

**Združeno kraljestvo-Derry: Druge javne, skupne in osebne storitve**  
**OJ S 12/2022 18/01/2022**  
**Obvestilo o spremembi**  
**Storitve**

**Pravna podlaga:**  
Direktiva 2014/24/EU

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**Oddelek I: Javni naročnik/naročnik**

**I.1. Ime in naslovi**

Uradno ime: Western Health and Social Care Trust  
Poštni naslov: MDEC Building, Altnagelvin Area Hospital Site, Glenshane Road  
Kraj: Derry  
Šifra NUTS: UK United Kingdom  
Poštna številka: BT47 6SB  
Država: Združeno kraljestvo  
E-naslov: [info.contracts@westerntrust.hscni.net](mailto:info.contracts@westerntrust.hscni.net)  
Telefon: +44 2871345171  
**Internetni naslovi:**  
Glavni naslov: <http://www.westerntrust.hscni.net>  
Internetni naslov profila kupca: <https://etendersni.gov.uk/epps>

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**Oddelek II: Predmet**

**II.1. Obseg naročila**

**II.1.1. Naslov**

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

**II.1.2. Glavna koda CPV**

98000000 Druge javne, skupne in osebne storitve

**II.1.3. Vrsta naročila**

Storitve

**II.2. Opis**

**II.2.2. Dodatna(-e) koda(-e) CPV**

98000000 Druge javne, skupne in osebne storitve, 85000000 Storitve na področju zdravstva in socialnega varstva

**II.2.3. Kraj izvedbe**

Šifra NUTS: UKN0 Northern Ireland

**II.2.4. Opis javnega naročila v času sklenitve pogodbe**

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 naročila, okvirnega sporazuma, dinamičnega nabavnega sistema ali koncesije

Trajanje v mesecih: 60

## II.2.13. Informacije o sredstvih EU

Naročilo se nanaša na projekt in/ali program, ki se financira s sredstvi EU: ne

## Oddelek IV: Postopek

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### IV.2. Upravne informacije

#### IV.2.1. Obvestilo o oddaji naročila v zvezi s tem naročilom

Številka obvestila v UL: [2016/S 200-361245](#)

## Oddelek V: Oddaja javnega naročila/podelitev koncesije

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Št. naročila: 12279

### Naslov:

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

### V.2. Oddaja javnega naročila/podelitev koncesije

#### V.2.1. Datum sklenitve pogodbe/sklepa o podelitvi koncesije

09/09/2016

#### V.2.2. Informacije o ponudbah

Naročilo/koncesija je bilo(-a) oddano(-a) skupini gospodarskih subjektov: da

#### V.2.3. Ime in naslov izvajalca/koncesionarja

Uradno ime: North West Care and Support Ltd

Poštni naslov: Roe Business Centre, Room F2 and F3, 4-6 Killane Road

Kraj: Limavady

Šifra NUTS: UKN0 Northern Ireland

Poštna številka: BT49 0DN

Država: Združeno kraljestvo

E-naslov: [shaunairwin@nwcare.co.uk](mailto:shaunairwin@nwcare.co.uk)

Telefon: +44 2877723514

Internetni naslov: [www.nwcare.co.uk](http://www.nwcare.co.uk)

Izvajalec/koncesionar je MSP: ne

#### V.2.3. Ime in naslov izvajalca/koncesionarja

Uradno ime: Care Plus

Kraj: Enniskillen

Šifra NUTS: UKN0 Northern Ireland

Poštna številka: BT74 4RL

Država: Združeno kraljestvo

E-naslov: [Jackie.finance@careplushomecare.co.uk](mailto:Jackie.finance@careplushomecare.co.uk)

Telefon: +44 2866325688

Internetni naslov: [www.careplushomecare.co.uk](http://www.careplushomecare.co.uk)

Izvajalec/koncesionar je MSP: da

#### V.2.3.

**Ime in naslov izvajalca/koncesionarja**

Uradno ime: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

Kraj: Omagh

Šifra NUTS: UKN0 Northern Ireland

Poštna številka: BT89 7EL

Država: Združeno kraljestvo

E-naslov: [lindabeckett@btconnect.com](mailto:lindabeckett@btconnect.com)

Telefon: +44 2882251936

Internetni naslov: [www.glencaring.com](http://www.glencaring.com)

Izvajalec/koncesionar je MSP: ne

**V.2.4. Informacije o vrednosti javnega naročila/sklopa/koncesije**

Skupna vrednost javnega naročila: 12 000 000,00 GBP

**Oddelek VI: Dopolnilne informacije**

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**VI.3. Dodatne informacije****VI.4. Postopki za revizijo****VI.4.1. Organ, pristojen za revizijo**

Uradno ime: The High Court of Justice In Northern Ireland

Poštni naslov: Royal Courts of Justice, Chichester Street

Kraj: Belfast

Poštna številka: BT1 3JF

Država: Združeno kraljestvo

E-naslov: [adminoffice@courtsni.gov.uk](mailto:adminoffice@courtsni.gov.uk)

Telefon: +00 03002007812

Telefaks: +44 2890724799

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

**VI.4.3. Postopek revizije**

Natančne informacije o roku(-ih) za postopke revizije:

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 pošiljanja tega obvestila**

13/01/2022

**Oddelek VII: Spremembe javnega naročila/koncesije**

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**VII.1. Opis javnega naročila po spremembah****VII.1.1. Glavna koda CPV**

98000000 Druge javne, skupne in osebne storitve

**VII.1.2. Dodatna(-e) koda(-e) CPV**

98000000 Druge javne, skupne in osebne storitve, 85000000 Storitve na področju zdravstva in socialnega varstva

### VII.1.3. Kraj izvedbe

Šifra NUTS: UKN0 Northern Ireland

### VII.1.4. Opis javnega naročila

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 naročila, okvirnega sporazuma, dinamičnega nabavnega sistema ali koncesije

Trajanje v mesecih: 60

### VII.1.6. Informacije o vrednosti javnega naročila/sklopa/koncesije

Skupna vrednost naročila/sklopa/koncesije: 12 344 932,00 GBP

### VII.1.7. Ime in naslov izvajalca/koncesionarja

Uradno ime: North West Care and Support Ltd

Poštni naslov: Roe Business Centre, Room F2 and F3, 4-6 Killane Road

Kraj: Limavady

Šifra NUTS: UKN0 Northern Ireland

Poštna številka: BT49 0DN

Država: Združeno kraljestvo

E-naslov: [shaunairwin@nwcare.co.uk](mailto:shaunairwin@nwcare.co.uk)

Telefon: +44 2877723514

Internetni naslov: [www.nwcare.co.uk](http://www.nwcare.co.uk)

Izvajalec/koncesionar je MSP: ne

### VII.1.7. Ime in naslov izvajalca/koncesionarja

Uradno ime: Care Plus

Poštni naslov: Enniskillen Business Centre, 21 Lackaboy Road

Kraj: Enniskillen

Šifra NUTS: UKN0 Northern Ireland

Poštna številka: BT74 4RL

Država: Združeno kraljestvo

E-naslov: [Jackie.finance@careplushomecare.co.uk](mailto:Jackie.finance@careplushomecare.co.uk)

Telefon: +44 2866325688

Internetni naslov: [www.careplushomecare.co.uk](http://www.careplushomecare.co.uk)

Izvajalec/koncesionar je MSP: da

### VII.1.7. Ime in naslov izvajalca/koncesionarja

Uradno ime: Glen Caring Services: "official name" Hillview Lodge Limited t/a Glen Caring Services

Poštni naslov: 14 Mountjoy Road

Kraj: Omagh  
Šifra NUTS: UKN0 Northern Ireland  
Poštna številka: BT89 7EL  
Država: Združeno kraljestvo  
E-naslov: [lindabeckett@btconnect.com](mailto:lindabeckett@btconnect.com)  
Telefon: +44 2882251936  
Internetni naslov: [www.glencaring.com](http://www.glencaring.com)  
Izvajalec/koncesionar je MSP: ne

## **VII.2. Informacije o spremembah**

### **VII.2.1. Opis sprememb**

Vrsta in obseg sprememb (z navedbo morebitnih predhodnih sprememb javnega naročila):  
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. Razlogi za spremembo**

Potreba po spremembi zaradi okoliščin, ki jih skrben javni naročnik/naročnik ni mogel predvideti (člen 43(1)(c) Direktive 2014/23/EU, člen 72(1)(c) Direktive 2014/24/EU, člen 89(1)(c) Direktive 2014/25/EU)

Opis okoliščin, zaradi katerih so nujne spremembe, in razlaga nepredvidene narave teh okoliščin:

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. Povišanje cene**

Posodobljena skupna vrednost javnega naročila pred spremembami (ob upoštevanju morebitnih predhodnih sprememb javnega naročila in prilagoditve cene in, v primeru Direktive 2014/23/EU, povprečne inflacije v zadevnih državah članicah)

Vrednost brez DDV: 12 069 547,00 GBP

Skupna vrednost javnega naročila po spremembah

Vrednost brez DDV: 12 344 932,00 GBP