

Förenade kungariket-London: Skyddstillsyn
OJ S 1/2021 04/01/2021
Ändringsmeddelande
Tjänster

Rättslig grund:
direktiv 2014/24/EU

Avsnitt I: Upphandlande myndighet/enhet

I.1. Namn och adresser

Officiellt namn: Ministry of Justice

Postadress: 102 Petty France

Ort: London

Nuts-kod: UK United Kingdom

Land: Förenade kungariket

Kontaktperson: Paul Carter

E-post: probationcommercialteam@justice.gov.uk

Telefon: +44 2033343555

Internetadress(er):

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

Avsnitt II: Föremål

II.1. Upphandlingens omfattning

II.1.1. Benämning på upphandlingen

Transforming Rehabilitation

II.1.2. Huvudsaklig CPV-kod

75231240 Skyddstillsyn

II.1.3. Typ av kontrakt

Tjänster

II.2. Beskrivning

II.2.1. Benämning på upphandlingen

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

Del nr: 21

II.2.2. Ytterligare CPV-kod(er)

75100000 Statsförvaltning, 75230000 Rättstjänster, 75240000 Tjänster för allmän säkerhet, lag och ordning, 80400000 Vuxen- och annan undervisning, 80500000 Utbildningstjänster, 85100000 Hälsovårdstjänster, 85300000 Socialvård och tillhörande tjänster

II.2.3. Plats för utförande

Nuts-kod: UK United Kingdom

Huvudsaklig plats för byggnation/anläggning eller utförande: England and Wales.

II.2.4. Beskrivning av upphandlingen vid tiden för kontraktets ingående

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. Kontraktets, ramavtalets, det dynamiska inköpssystemets eller koncessionens löptid

Start: 18/12/2014 Slut: 25/06/2021

II.2.13. Information om EU-medel

Kontraktet är knutet till projekt och/eller program som finansieras med EU-medel: nej

Avsnitt V: Tilldelning av kontrakt/koncessioner

Kontrakt nr: 2015/S 027-045770

Del nr: 21

Benämning på upphandlingen:

Kent, Surrey and Sussex

V.2. Tilldelning av kontrakt/koncessioner

V.2.1. Datum för ingåendet av kontraktet/beslutet om tilldelning av koncession

18/12/2014

V.2.2. Information om anbudet

Kontraktet/koncessionen har tilldelats en grupp av ekonomiska aktörer: nej

V.2.3. Entreprenörens/koncessionshavarens namn och adress

Officiellt namn: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Nationellt registreringsnummer: 08802556

Postadress: 75-77 Main Road

Ort: Hockley

Nuts-kod: UK United Kingdom

Postnummer: SS5 4RG

Land: Förenade kungariket

Uppdragstagaren/koncessionsinnehavaren är ett litet eller medelstort företag: nej

V.2.4. Upplysningar om kontraktets/delens/koncessionens värde

Upphandlingens totala värde: 372 000 000,00 GBP

Avsnitt VI: Kompletterande upplysningar

VI.3. Kompletterande upplysningar

VI.4. Överprövningsförfaranden

VI.4.1. Behörigt organ vid överprövning

Officiellt namn: High Court of Justice

Ort: London

Land: Förenade kungariket

VI.5. Datum då meddelandet sänts

30/12/2020

Avsnitt VII: Ändringar av kontraktet/koncessionen

VII.1. Beskrivning av upphandlingen efter ändringarna

VII.1.1. Huvudsaklig CPV-kod

75231240 Skyddstillsyn

VII.1.2. Ytterligare CPV-kod(er)

VII.1.3. Plats för utförande

Nuts-kod: UK United Kingdom

Huvudsaklig plats för byggnation/anläggning eller utförande: England and Wales.

VII.1.4. Beskrivning av upphandlingen

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. Kontraktets, ramavtalets, det dynamiska inköpssystemets eller koncessionens löptid

Start: 18/12/2014 Slut: 25/06/2021

VII.1.6. Upplysningar om kontraktets/delens/koncessionens värde

Kontraktets/delens/koncessionens totala värde: 372 000 000,00 GBP

VII.1.7. Entreprenörens/koncessionshavarens namn och adress

Officiellt namn: The Kent, Surrey and Sussex Community Rehabilitation Company Ltd

Nationellt registreringsnummer: 08802556

Postadress: 75-77 Main Road

Ort: Hockley

Nuts-kod: UK United Kingdom

Postnummer: SS5 4RG

Land: Förenade kungariket

Uppdragstagaren/koncessionsinnehavaren är ett litet eller medelstort företag: nej

VII.2. Information om ändringarna

VII.2.1.

Beskrivning av ändringarna

Ändringarnas art och omfattning (och uppgift om eventuella tidigare ändringar i kontraktet):
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. Skäl till ändring

Behov av ändring som uppstått till följd av omständigheter som en omdömesgill upphandlande myndighet inte kunnat förutse (artikel 43.1 c i direktiv 2014/23/EU, artikel 72.1 c i direktiv 2014/24/EU, artikel 89.1 c i direktiv 2014/25/EU)

Beskrivning av de omständigheter som nödvändiggjorde ändringen och förklaring till dessa omständigheters oförutsedda karaktär:

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. Prisökningar

Uppdaterat totalt kontraktsvärde före ändringarna (med beaktande av eventuella tidigare kontraktsändringar och prisanpassningar och, vad gäller direktiv 2014/23/EU, genomsnittlig inflation i den berörda medlemsstaten)

Värde exkl. moms: 279 731 000,00 GBP

Totalt kontraktsvärde efter ändringarna

Värde exkl. moms: 279 731 000,00 GBP