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Contract

DoJ FSNI Y-Str Profiling Kits for Use Within the Biology/DNA Workstreams

Forensic Science Northern Ireland

F03: Contract award notice

Notice identifier: 2022/S 000-010789

Procurement identifier (OCID): ocds-h6vhtk-0330c3

Published 27 April 2022, 9:34am

Section I: Contracting authority

I.1) Name and addresses

Forensic Science Northern Ireland

c/o Construction & Procurement Delivery, Clare House, 303 Airport Road West

BELFAST

BT3 9ED

Email

Justice.CPD@finance-ni.gov.uk

Country

United Kingdom

Region code

UKN - Northern Ireland

Internet address(es)

Main address

<https://www.justice-ni.gov.uk/topics/forensic-science/forensic-science-northern-ireland>

Buyer's address

<https://www.finance-ni.gov.uk/topics/procurement>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

DoJ FSNI Y-Str Profiling Kits for Use Within the Biology/DNA Workstreams

Reference number

DAC 35/22

II.1.2) Main CPV code

- 33950000 - Clinical forensics equipment and supplies

II.1.3) Type of contract

Supplies

II.1.4) Short description

Y-STR analysis has become well established in Forensic casework in the UK and Ireland, including all laboratories within the Association of Forensic Science Providers, of which FSNI is a member. To this end, FSNI have decided to launch a local Y-STR service.

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: £200,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland

II.2.4) Description of the procurement

Y-STR analysis has become well established in Forensic casework in the UK and Ireland, including all laboratories within the Association of Forensic Science Providers, of which FSNI is a member. To this end, FSNI have decided to launch a local Y-STR service.

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

Explanation:

This application fulfils the general grounds 2b (ii): 'competition is absent for technical reasons', as not awarding the contract directly to [WITHHELD] will result in:

1. FSNI losing the wealth of experience already built by the other main FSPs who use this technique routinely in case-work. If FSNI were to employ the alternative [WITHHELD] kit, FSNI would need to build this experience locally over time, therefore reducing the immediate and ongoing effectiveness to the Northern Ireland CJS.
2. FSNI having a reduced input to, and benefit from, joint research projects involving the other main FSPs on Y-STR analysis and interpretation will be extremely limited. Projects of this kind are very useful for providing supporting data to the evidence presented in Court.
3. Discriminatory power of FSNI database searches being reduced on the forthcoming FINDS (Home Office) database as the alternative [WITHHELD] system will not be fully compatible with this database.
4. Using [WITHHELD] there would be no reduction in the statistical power when calculations to estimate the occurrence of a profile in the general population are carried out using the forthcoming 10,000 sample survey from FINDS. For the [WITHHELD] system which will not be fully compatible with this database there will be a reduction.
5. Modifications will be required to the forthcoming FINDS (Home Office) database to allow Y-STR profiles obtained from the [WITHHELD] system to be loaded. This will have additional costs and time constraints associated with it.

This application also fulfils the general grounds (iii): 'the protection of exclusive rights, including intellectual property rights', as [WITHHELD] is the sole supplier of the [WITHHELD] kit.

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

Contract No

DAC 35/22

Title

DoJ FSNI Y-Str Profiling Kits for Use Within the Biology/DNA Workstreams

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

6 April 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

As per Regulation 50(6)(a) - information withheld for security reasons

As per Regulation 50(6)(a) - information withheld for security reasons

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £200,000

Total value of the contract/lot: £200,000

Section VI. Complementary information

VI.3) Additional information

Please note that information relating to contractors engaged by the Northern Ireland Department of Justice, and associated bodies, is not published in any publicly accessible forum or publication. This is to protect such contractors, whose security and safety could be threatened by dissident terrorist organisations still active in Northern Ireland if their details became known. This is consistent with Regulation 50(6)(a).

The estimated contract value is a broad estimate only and includes additional quantum for unforeseen demand and to future proof. There is no guarantee of any level of business under

this contract. The estimate is not deemed to be a condition of contract nor a guarantee of minimum demand or uptake. No compensation will be payable to a contractor should the actual demand be less than that stated.

The successful contractor's performance on this contract will be managed as per specification and regularly monitored (see Procurement Guidance Note 01/12 Contract Management: <https://www.financeni.gov.uk/sites/default/files/publications/dfp/PGN-01012-Contract-Management-Principles-Procedures-25-Sept-2017.PDF>). Contractors not delivering on contract requirements is a serious matter. It means the public Purse is not getting what it is paying for. If a contractor fails to reach satisfactory levels of contract performance they will be given a specified time to improve. If, after the specified time, they still fail to reach satisfactory levels of contract performance, the matter will be escalated to senior management in Construction and

Procurement Delivery for further action. If this occurs and their performance still does not improve to satisfactory levels within the specified period, it may be regarded as an act of grave professional misconduct and they may be issued with a notice of written warning and notice of unsatisfactory performance and this contract may be terminated. The issue of a notice of written warning and notice of unsatisfactory performance will result in the

Contractor being excluded from all procurement competitions being undertaken by Centres of Procurement Expertise on behalf of bodies covered by the Northern Ireland Procurement

Policy for a period of up to 3 years from the date of issue of the notice.

VI.4) Procedures for review

VI.4.1) Review body

The UK does not have any special review body with responsibility for appeal/mediation procedures

The UK does not have any special review body with responsibility for appeal/mediation procedures

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The UK does not have any special 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 Regulations 2015.