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Contract

PRO1680 -Contract for the Design, Development, Supply and Installation of Passenger Stop Signs and the provision of related Services

London Bus Services Limited

F20: Modification notice

Notice identifier: 2024/S 000-012116

Procurement identifier (OCID): ocds-h6vhtk-045223

Published 15 April 2024, 10:42am

Section I: Contracting authority/entity

I.1) Name and addresses

London Bus Services Limited

5 ENDEAVOUR SQUARE

LONDON

E201JN

Contact

Jess Denton

Email

jessdenton@tfl.gov.uk

Country

United Kingdom

Region code

UKI - London

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://tfl.gov.uk/>

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

PRO1680 -Contract for the Design, Development, Supply and Installation of Passenger Stop Signs and the provision of related Services

Reference number

PRO1680

II.1.2) Main CPV code

- 48813200 - Real-time passenger information system

II.1.3) Type of contract

Supplies

II.2) Description

II.2.2) Additional CPV code(s)

- 30231000 - Computer screens and consoles
- 31523200 - Permanent message signs
- 31682230 - Graphic display panels
- 34924000 - Variable message signs
- 39133000 - Display units
- 39171000 - Display cases

II.2.3) Place of performance

NUTS codes

- UKI - London

II.2.4) Description of the procurement at the time of conclusion of the contract:

Following an OJEU (Official Journal of European Union) competitive tender exercise, in 2009 London Bus Services Limited (LBSL), a subsidiary of Transport for London (TfL), awarded a 12 year contract to Vix Technology Ltd for the supply, install and maintenance of Countdown 2 (CD2) signs (the Contract). Vix Technology Ltd are responsible for maintaining circa 50% of the Countdown signs on TfL's estate, which comprises approximately 2,700 LED technology screens affixed to the roof of bus shelters across TfL's network. In 2021, the parties agreed to extend the Contract for 18 months, such that it would terminate in February 2023.

LBSL is in the process of competitively procuring the next generation of signs and services, Countdown 3 (CD3), under the Utilities Contracts Regulations 2016 (UCR). The Countdown 3 procurement contemplates a contract being awarded to a single supplier, which will be responsible for the total volume of Signs where LBSL requires the Passenger Information Sign Services to be installed and maintained. The Countdown 3 project commenced in 2020, although due to the Covid-19 pandemic, it was put on hold, which meant that no replacement contracts were awarded.

On 16 September 2022, LBSL and Vix Technology Limited entered into an agreement to extend the Contract term for an initial 12 months to February 2024 with the option to extend for a further 6 months.

As the Countdown 3 procurement is now due to reach the contract award stage in Autumn 2024, a further extension of the Contract is required to allow sufficient time for the appropriate and orderly transition from the existing Countdown 2 signs to the new signs which will be installed and maintained by the Countdown 3 supplier. Additional time is also

required to ensure that the transition can be affected in a manner which avoids any unplanned service disruption to customers.

Accordingly, in February 2024, LBSL and Vix Technology Limited entered into an agreement to further extend the Contract term for an initial period of 12 months to February 2025 with an option for an additional 6 months ("Extension") so that Vix Technology Limited can continue to provide the Countdown 2 services, permit the Countdown 3 procurement process to be properly carried out and allow mobilisation and transition to take place before the new suppliers take up the support and maintenance of the Countdown 3 signs.

As explained at section VII.2 below, LBSL considers that the Extension benefits from the exemption for "additional services" that is laid down in Regulation 88(1)(b) of the UCR. This exemption allows for the non-competitive procurement of additional services that have become necessary, where a change of contractor cannot be made for economic or technical reasons and where such a change would cause significant inconvenience or duplication of costs.

II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

18

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2007/S 026-031605](#)

Section V. Award of contract/concession

Contract No

PRO1680

Title

PRO1680 -Contract for the Design, Development, Supply and Installation of Passenger Stop Signs and the provision of related Services

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract/concession award decision:

1 September 2009

V.2.2) Information about tenders

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

V.2.3) Name and address of the contractor/concessionaire

Vix Technology Limited

Epsom

Country

United Kingdom

NUTS code

- UKI - London

Companies House

Vix Technology Limited

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £5,584,848

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court (England, Wales and Northern Ireland)

London

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 48813200 - Real-time passenger information system

VII.1.2) Additional CPV code(s)

- 30231000 - Computer screens and consoles
- 31523200 - Permanent message signs
- 31682230 - Graphic display panels
- 34924000 - Variable message signs
- 39133000 - Display units
- 39171000 - Display cases

VII.1.3) Place of performance

NUTS code

- UKI - London

VII.1.4) Description of the procurement:

In 2009 LBSL (a subsidiary of TfL) awarded a 12 year contract to Vix Technology Ltd for the supply, install and maintenance of Countdown 2 (CD2) signs (the Contract). Vix Technology Ltd are responsible for maintaining circa 50% of the Countdown signs on TfL's estate, with the other signs being maintained by Trueform under a separate contract. In March 2023 the Contract was extended for up to 18 months. Please see the description given at section II.2.4 above for further details of the Contract.

The modifications will extend the Contract on its existing terms for a maximum period of 18 months and are required so that Vix Technology Limited can continue to provide the Countdown 2 services, permit the Countdown 3 procurement process to be completed and allow mobilisation and transition to take place before the new suppliers take up the support and maintenance of the Countdown 3 signs. Please see the description given at section VII.2.1 for further details of the modifications.

The modifications will extend the Contract on its existing terms for a maximum period of 18 months and are required so that Vix Technology Limited can continue to provide the Countdown 2 services, permit the Countdown 3 procurement process to be completed and allow mobilisation and transition to take place before the new suppliers take up the support and maintenance of the Countdown 3 signs. Please see the description given at section VII.2.1 for further details of the modifications.

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

18

VII.1.6) Information on value of the contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession:

£7,898,918

VII.1.7) Name and address of the contractor/concessionaire

Vix Technology Limited

Epsom

Country

United Kingdom

NUTS code

- UKI - London

Justification for not providing organisation identifier

Not on any register

The contractor/concessionaire is an SME

Yes

VII.2) Information about modifications

VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

As explained in section II.2.4 above, in 2009 London Bus Services Limited (LBSL), a subsidiary of Transport for London (TfL), awarded a 12 year contract to Vix Technology Ltd for the supply, install and maintenance of Countdown 2 (CD2) signs (the Contract). Vix Technology Ltd are responsible for maintaining circa 50% of the Countdown signs on TfL's estate, which comprises approximately 2,700 LED technology screens affixed to the roof of bus shelters across TfL's network. In 2021, the parties agreed to extend the Contract for 18 months, such that it would terminate in March 2023. This was then further extended to March 2024 with an option to go to August 2024.

LBSL is in the process of procuring the next generation of signs and services, Countdown 3 (CD3), under the Utilities Regulations 2016 (UCR). The Countdown 3 procurement will appoint one supplier for the total volume of Signs on which LBSL requires the Passenger Information Sign Services to be installed and maintained (which TfL considers will equate to approximately 3000 Signs).

Concurrently, TfL has just awarded the iBus2 contract: a separate competitive procurement exercise which is concerned with the generation of data which underpins the information displayed through the Countdown signs (among other matters).

On 16 September 2022, LBSL and Vix Technology Limited entered into an agreement to extend the Contract term for an initial 12 months to February 2024 with the option to extend for a further 6 months ("Extension") so that Vix Technology Limited can continue to provide the Countdown 2 services, permit the Countdown 3 procurement process to be properly carried out and allow mobilisation and transition to take place before the new suppliers take up the support and maintenance of the Countdown 3 signs.

As Countdown 3 is now due to award in Autumn 2024 the longest current extension option (to August 2024) is not enough and therefore LBSL has agreed to allow sufficient time for appropriate transition from the existing Countdown 2 signs to the new signs which will be installed and maintained by the Countdown 3 suppliers an extension beyond this is required. Initially this has been agreed as now running to end of February 2025 with an option for an additional 6 months beyond this should delays be experienced.

LBSL considers that the Extension benefit from the exemption for "additional services" that is laid down in Regulation 88 (1)(b) of the UCR.

Running a competitive tender for a short extension, ahead of finalising the Countdown 3 procurement, would involve significant inconvenience and substantial duplication of costs for LBSL. It may also further delay completion of the Countdown 3 procurement. For more

details of the reasons, please see section VII.2.2 below.

VII.2.2) Reasons for modification

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

Given the age of the Countdown 2 sign estate and its planned replacement in the near-term, it is not viable for TfL or LBSL to bring in a different contractor on a short term basis in a way that safeguards the continued operation of LBSL's countdown services, pending the conclusion of the Countdown 3 procurement. To do so would likely result in disruption to the service, thereby creating significant inconvenience to LBSL and broader users of the bus network.

Furthermore, the existing Countdown 2 signs cannot be taken on by another supplier as it would not be technically possible for another supplier to operate the existing Countdown 2 signs. A change in supplier would give rise to a need to replace the Countdown 2 assets. Indeed, replacement of the Countdown 2 assets is contemplated in the Countdown 3 procurement, such that an interim replacement would duplicate costs in light of Countdown 3.

The cost of bringing in a different contractor on a short term basis would therefore be prohibitive.

VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £7,464,640

Total contract value after the modifications

Value excluding VAT: £7,898,918