

Spojené kráľovstvo-Londýn: Podmienečné prepustenie

OJ S 1/2021 04/01/2021

Oznámenie o úprave

Služby

**Právny základ:**

Smernica 2014/24/EÚ

## Oddiel I: Verejný obstarávateľ/obstarávateľ

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### I.1. Názov a adresy

Úradný názov: Ministry of Justice

Poštová adresa: 102 Petty France

Mesto/obec: London

Kód NUTS: UK United Kingdom

Štát: Spojené kráľovstvo

Kontaktná osoba: Paul Carter

E-mail: [probationcommercialteam@justice.gov.uk](mailto:probationcommercialteam@justice.gov.uk)

Telefón: +44 2033343555

**Internetová adresa (internetové adresy):**

Hlavná adresa: [www.gov.uk/government/organisations/ministry-of-justice](http://www.gov.uk/government/organisations/ministry-of-justice)

## Oddiel II: Predmet

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### II.1. Rozsah obstarávania

#### II.1.1. Názov

Transforming Rehabilitation

#### II.1.2. Hlavný kód CPV

75231240 Podmienečné prepustenie

#### II.1.3. Druh zákazky

Služby

### II.2. Opis

#### II.2.1. Názov

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

Časť č.: 21

#### II.2.2. Dodatočné kódy CPV

75100000 Verejná správa, 75230000 Justičné služby, 75240000 Verejná bezpečnosť, právo a poriadok, 80400000 Vzdelávanie dospelých a iné vzdelávacie služby, 80500000 Školiace (výcvikové) služby, 85100000 Zdravotnícke služby, 85300000 Služby sociálnej pomoci a súvisiace služby

#### II.2.3. Miesto vykonania

Kód NUTS: UK United Kingdom

Hlavné miesto dodania alebo plnenia: England and Wales.

#### **II.2.4. Opis verejného obstarávania v čase uzatvorenia zmluvy**

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. Dĺžka trvania zákazky, rámcovej dohody, dynamického nákupného systému alebo koncesie**

Začatie: 18/12/2014 Koniec: 25/06/2021

#### **II.2.13. Informácie o fondoch Európskej únie**

Obstarávanie sa týka projektu a/alebo programu financovaného z fondov Európskej únie: nie

### **Oddiel V: Pridelenie zákazky/koncesie**

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Zákazka č.: 2015/S 027-045770

Časť č.: 21

Názov:

Kent, Surrey and Sussex

#### **V.2. Pridelenie zákazky/koncesie**

##### **V.2.1. Dátum uzatvorenia zmluvy/rozhodnutia o pridelení koncesie**

18/12/2014

##### **V.2.2. Informácie o ponukách**

Zákazka/koncesia bola pridelená skupine hospodárskych subjektov: nie

##### **V.2.3. Názov a adresa dodávateľa/držiteľa koncesie**

Úradný názov: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Identifikačné číslo organizácie (IČO): 08802556

Poštová adresa: 75-77 Main Road

Mesto/obec: Hockley

Kód NUTS: UK United Kingdom

PSČ: SS5 4RG

Štát: Spojené kráľovstvo

Dodávateľom/koncesionárom je MSP: nie

##### **V.2.4. Informácie o hodnote zákazky/časti/koncesie**

Celková hodnota obstarávania: 372 000 000,00 GBP

## Oddiel VI: Doplnkové informácie

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### VI.3. Dopĺňujúce informácie

### VI.4. Postupy preskúmania

#### VI.4.1. Orgán zodpovedný za preskúmanie

Úradný názov: High Court of Justice

Mesto/obec: London

Štát: Spojené kráľovstvo

### VI.5. Dátum odoslania tohto oznámenia

30/12/2020

## Oddiel VII: Úpravy v zákazke/koncesii

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### VII.1. Opis verejného obstarávania po úpravách

#### VII.1.1. Hlavný kód CPV

75231240 Podmienečné prepustenie

#### VII.1.2. Dodatočné kódy CPV

#### VII.1.3. Miesto vykonania

Kód NUTS: UK United Kingdom

Hlavné miesto dodania alebo plnenia: England and Wales.

#### VII.1.4. Opis obstarávania

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. Dĺžka trvania zákazky, rámcovej dohody, dynamického nákupného systému alebo koncesie

Začatie: 18/12/2014 Koniec: 25/06/2021

#### VII.1.6. Informácie o hodnote zákazky/časti/koncesie

Celková hodnota zákazky/časti/koncesie: 372 000 000,00 GBP

#### VII.1.7. Názov a adresa dodávateľa/držiteľa koncesie

Úradný názov: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Identifikačné číslo organizácie (IČO): 08802556

Poštová adresa: 75-77 Main Road

Mesto/obec: Hockley

Kód NUTS: UK United Kingdom

PSČ: SS5 4RG

Štát: Spojené kráľovstvo

Dodávateľom/koncesionárom je MSP: nie

### VII.2. Informácie o úpravách

### VII.2.1. Opis úprav

Povaha a rozsah úprav (s uvedením prípadných predchádzajúcich zmien v zázazke):

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. Dôvody na úpravu

Je potrebné vykonať úpravy v dôsledku okolností, ktoré svedomitý obstarávateľ/verejný obstarávateľ nemohol predpokladať [článok 43 ods. 1 písm. c) smernice 2014/23/EÚ, článok 72 ods. 1 písm. c) smernice 2014/24/EÚ, článok 89 ods. 1 písm. c) smernice 2014/25/EÚ]

Opis okolností, ktoré si vyžiadali zmenu a vysvetlenie nepredvídanej povahy týchto okolností:  
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. Zvýšenie ceny**

Aktualizovaná celková hodnota zákazky pred zmenou (po zohľadnení možných predchádzajúcich zmien zákazky a úprav cien a v prípade smernice 2014/23/EÚ priemerná inflácia v dotknutom členskom štáte)

Hodnota bez DPH: 279 731 000,00 GBP

Celková hodnota zákazky po úpravách

Hodnota bez DPH: 279 731 000,00 GBP