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Contract

## **SOL - Disaster Recovery - Modification**

Solihull Metropolitan Borough Council

F20: Modification notice

Notice identifier: 2022/S 000-015558

Procurement identifier (OCID): ocds-h6vhtk-03436c

Published 6 June 2022, 6:11pm

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

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

Solihull Metropolitan Borough Council

Council House, Manor Square

Solihull

B913QB

#### **Contact**

Corporate Procurement Service

#### **Email**

[procurementteam@solihull.gov.uk](mailto:procurementteam@solihull.gov.uk)

#### **Telephone**

+44 1217048150

#### **Country**

United Kingdom

**NUTS code**

UKG32 - Solihull

**Internet address(es)**

Main address

<https://www.solihull.gov.uk>

Buyer's address

[www.csw-jets.co.uk](http://www.csw-jets.co.uk)

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## **Section II: Object**

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

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

SOL - Disaster Recovery - Modification

Reference number

CONTRACT - 00015400

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

- 72251000 - Disaster recovery services

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

Services

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

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

NUTS codes

- UKG32 - Solihull

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

Contract awarded for an ICT Disaster Recovery solution to provide resilience for key systems and applications. The solution enables the recovery of HP and Sun Servers (and the appropriate data related to them) from a Netbackup based disc and tape backup system. The Backups are taken over private Ethernet connection from the Council's Data Centre to storage on the supplier's site.

The supplier currently provides these services to the authority under a contract due to expire on 31 July 2022.

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

Duration in months

12

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## Section IV. Procedure

### IV.2) Administrative information

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

Notice number: [2017/S 159-328952](#)

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## Section V. Award of contract/concession

### Contract No

CONTRACT - 00015400

### Title

SOL - Disaster Recovery

### V.2) Award of contract/concession

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

25 July 2017

#### 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

Adam Continuity a division of Centerprise International

Basingstoke

RG24 8GQ

Country

United Kingdom

NUTS code

- UKJ37 - North Hampshire

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: £331,548

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**Section VI. Complementary information**

**VI.4) Procedures for review**

**VI.4.1) Review body**

High Court, Royal Court

London

Country

United Kingdom

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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**

- 72251000 - Disaster recovery services

#### **VII.1.3) Place of performance**

NUTS code

- UKG32 - Solihull

#### **VII.1.4) Description of the procurement:**

The contract is for the extension of an existing ICT Disaster Recovery solution which provides resilience for key systems and applications. The solution enables the recovery of HP servers (and the appropriate data related to them) from a Netbackup based disc and tape backup system. The Backups are taken over private Ethernet connection from the Council's Data Centre to storage on the supplier's site.

The contract to fulfil the requirement described above commenced on 1 August 2017. The contract provided for an initial 2 year term with an option to extend for TWO further 1 Year periods. The options to extend have been exercised and the contract was due to expire on 31 July 2021. A further 12 months extension was agreed utilising PPN notice 01/20, therefore the current agreement is due to expire on 31 July 2022.

This notice confirms that an extension of 12 months until 31 July 2023 has become necessary due to the impact of COVID 19 upon the future delivery of ICT services at the Authority. We can confirm that the specification, pricing and terms and conditions of the original agreement will not be altered, with the sole modification being the change to contract duration (to be charged at existing contract rates).

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

Start date

1 August 2022

End date

31 July 2023

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

Total value of the contract/lot/concession:

£493,360

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

Adam Continuity a division of Centerprise International

Basingstoke

Country

United Kingdom

NUTS code

- UKJ37 - North Hampshire

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):

The modification is limited to extending the contract duration for a further 12 months using the existing annual contract pricing.

The service specification, terms and conditions of contract, service level agreement and annual charge rates have not been modified. Therefore the modification of the contract is not deemed to be substantial, as defined in Regulation 72.1 (8).

In accordance with Regulation 72.1 (c) the modification of the contract shall not exceed 50% of the value of the original contract.

**VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and

explanation of the unforeseen nature of these circumstances:

The need for this modification has been brought about by circumstances which a diligent contracting authority could not have foreseen. Solihull MBC (SMBC) could not have reasonably foreseen the occurrence of the COVID-19 Pandemic and its resulting impacts upon service delivery, ICT infrastructure needs and strategy. Outside of these unforeseen circumstances SMBC would have followed a more evolutionary approach to modifying our systems and ways of working, which would have resulted in the ability to clearly define our future disaster recovery needs. Due to the rapid change caused by unforeseen circumstances, SMBC has needed to respond with a similarly revolutionary shift in ways of working to sustain service delivery in a massively transformed environment.

The proposed modification does not alter the overall nature of the contract as the only element of the contract to be changed is the duration. The service specification, terms and conditions of contract, service level agreement and annual charge rates have not been modified.

The increase in duration would not cause the overall price to exceed 50% of the value of the original contract.

### **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: £412,360

Total contract value after the modifications

Value excluding VAT: £493,360