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Award

## **Voluntary Transparency Notice (VTN) for Civil Service learning and development services contract award**

Cabinet Office

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-015989

Procurement identifier (OCID): ocds-h6vhtk-046931

Published 21 May 2024, 11:41am

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

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

Cabinet Office

70 Whitehall

LONDON

SW1A2AS

#### **Contact**

John Collins

#### **Email**

[john.collins@cabinetoffice.gov.uk](mailto:john.collins@cabinetoffice.gov.uk)

#### **Telephone**

+44 7712546390

**Country**

United Kingdom

**Region code**

UK - United Kingdom

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.gov.uk/government/organisations/cabinet-office>

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

General public services

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

Voluntary Transparency Notice (VTN) for Civil Service learning and development services contract award

**II.1.2) Main CPV code**

- 80000000 - Education and training services

**II.1.3) Type of contract**

## Services

### **II.1.4) Short description**

This VTN sets out the Cabinet Office's intention to award a contract to KPMG LLP for the delivery of learning and development services between July 2024 and October 2025. The estimated value of the contract is £186,000,000 (ex. VAT). The Cabinet Office intends to observe a voluntary standstill period of at least 10 days from the date of publication of this VTN and will not enter into the contract during that period.

The Cabinet Office considers that the award of this contract is permitted pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 (PCR). Regulation 32(2)(b)(ii) of the PCR permits the use of the negotiated procedure without prior publication for public works contracts, public supply contracts and public service contracts where the works, supplies or services can be supplied only by a particular economic operator because competition is absent for technical reasons, but only where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

The Cabinet Office's view is that the services covered by the contract can be supplied only by KPMG LLP because competition is absent for technical reasons and no reasonable alternative or substitute exists. Our view is that no alternative provider could take over the provision of the relevant learning and development services from the point that these services are required in July 2024 as there is insufficient time for transition to another provider to take place. This absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

The Cabinet Office is preparing to conduct a new procurement exercise for replacement learning and development services beyond October 2025, which is expected to formally commence during Summer 2024. Following various market engagement events between March 2023 and November 2023, the Cabinet Office issued a prior information notice in relation to the proposed procurement exercise on 2 May 2024 (reference 2024/S 000-014162).

### **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: £186,000,000

## **II.2) Description**

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

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

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The Cabinet Office's view is that the services covered by the contract can be supplied only by KPMG LLP because competition is absent for technical reasons and no reasonable alternative or substitute exists. Our view is that no alternative provider could take over the provision of the relevant learning and development services from the point that these services are required in July 2024 as there is insufficient time for transition to another provider to take place. This absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

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### **II.2.11) Information about options**

Options: No

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

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

Explanation:

This VTN sets out the Cabinet Office's intention to award a contract to KPMG LLP for the delivery of learning and development services between July 2024 and October 2025. The estimated value of the contract is £186,000,000 (ex. VAT). The Cabinet Office intends to observe a voluntary standstill period of at least 10 days from the date of publication of this VTN and will not enter into the contract during that period.

The Cabinet Office considers that the award of this contract is permitted pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 (PCR). Regulation 32(2)(b)(ii) of the PCR permits the use of the negotiated procedure without prior publication for public works contracts, public supply contracts and public service contracts where the works, supplies or services can be supplied only by a particular economic operator because competition is absent for technical reasons, but only where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

The Cabinet Office's view is that the services covered by the contract can be supplied only by KPMG LLP because competition is absent for technical reasons and no reasonable alternative or substitute exists. Our view is that no alternative provider could take over the provision of the relevant learning and development services from the point that these services are required in July 2024 as there is insufficient time for transition to another provider to take place. This absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

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relation to the proposed procurement exercise on 2 May 2024 (reference 2024/S 000-014162).

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

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

#### **V.2.1) Date of conclusion of the contract**

21 May 2024

#### **V.2.2) Information about tenders**

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

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

KPMG LLP

15 Canada Square

London

E14 5GL

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

OC301540

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £186,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The High Court, Royal Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom