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Contract

## **Learning and Development**

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

F20: Modification notice

Notice identifier: 2024/S 000-013337

Procurement identifier (OCID): ocds-h6vhtk-0454e9

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](mailto:info@crowncommercial.gov.uk)

#### **Telephone**

+44 3454102222

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

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

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**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

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

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

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## **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@crowncommercial.gov.uk](mailto:supplier@crowncommercial.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

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**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](mailto:info@crowncommercial.gov.uk)

Telephone

+44 3454102222

Country

United Kingdom

Internet address

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

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## **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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- 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

### **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](mailto: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