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Award

## **De Gruyter eBook EBA Agreement 2022-2023**

Jisc Services Ltd

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-000754

Procurement identifier (OCID): ocids-h6vhtk-03098a

Published 11 January 2022, 1:06pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Jisc Services Ltd

4 Portwall Lane

Bristol

BS1 6NB

#### **Contact**

Clare Nurton

#### **Email**

[clare.nurton@jisc.ac.uk](mailto:clare.nurton@jisc.ac.uk)

#### **Telephone**

+44 3003002212

#### **Country**

United Kingdom

**NUTS code**

UK - United Kingdom

**National registration number**

Jisc Services Ltd

**Internet address(es)**

Main address

<https://www.jisc.ac.uk>

**I.4) Type of the contracting authority**

Other type

National Research and Education Network Provider

**I.5) Main activity**

Education

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

De Gruyter eBook EBA Agreement 2022-2023

Reference number

Proc1796

#### II.1.2) Main CPV code

- 80000000 - Education and training services

#### II.1.3) Type of contract

Services

#### II.1.4) Short description

Jisc is seeking to enter into contract with Walter de Gruyter GmbH & Co. KG to offer Jisc members the opportunity to access De Gruyter eBook EBA. The De Gruyter eBook EBA Package contains 90,000 e-books, including titles from the Ivy League American University Presses and other notable partner publishers. Subjects include: Linguistics; Philosophy; Classical Studies; Theology & Religion; History; Cultural Studies; Jewish Studies; German Studies; Asian Studies; Social Sciences; Mathematics; Physics; Materials Sciences; Chemistry; Industrial Chemistry; Geosciences, Engineering; Architecture & Design; Life Sciences; Medicine.

The service is being contracted on behalf of our members, not for Jisc Collections' own use. The contract will be for 1 year from 1st April 2022.

#### II.1.6) Information about lots

This contract is divided into lots: No

#### II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £181,665.86

### II.2) Description

#### II.2.2) Additional CPV code(s)

- 800000000 - Education and training services

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

Jisc is seeking to enter into contract with Walter de Gruyter GmbH & Co. KG to offer Jisc members the opportunity to access De Gruyter eBook EBA. The De Gruyter eBook EBA Package contains 90,000 e-books, including titles from the Ivy League American University Presses and other notable partner publishers. Subjects include: Linguistics; Philosophy; Classical Studies; Theology & Religion; History; Cultural Studies; Jewish Studies; German Studies; Asian Studies; Social Sciences; Mathematics; Physics; Materials Sciences; Chemistry; Industrial Chemistry; Geosciences, Engineering; Architecture & Design; Life Sciences; Medicine.

The service is being contracted on behalf of our members, not for Jisc Collections' own use. The contract will be for 1 year from 1st April 2022.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

### **II.2.14) Additional information**

The contract value is an estimate based on the aggregate sum of the licence fees that will be paid to the supplier by Jisc member institutions over the one year term of the contract. Jisc itself makes no payment to the supplier for this service.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - protection of exclusive rights, including intellectual property rights

Explanation:

The supplier is the rightsholder to the IP of the content and the sole supplier of this unique resource. Therefore Jisc is clear that the arrangement falls within the protection of exclusive rights, including intellectual property rights, contained within Regulation 32 (2) (b) (iii) of the Public Contracts Regulations 2015, permitting Jisc to enter into the direct award.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

17 December 2021

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Walter de Gruyter GmbH & Co. KG

Genthiner Strasse 13, Berlin, 10785

Berlin

10785

Country

Germany

NUTS code

- DE3 - Berlin

The contractor/concessionaire is an SME

No

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £181,665.86

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Jisc Services Ltd

4 Portwall Lane

Bristol

BS1 6NB

Telephone

+44 3003002212

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

Jisc Services Limited will incorporate a standstill period at the point information on the award of the contract is communicated to suppliers. This notification provides information on the award decision. The standstill period, which will be for a minimum of 10 calendar days, provides time for suppliers to challenge the award decision before the contract is entered into. The Public Contracts Regulations 2015 article 91 provides for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).