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Awarded contract

Learning and Development

The Minister for the Cabinet Office acting through Crown Commercial Service (CCS)

F20: Modification notice

Notice reference: 2024/S 000-013337

Published: 24 April 2024, 3:54pm

Section I: Contracting authority/entity

I.1) Name and addresses

The Minister for the Cabinet Office acting through Crown Commercial Service (CCS)

9th Floor, The Capital, Old Hall Street

Liverpool

L3 9PP

Email

info@crowncommercial.gov.uk

Telephone

+44 3454102222

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/crown-commercial-service>

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Learning and Development

Reference number

RM6145

II.1.2) Main CPV code

- 80000000 - Education and training services

II.1.3) Type of contract

Services

II.2) Description

II.2.2) Additional CPV code(s)

- 72000000 - IT services: consulting, software development, Internet and support
- 72220000 - Systems and technical consultancy services
- 75121000 - Administrative educational services
- 75130000 - Supporting services for the government
- 79420000 - Management-related services
- 79998000 - Coaching services
- 80000000 - Education and training services
- 80300000 - Higher education services

- 80330000 - Safety education services
- 80400000 - Adult and other education services
- 80420000 - E-learning services
- 80430000 - Adult-education services at university level
- 80500000 - Training services
- 80510000 - Specialist training services
- 80511000 - Staff training services
- 80520000 - Training facilities
- 80521000 - Training programme services
- 80522000 - Training seminars
- 80530000 - Vocational training services
- 80531200 - Technical training services
- 80532000 - Management training services
- 80550000 - Safety training services
- 80560000 - Health and first-aid training services
- 80561000 - Health training services
- 80562000 - First-aid training services
- 80570000 - Personal development training services
- 80580000 - Provision of language courses
- 80590000 - Tutorial services
- 92312212 - Services related to the preparation of training manuals
- 98910000 - Services specific to international organisations and bodies

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

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

We ran this competition using the 'open procedure. The procurement was conducted under the Light

Touch Regime ('LTR') therefore was subject to limited regulation and conducted in accordance with

regulations 74 to 76 PCR 2015. Crown Commercial Service (CCS) sought to establish a

Framework Contract to support delivery of learning and development on behalf of the Minister for

the Cabinet Office.

The Framework Agreement is available for use by UK public sector bodies as described in the customer list.

The framework consists of the following lots:

Lot 3 - Combined Lot 1 and Lot 2

Lot 6 - Combined Lot 4 and Lot 5

Suppliers will be required to provide the deliverables set out in the Specification.

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

Duration in months

48

II.2.13) Information about European Union Funds

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

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2020/S 127-312150](#)

Section V. Award of contract/concession

Contract No

RM6145

V.2) Award of contract/concession

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

17 April 2020

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

Official name The Minister for the Cabinet Office acting through Crown Commercial Service (CCS)

9th Floor, The Capital Building, Old Hall Street

Liverpool

L3 9PP

Email

supplier@crownccommercial.gov.uk

Telephone

+44 3454102222

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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: £315,000,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The Minister for the Cabinet Office acting through Crown Commercial Service

9th Floor, The Capital, Old Hall Street

Liverpool

L3 9PP

Email

info@crowncommercial.gov.uk

Telephone

+44 3454102222

Country

United Kingdom

Internet address

<https://www.gov.uk/government/organisations/crown-commercial-service>

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 80000000 - Education and training services

VII.1.2) Additional CPV code(s)

- 72000000 - IT services: consulting, software development, Internet and support
- 72220000 - Systems and technical consultancy services
- 75121000 - Administrative educational services
- 75130000 - Supporting services for the government
- 79420000 - Management-related services
- 79998000 - Coaching services
- 80000000 - Education and training services
- 80300000 - Higher education services
- 80330000 - Safety education services
- 80400000 - Adult and other education services
- 80420000 - E-learning services
- 80430000 - Adult-education services at university level
- 80500000 - Training services
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- 80560000 - Health and first-aid training services
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- 80562000 - First-aid training services
- 80570000 - Personal development training services
- 80580000 - Provision of language courses
- 80590000 - Tutorial services
- 92312212 - Services related to the preparation of training manuals
- 98910000 - Services specific to international organisations and bodies

VII.1.3) Place of performance

NUTS code

- UK - United Kingdom

VII.1.4) Description of the procurement:

We ran this competition using the 'open procedure. The procurement was conducted under the Light Touch Regime ('LTR') therefore was subject to limited regulation and conducted in accordance with regulations 74 to 76 PCR 2015. Crown Commercial Service (CCS) sought to establish a Framework Contract to support delivery of learning and development on behalf of the Minister for the Cabinet Office. The Framework Agreement is available for use by UK public sector bodies as

described in the customer list. The framework consists of the following lots: Lot 3 - Combined Lot 1 and Lot 2 Lot 6 - Combined Lot 4 and Lot 5 Suppliers will be required to provide the deliverables set out in the Specification.

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

Duration in months

48

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

Total value of the contract/lot/concession:

£472,500,000

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

The Minister for the Cabinet Office acting through Crown Commercial Service (CCS)

9th Floor, The Capital Building, Old Hall Street

Liverpool

L3 9PP

Email

supplier@crowncommercial.gov.uk

Telephone

+44 3454102222

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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):

Notice of modifications to CCS' Learning and Development Framework (RM6145) procured pursuant to Contract Notice 2020/S 127-312150 ("the Framework"):

(i) The estimated values of the two lots under the Framework have been increased as follows:

- Lot 3 has increased from £170,000,000.00 to £255,000,000.00 (ex VAT)
- Lot 6 has increased from £145,000,000.00 to £217,500,000.00 (ex VAT): and

(ii) The Framework term has been extended by 3 months and the Framework will now expire on 16 July 2024.

No other modifications will be made to the Framework.

CCS' view is that the modifications above were permitted pursuant to Regulation 72(1)(b) of the Public Contracts Regulations 2015 (PCR).

Regulation 72(1)(b) provides that a modification is permitted in the following case:

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, and

(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.

In the alternative, the extension to the Framework term by 3 months is non-substantial and therefore is permitted pursuant to Regulation 72(1)(e).

As set out above, these are permitted modifications under the PCR, but, in the event that either of the modifications are deemed not to be a permitted modification under the PCR, then this notice should be treated as providing the requisite notice of a contract award.

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:

CCS' view is that the modifications above were permitted pursuant to Regulation 72(1)(b) of the Public Contracts Regulations 2015 (PCR).

Regulation 72(1)(b) provides that a modification is permitted in the following case:

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, and

(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.

In the alternative, the extension to the Framework term by 3 months is non-substantial and therefore is permitted pursuant to Regulation 72(1)(e).

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: £315,000,000

Total contract value after the modifications

Value excluding VAT: £472,500,000