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Award

Risk Protection Arrangement Cyber Risk Pilot: Cyber Essentials Certification

Department for Education

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-002103

Procurement identifier (OCID): ocds-h6vhtk-028f8d

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Section I: Contracting authority/entity

I.1) Name and addresses

Department for Education

Sanctuary Buildings, 20, Great Smith Street

London

SW1P 3BT

Email

adam.sowman@education.gov.uk

Telephone

+44 12345678

Country

United Kingdom

NUTS code

UK - UNITED KINGDOM

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-education>

I.6) Main activity

Other activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Risk Protection Arrangement Cyber Risk Pilot: Cyber Essentials Certification

II.1.2) Main CPV code

- 66517300 - Risk management insurance services

II.1.3) Type of contract

Services

II.1.4) Short description

The DfE proposes to award a one-year contract to The IASME Consortium Ltd (IASME) to deliver a Cyber Essentials Certification pilot.

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: £299,649

II.2) Description

II.2.2) Additional CPV code(s)

- 72810000 - Computer audit services
- 80531200 - Technical training services

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement

The contract will focus on the delivery of the Cyber Essentials Certification in a limited 1-year pilot for up to 500 Risk Protection Arrangement (RPA) members and will include enhanced insurance cover for those members achieving accreditation.

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:

The DfE proposes to award a contract to The IASME Consortium Ltd (IASME) for the supply of the Cyber Essentials Certification as part of the 1-year Risk Protection Arrangement Cyber Risk Pilot.

The DfE believes that there is no other organisation in the market that can satisfy the technical requirements of the contract to award the Cyber Essentials Certification. With effect from 1 April 2020 and following a competitive procurement process, IASME were appointed as the sole body able to award Cyber Essentials Certification, the only government-backed quality assured standard, on behalf of the National Cyber Security Centre (NCSC). It is understood that there is no equivalent certification to the Cyber Essentials scheme available on the market that meets the standards and controls that the NCSC dictates.

It is therefore believed that there is not a market to deliver Cyber Essentials, in that there is only one Cyber Essentials Partner (IASME) that can deliver the scheme and to fit the standards required by the NCSC. The RPA seeks to align to the NCSC assured and established standard, as the subject matter experts within Government to ensure a quality standard for RPA members.

As a result, the DfE believes that Public Contracts Regulations 2015, Regulation 32(2) applies.

Regulation 32(2) states:

“The negotiated procedures 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...”

The DfE is committed to the continued analysis of the longer-term need of Risk Protection Arrangement members and will continue to assess the market after this time-limited pilot. If it is determined via this analysis that an equivalent certification to meet member needs is available and that the DfE intends to continue supporting Risk Protection Arrangement Members in this way, then any further contract will be competed in line with the Public Contract Regulations 2015. This project is to deliver a short, limited pilot that is not expected to have a long-term impact on the market.

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

1

Title

Risk Protection Arrangement Cyber Essentials Certification

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

25 January 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

The IASME Consortium Ltd (IASME)

Wyche Innovation Centre, Upper Colwall, Malvern

Malvern

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

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: £299,649

Total value of the contract/lot/concession: £299,649

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: £233,315

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

If any clarification regarding the award of the contract has not been successfully resolved, the Public Contracts Regulations 2015 (SI 2015 No 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action.

Any such action must be brought within the applicable limitation period. If a contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the authority to pay a fine and/or order that the duration of the contract be shortened.