: Aanbestedende dienst/instantie

I.1. Naam en adressen

Officiële benaming: Ministry of Justice

Postadres: 102 Petty France

Plaats: London

NUTS-code: UK United Kingdom

Land: Verenigd Koninkrijk

Contactpersoon: Paul Carter

E-mail: probationcommercialteam@justice.gov.uk

Telefoon: +44 2033343555

Internetadres(sen):

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

Afdeling II: Voorwerp

II.1. Omvang van de aanbesteding

II.1.1. Benaming

Transforming Rehabilitation

II.1.2. CPV-code hoofdcategorie

75231240 Proeftijddiensten

II.1.3. Type opdracht

Diensten

II.2. Beschrijving

II.2.1. Benaming

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

Perceel nr.: 21

II.2.2. Aanvullende CPV-code(s)

75100000 Administratiediensten, 75230000 Gerechtelijke diensten, 75240000 Diensten voor openbare orde, recht en veiligheid, 80400000 Volwasseneneducatie en andere vormen van onderwijs, 80500000 Opleidingsdiensten, 85100000 Gezondheidsdiensten, 85300000 Maatschappelijke en aanverwante diensten

II.2.3. Plaats van uitvoering

NUTS-code: UK United Kingdom

Voornaamste plaats van uitvoering: England and Wales.

II.2.4. Beschrijving van de aanbesteding op het moment waarop de overeenkomst wordt gesloten

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. Looptijd van de opdracht, de raamovereenkomst, het dynamische aankoopstelsel of de concessieovereenkomst

Aanvang: 18/12/2014 Einde: 25/06/2021

II.2.13. Inlichtingen over middelen van de Europese Unie

De aanbesteding houdt verband met een project en/of een programma dat met middelen van de EU wordt gefinancierd: neen

Afdeling V: Gunning van een opdracht/concessieovereenkomst

Opdracht nr.: 2015/S 027-045770

Perceel nr.: 21

Benaming:

Kent, Surrey and Sussex

V.2. Gunning van een opdracht/concessieovereenkomst

V.2.1. Datum van de sluiting van de overeenkomst/het besluit tot gunning van de concessieovereenkomst

18/12/2014

V.2.2. Inlichtingen over inschrijvingen

De opdracht/concessieovereenkomst is gegund aan een groep ondernemers: neen

V.2.3. Naam en adres van de contractant/concessiehouder

Officiële benaming: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Nationaal identificatienummer: 08802556

Postadres: 75-77 Main Road

Plaats: Hockley

NUTS-code: UK United Kingdom

Postcode: SS5 4RG

Land: Verenigd Koninkrijk

De contractant/concessiehouder is een mkb-bedrijf: neen

V.2.4. Inlichtingen over de waarde van de opdracht/het perceel/de concessieovereenkomst

Totale waarde van de aanbesteding: 372 000 000,00 GBP

Afdeling VI: Aanvullende inlichtingen

VI.3. Nadere inlichtingen

VI.4. Beroepsprocedures

VI.4.1. Beroepsinstantie

Officiële benaming: High Court of Justice

Plaats: London

Land: Verenigd Koninkrijk

VI.5. Datum van verzending van deze aankondiging

30/12/2020

Afdeling VII: Wijzigingen van de opdracht/concessieovereenkomst

VII.1. Beschrijving van de aanbesteding na doorvoering van de wijzigingen

VII.1.1. CPV-code hoofdcategorie

75231240 Proeftijddiensten

VII.1.2. Aanvullende CPV-code(s)

VII.1.3. Plaats van uitvoering

NUTS-code: UK United Kingdom

Voornaamste plaats van uitvoering: England and Wales.

VII.1.4. Beschrijving van de aanbesteding

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. Looptijd van de opdracht, de raamovereenkomst, het dynamische aankoopstelsel of de concessieovereenkomst

Aanvang: 18/12/2014 Einde: 25/06/2021

VII.1.6. Inlichtingen over de waarde van de opdracht/het perceel/de concessieovereenkomst

Totale waarde van de opdracht/het perceel/de concessie: 372 000 000,00 GBP

VII.1.7. Naam en adres van de contractant/concessiehouder

Officiële benaming: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Nationaal identificatienummer: 08802556

Postadres: 75-77 Main Road

Plaats: Hockley

NUTS-code: UK United Kingdom

Postcode: SS5 4RG

Land: Verenigd Koninkrijk

De contractant/concessiehouder is een mkb-bedrijf: neen

VII.2. Inlichtingen over de wijzigingen

VII.2.1. Beschrijving van de wijzigingen

Aard en omvang van de wijzigingen (met vermelding van eventuele eerdere veranderingen van de opdracht):

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. Redenen voor de wijziging

De wijziging is noodzakelijk door omstandigheden die een zorgvuldige aanbestedende dienst /instantie niet kon voorzien (artikel 43, lid 1, onder c), van Richtlijn 2014/23/EU, artikel 72, lid 1, onder c), van Richtlijn 2014/24/EU en artikel 89, lid 1, onder c), van Richtlijn 2014/25/EU Beschrijving van de omstandigheden die de wijziging noodzakelijk maken en verklaring betreffende de onvoorziene aard van deze omstandigheden:

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. Prijsverhogingen

Bijgewerkte totale opdrachtwaarde vóór de wijzigingen (rekening houdend met eventuele eerdere opdrachtwijzigingen en prijsaanpassingen en, in het geval van Richtlijn 2014/23/EU, de gemiddelde inflatie in de betrokken lidstaat)

Waarde zonder btw: 279 731 000,00 GBP

Totale opdrachtwaarde na doorvoering van de wijzigingen

Waarde zonder btw: 279 731 000,00 GBP