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Award

SpringerNature Read and Publish Agreement for UKHSA staff

Secretary of State for Health and Social Care acting as part of the Crown through UK Health Security Agency

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-001412

Procurement identifier (OCID): ocds-h6vhtk-042d7d

Published 16 January 2024, 11:44am

Section I: Contracting authority/entity

I.1) Name and addresses

Secretary of State for Health and Social Care acting as part of the Crown through UK Health Security Agency

10 South Colonnade

London

E14 4PU

Contact

Procurement Operations

Email

procurement.operations@ukhsa.gov.uk

Country

United Kingdom

Region code

UKI42 - Tower Hamlets

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/uk-health-security-agency>

Buyer's address

<https://www.gov.uk/government/organisations/uk-health-security-agency>

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

SpringerNature Read and Publish Agreement for UKHSA staff

II.1.2) Main CPV code

- 79970000 - Publishing services

II.1.3) Type of contract

Services

II.1.4) Short description

This VEAT notice is to indicate that UK Health Security Agency (UKHSA) intends to award a contract to Jisc Services Limited. This agreement will allow UKHSA staff to publish Open Access articles in the SpringerNature Hybrid journals without incurring any publication charges at the time of submission.

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: 144,222 EUR

II.2) Description

II.2.2) Additional CPV code(s)

- 79970000 - Publishing services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The read and publish agreement can only be invoiced from JISC Services Limited

The use of an STW in this circumstance is permissible under Regulation 32 of the Public Contract Regulations 2015, namely 32(2)(b) (ii) and/or (iii):

"General grounds

(2) The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:

.....

b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:

.....

(ii) competition is absent for technical reasons, (iii) the protection of exclusive rights, including intellectual property rights, but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;" The current circumstances (i.e. the supplier as the only viable source of the relevant intellectual property rights) are beyond the control of UKHSA.

No third-party resellers or agents can facilitate access to the agreement; JISC have confirmed they are the only method of procurement.

In addition, I have carried out my own due diligence and received confirmation from SpringNature that this agreement specifically, the procurement would need to be via Jisc, purchase isn't available directly with Springer Nature.

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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

UKHSA believes that Jisc Services Limited is the only supplier capable of providing this level of cover due to the fact they are the OEM and do not instruct any third party agents or providers to complete or carry out the service activities on these instruments.

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

The procurement is covered by the Government Procurement Agreement: No

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

10 January 2024

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

JISC SERVICES LIMITED

4 Portwall Lane

Bristol

BS1 6NB

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

02881024

Internet address

<http://www.jisc-content.ac.uk>

The contractor/concessionaire is an SME

Yes

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

Initial estimated total value of the contract/lot/concession: 144,222 EUR

Total value of the contract/lot/concession: 144,222 EUR

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Value or proportion likely to be subcontracted to third parties

Value excluding VAT: 144,222 EUR

Short description of the part of the contract to be subcontracted

Springer Nature is the only supplier who is able to provide this resource. Springer Nature confirmed that the current deal on offer is only available via Jisc Services Limited

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court and Court of Appeal of England and Wales

Strand

London

WC2A 2LL

Email

InternationalRelationsJudicialOffice@judiciary.uk

Country

United Kingdom

Internet address

<https://www.judiciary.uk/>