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Contract

Virtual Learning Environment (VLE)

UNIVERSITY OF MANCHESTER

F03: Contract award notice

Notice identifier: 2022/S 000-004279

Procurement identifier (OCID): ocds-h6vhtk-030aaf

Published 15 February 2022, 1:23pm

Section I: Contracting authority

I.1) Name and addresses

UNIVERSITY OF MANCHESTER

Room G010, John Owens Building, Oxford Road

MANCHESTER

M139PL

Email

procurement@manchester.ac.uk

Telephone

+44 1612758857

Country

United Kingdom

NUTS code

UKD33 - Manchester

Internet address(es)

Main address

<http://www.procurement.manchester.ac.uk/>

Buyer's address

<https://in-tendhost.co.uk/manchesteruniversity/>

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

Virtual Learning Environment (VLE)

Reference number

2021-1828-VLE2022-JL

II.1.2) Main CPV code

- 48190000 - Educational software package

II.1.3) Type of contract

Supplies

II.1.4) Short description

Renewal of Blackboard Learn SaaS.

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: £2,700,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKD3 - Greater Manchester

Main site or place of performance

The University of Manchester.

II.2.4) Description of the procurement

Renewal of Blackboard Learn SaaS.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

3 year contract to commence November 2022, with the option to extend for a further 1 x 12 month period

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 services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
- absence of competition for technical reasons

The continuity of a Virtual Learning Environment (VLE) is business-critical to the University and renewal of the Blackboard Learn SaaS solution is essential to our student experience.

Change to a new environment is not possible at this stage but the University does anticipate undertaking a procurement exercise for a replacement during the calendar year 2022

- Student Experience. Due to Covid there has been considerable disruption to the student experience and it is essential that we have minimal disruption in the short term to ensure the continuity of the online components of teaching and learning.
- We are currently undertaking a review of our requirements from a wide range of teaching and support staff across the University. The recommendations of this review is anticipated to be Spring 2022 and will be essential to shaping the specification as part of a competitive tendering process.
- Given the time-frame for the review, and the expected length of time to conduct competitive tendering, it is not feasible that a future VLE supplier could be identified much before November 2022, when our existing Blackboard contract expires.
- Sufficient time will be required to implement and configure the chosen solution and to migrate all existing course and student/staff data (c. 8,000 courses, 50,000 users). A

reasonable estimate for this activity is 2-3 years, during which we will need to retain access to all Blackboard data in order to comply with data retention regulations.

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

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2022/S 000-001047](#)

Section V. Award of contract

Contract No

2021-1828-VLE2022-JL

Title

Virtual Learning Environment (VLE)

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

15 February 2022

V.2.2) Information about tenders

Number of tenders received: 1

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

V.2.3) Name and address of the contractor

Blackboard International B.V.

Paleisstraat 1-5

1012 RB Amsterdam

Country

Netherlands

NUTS code

- NL - Netherlands

The contractor is an SME

No

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

Total value of the contract/lot: £2,700,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice of England

London

WC2A 2LL

Country

United Kingdom

Internet address

<https://in-tendhost.co.uk/manchesteruniversity/>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The authority will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers.

Applicants who are unsuccessful shall be informed by the authority as soon as possible after the decision has been made as to the reasons why the Applicant was unsuccessful.

- if an appeal 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 action in the High Court (England, Wales and Northern Ireland). Any such action must generally be brought within 3 months,

- if a declaration of ineffectiveness is sought, any such action must be brought within 30 days where the authority has communicated the award of the contract and a summary of reasons to tenderers, or otherwise within 6 months of the contract being entered into. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the authority to amend any document and may award damages,

- if the 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 is shortened.

The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.

VI.4.4) Service from which information about the review procedure may be obtained

The University of Manchester

Manchester

M139PL

Email

procurement@manchester.ac.uk

Country

United Kingdom

Internet address

<https://in-tendhost.co.uk/manchesteruniversity/>