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Award

Corporate Finance Application Support and Cloud Hosting

West Berkshire District Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-006490

Procurement identifier (OCID): ocids-h6vhtk-04e5be

Published 21 February 2025, 7:32am

Section I: Contracting authority/entity

I.1) Name and addresses

West Berkshire District Council

Market Street

NEWBURY

RG145LD

Contact

Sarah Wood

Email

sarah.wood1@westberks.gov.uk

Country

United Kingdom

Region code

UKJ11 - Berkshire

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<http://www.westberks.gov.uk>

Buyer's address

<http://www.westberks.gov.uk>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Corporate Finance Application Support and Cloud Hosting

II.1.2) Main CPV code

- 72260000 - Software-related services

II.1.3) Type of contract

Services

II.1.4) Short description

This notice sets out West Berkshire Council's intention to award a contract to Unit4 Business Software Ltd for the provision of a cloud-based corporate finance system. The Unit 4 Agresso application is used by the Council for the management of its finances. It is a business-critical system that allows the Council to meet its statutory obligations.

The proposed contract is for a period of 4 years. The estimated maximum value of the proposed contract is £1,000,000. This is based on the current estimation of licensing costs at £200,000 per year and an estimated £200,000 for the implementation.

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: £1,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKJ11 - Berkshire

Main site or place of performance

West Berkshire

II.2.4) Description of the procurement

This notice sets out West Berkshire Council's intention to award a contract to Unit4 Business Software Ltd for the provision of a cloud-based corporate finance system. The Unit 4 Agresso application is used by the Council for the management of its finances. It is a business-critical system that allows the Council to meet its statutory obligations.

The proposed contract is for a period of 4 years. The estimated maximum value of the proposed contract is £1,000,000. This is based on the current estimation of licensing costs at £200,000 per year and an estimated £200,000 for the implementation.

The Council considers that the award of the contract is permitted under Regulation 32(2)(c) of the Public Contract Regulations 2015 (the PCR 2015). Regulation 32 of the PCR 2015 allows contracting authorities to award a public contract by a negotiated procedure without prior publication. Regulation 32(2)(c) permits the award of a public contract for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with.

The Council considers that due to Unit4's unforeseeable decision on 17 October 2023 to remove support for the Council's on-premises solution from 31 December 2024, the Council does not have sufficient time to conduct market tests, complete a full procurement exercise and implement a new solution. The award of a contract pursuant to Regulation 32(2)(c) is therefore strictly necessary, for reasons of extreme urgency, to ensure business continuity for the Council. Further details are set out in Section IV below.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: 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 Council considers that the award of the contract is permitted under Regulation 32(2)(c) of the PCR 2015. Regulation 32 of the PCR 2015 allows contracting authorities to award a public contract by a negotiated procedure without prior publication.

Regulation 32(2)(c) permits the award of a public contract for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. The Council considers that its reliance on Regulation 32(2)(c) is justified for the following reasons:

The finance solution is an essential and integral part of the Council's systems. Unit4's announcement that it would cease to provide maintenance and support services or any on premises solutions post 31 December 2024 was not foreseeable by the Council and has given rise to a situation of extreme urgency in which the Council must ensure that its corporate finance systems do not become unsupported.

At the present time it would be impossible for the council to execute a comprehensive open procurement and implement an alternative economic operator to provide this service. A 4 year term is a realistic and necessary period that would be required to procure and implement a system of this nature. The Council would not be acting responsibly by running a business-critical system unsupported due to the security risks this poses. Therefore, it is key that the council upgrades to the cloud software to ensure stability of provision.

The decision to award a contract pursuant to Unit4 to Regulation 32(2)(c) is therefore considered to be strictly necessary in a situation of extreme urgency, to ensure business continuity for the Council. This approach would provide the council with scope to align several other significant strategic systems which would provide the opportunity to ensure value for money and would give time for consideration of Government updates regarding devolution.

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

Title

Corporate Finance Application Support and Cloud Hosting

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

19 February 2025

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

Unit4 Business Software Ltd

Bristol

BS1 9HS

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

01737985

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £1,000,000

Total value of the contract/lot/concession: £1,000,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court Royal Court of Justice

London

WC2A 2LL

Country

United Kingdom