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Award

Cengage The Times Digital Archive 2023-2026 Agreement

Jisc

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-001786

Procurement identifier (OCID): ocids-h6vhtk-039922

Published 20 January 2023, 9:54am

Section I: Contracting authority/entity

I.1) Name and addresses

Jisc

4 Portwall Lane

Bristol

BS1 6NB

Contact

Clare Nurton

Email

clare.nurton@jisc.ac.uk

Telephone

+44 3003002212

Country

United Kingdom

Region code

UK - United Kingdom

National registration number

56579

Internet address(es)

Main address

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

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Cengage The Times Digital Archive 2023-2026 Agreement

Reference number

Proc2124

II.1.2) Main CPV code

- 800000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

Jisc is seeking to enter into a contract with Cengage Learning (EMEA) Ltd for The Times Digital Archive which provides convenient access to a digital collection of back issues for this renowned newspaper. The contract will be for three years.

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: £1,851,780

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 a contract with Cengage Learning (EMEA) Ltd for The Times Digital Archive which provides convenient access to a digital collection of back issues for this renowned newspaper. The contract will be for 3 years. The agreement is for use by Jisc members and not for Jisc's own use.

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 three year term of the contract.

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

Section V. Award of contract/concession

Contract No

Proc2124

Title

Cengage The Times Digital Archive 2023-2026 Agreement

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

8 January 2023

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

Cengage Learning (EMEA) Ltd

North Way

Andover

SP10 5BE

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £1,851,780

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 Ltd 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).