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Award

## **Education Network for Northern Ireland - "Education Network (NI)"**

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-009957

Procurement identifier (OCID): ocds-h6vhtk-04ee94

Published 18 March 2025, 3:23pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

the Education Authority

40 Academy Street

Belfast

BT1 2NQ

#### **Email**

[laura.magee@eani.org.uk](mailto:laura.magee@eani.org.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

## **Internet address(es)**

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

## **I.4) Type of the contracting authority**

Body governed by public law

## **I.5) Main activity**

Education

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Education Network for Northern Ireland - "Education Network (NI)"

#### **II.1.2) Main CPV code**

- 72263000 - Software implementation services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The purpose of this VEAT notice is to inform and give prior notice to the market that The Education Authority intends to modify this contract in accordance with Regulation 72 (1) (b) of the Public Contracts Regulations 2015 to (i) extend the contract for an additional 2 years until 31/03/2027 with a further 2 x 1 year additional extension options, and (ii) increase the value by up to £175,000,000. Regulation 72 (1) (c) also permits this modification due to unforeseen circumstances which a diligent authority could not have foreseen. The overall nature of the contract is not altered and the modification value does not exceed 50% of the original contract value.

#### **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: £350,000,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKN - Northern Ireland

## **II.2.4) Description of the procurement**

The continuation of the existing single contractor managed service arrangement which includes the supply of a broad range of computer and related services (including, without limitation, on-going management, operation and maintenance services), information technology consultancy services and the supply of computer hardware, software and associated products.

The overall scope of the services can be summarised as follows:

- a fully integrated end to end service to meet the management/administration and learning/teaching needs of educational establishments,
- ICT infrastructure and associated services for post primary and special educational establishments,
- connectivity to, and provision of a range of online services for all educational establishments.

The systems and services provided via the current contract have been uniquely configured to reflect the varying requirements of the Education Authority.

## **II.2.11) Information about options**

Options: Yes

Description of options

2 x 1 year additional optional extensions.

## **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## 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
- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

The contract commenced on 01/04/2012 for 5 years until 31/03/2017 and has been modified on several occasions as per the following VEATs - 2019/S 046-106361, 2022/S 000-006649 and 2024/S 000-006005.

The contract is currently extended until 31/03/25. The transition to a new managed service contract was expected to have completed by 31/03/25 but due to unforeseen circumstances the new contract awarded in December 2023 was terminated in November 2024 by mutual consent. Accordingly it is necessary to extend the contract and increase the contract value to ensure the continuation of existing managed service arrangements and functionality changes to meet schools' requirements whilst permitting time to transition to a new managed service contract.

The modification is permitted under Regulations 72(1)(b) and 72(1)(c). The modification is not a direct award under Regulation 32.

Regulation 72(1)(b) permits a contract modification for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor - (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement; or (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.

This modification is permitted under Regulation 72(1)(b) because the systems and services

provided under the contract have been uniquely configured to reflect the EA's varying requirements. For technical reasons, it is not possible to quickly or easily transition the services provided under the contract to a new managed service contract with another contractor as they would need significant time to work with the EA to tailor their systems and services to meet the EA's specific requirements. It would also cause significant inconvenience and a duplication of costs to change contractor for an interim period whilst a new procurement is undertaken. It is expected to take at least 18-24 months to procure and transition to a suitable new contract. The additional 2 x 1 year extension options to be included in the modification are for contingency purposes, to allow time for any risk of material delays, transitioning the existing services and subsequent design and implementation phases of a new contract.

Regulation 72(1)(b) is also met on the grounds that as the original contract value was £350,000,000, the increase in value due to this modification does not exceed 50% of the original contract value.

Regulation 72(1)(c) also permits this modification due to unforeseen circumstances which a diligent contracting authority could not have foreseen. Particularly, it could not have been foreseen that the new contract awarded in December 2023 would be terminated, thus delaying the transition to a new managed service contract. Also, the modification will not alter the overall nature of the contract as the scope of services will remain unaltered and any expenditure will not exceed 50% of the value of the original contract.

#### **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: [2012/S 053-085884](#)

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## **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**

29 March 2012

#### **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**

Capita Managed IT Solutions

Newtownabbey

Email

[sales@capita-mits.co.uk](mailto:sales@capita-mits.co.uk)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.capita-mits.co.uk/>

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: £175,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The UK does not have a review body with responsibility for appeal/mediation procedures in public procurement competitions. Instead; any challenges are dealt with by the High Court, Commercial Division, to which proceedings may be issued regarding alleged breaches of the Public Contracts Regulation

Belfast

Country

United Kingdom