

Reino Unido-Londres: Serviços de reinserção social e profissional
OJ S 1/2021 04/01/2021
Anúncio de modificação
Serviços

Base jurídica:

Diretiva 2014/24/UE

Secção I: Autoridade/Entidade adjudicante

I.1. Nome e endereços

Nome oficial: Ministry of Justice

Endereço postal: 102 Petty France

Localidade: London

Código NUTS: UK United Kingdom

País: Reino Unido

Pessoa de contacto: Paul Carter

Correio eletrónico: probationcommercialteam@justice.gov.uk

Telefone: +44 2033343555

Endereço(s) Internet:

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

Secção II: Objeto

II.1. Quantidade ou âmbito do concurso

II.1.1. Título

Transforming Rehabilitation

II.1.2. Código CPV principal

75231240 Serviços de reinserção social e profissional

II.1.3. Tipo de contrato

Serviços

II.2. Descrição

II.2.1. Título

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

Lote n.º: 3

II.2.2. Código(s) CPV adicional(is)

75100000 Serviços relacionados com a administração pública, 75230000 Serviços relacionados com a justiça, 75240000 Serviços de segurança e ordem pública, 80400000 Serviços de ensino para adultos e outros serviços relacionados com educação, 80500000 Serviços de formação, 85100000 Serviços de saúde, 85300000 Serviços de acção social e serviços conexos

II.2.3. Local de execução

Código NUTS: UK United Kingdom

Local principal de execução: England and Wales.

II.2.4. Descrição do concurso aquando da celebração do contrato

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. Duração do contrato, acordo-quadro, sistema de aquisição dinâmico ou concessão

Início: 18/12/2014 Fim: 25/06/2021

II.2.13. Informação sobre os fundos da União Europeia

O contrato está relacionado com um projeto e/ou programa financiado por fundos da União Europeia: não

Secção V: Adjudicação de contrato/concessão

Contrato n.º: 2015/S 027-045770

Lote n.º: 3

Título:

Durham and Cleveland

V.2. Adjudicação de contrato/concessão

V.2.1. Data de celebração do contrato/decisão de adjudicação da concessão

18/12/2014

V.2.2. Informação sobre as propostas

O contrato/A concessão foi adjudicado(a) a um agrupamento de operadores económicos: não

V.2.3. Nome e endereço do contratante/concessionário

Nome oficial: The Durham Tees Valley Community Rehabilitation Company Ltd

Número de registo nacional: 08802521

Endereço postal: Wetherby House Wetherby Close, Portrack Interchange Business Park

Localidade: Stockton-on-Tees, Cleveland

Código NUTS: UK United Kingdom

Código postal: TS18 2SL

País: Reino Unido

O contratante/concessionário é uma PME: não

V.2.4. Informação sobre o valor do contrato/lote/concessão

Valor total do concurso: 184 000 000,00 GBP

Secção VI: Informação complementar

VI.3. Informação adicional

VI.4. Procedimentos de recurso

VI.4.1. Organismo responsável pelos processos de recurso

Nome oficial: High Court of Justice

Localidade: London

País: Reino Unido

VI.5. Data de envio do presente anúncio

30/12/2020

Secção VII: Modificações ao contrato/à concessão

VII.1. Descrição do concurso após as modificações

VII.1.1. Código CPV principal

75231240 Serviços de reinserção social e profissional

VII.1.2. Código(s) CPV adicional(is)

VII.1.3. Local de execução

Código NUTS: UK United Kingdom

Local principal de execução: England and Wales.

VII.1.4. Descrição do concurso

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. Duração do contrato, acordo-quadro, sistema de aquisição dinâmico ou concessão

Início: 18/12/2014 Fim: 25/06/2021

VII.1.6. Informação sobre o valor do contrato/lote/concessão

Valor total do contrato/lote/concessão: 184 000 000,00 GBP

VII.1.7. Nome e endereço do contratante/concessionário

Nome oficial: The Durham Tees Valley Community Rehabilitation Company Ltd

Número de registo nacional: 08802521

Endereço postal: Wetherby House Wetherby Close, Portrack Interchange Business

Localidade: Stockton-on-Tees, Cleveland

Código NUTS: UK United Kingdom

Código postal: TS18 2SL

País: Reino Unido

O contratante/concessionário é uma PME: não

VII.2. Informação relativa às modificações

VII.2.1. Descrição das modificações

Natureza e extensão das modificações (com indicação de possíveis alterações anteriores ao contrato):

The authority has made previous modifications which have been subject to prior modification notices (where applicable). This notice relates to modifications to the Lot 3. The Durham Tees Valley 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. Motivos para a modificação

Necessidade de modificação decorrente de circunstâncias que uma entidade/autoridade adjudicante diligente não podia prever [artigo 43.º, n.º 1, alínea c), da Diretiva 2014/23/UE, artigo 72.º, n.º 1, alínea c), da Diretiva 2014/24/UE, artigo 89.º, n.º 1, alínea c), da Diretiva 2014/25/UE]

Descrição das circunstâncias que tornaram necessária a alteração e explicação da natureza imprevista destas circunstâncias:

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 de preço

Valor contratual total atualizado antes das alterações (tendo em conta eventuais alterações anteriores ao contrato e adaptações de preço e, no caso da Diretiva 2014/23/UE, a inflação média no Estado-Membro em causa)

Valor sem IVA: 72 481 000,00 GBP

Valor total do contrato após as modificações

Valor sem IVA: 72 481 000,00 GBP