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Award

Extension of IECC Scalable on Anglia, Wales & Western Routes and on Elizabeth Line

Network Rail Infrastructure Ltd

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-016504

Procurement identifier (OCID): ocids-h6vhtk-03471d

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Section I: Contracting authority/entity

I.1) Name and addresses

Network Rail Infrastructure Ltd

1 Eversholt Street

London

NW1 2DN

Email

joanna.dunn@networkrail.co.uk

Telephone

+44 1908781000

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

www.networkrail.co.uk

I.6) Main activity

Railway services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Extension of IECC Scalable on Anglia, Wales & Western Routes and on Elizabeth Line

II.1.2) Main CPV code

- 48140000 - Railway traffic control software package

II.1.3) Type of contract

Supplies

II.1.4) Short description

Network Rail intends to award a contract for the extension of the Luminate traffic management system to deliver increased geographical coverage whilst supporting consistent and continuous operations. This is an extension of the existing system in use on both Anglia and Western routes. The system extension will have three stages of activity, the order of which is yet to be determined.

Stage A: extension of Luminate across the remaining areas of Anglia and Western routes. Stage B: extension of Luminate to cover operation of the Elizabeth lines connecting existing Luminate deployments on Anglia and Western routes. Stage C: extension of Luminate across the remaining parts of the Western region and on the Wales route.

The Contract will be for a period of 7 years

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The contract is for an extension of the Luminate traffic management system ("Luminate") already deployed on Anglia and Western routes to deliver increased capability and benefits across a wider geographical area to passengers and freight users whilst supporting continuous operations. Access to Luminate is achieved via Network Rail's internal information technology system allowing access to be achieved at operating locations specified by Network Rail. The contract will cover the remaining years of Control period 6 and all of Control period 7.

The contract will include ongoing support and maintenance services and licensing costs.

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

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

II.2.14) Additional information

Network Rail intends to award the contract to Resonate Group Limited, which is the original supplier of the Luminate product.

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:

Competition is absent for technical reasons.

Additional deliveries by the original supplier ordered under the strict conditions stated in the directive and contained in Regulation 50(1)(e) of the Utilities Contracts Regulations.

Competition is absent for technical reasons due to the unique characteristics and technical capabilities of Luminate to integrate with the existing systems installed at the locations. No reasonable alternative or substitute to Luminate exists. Regulation 50(1)(c)(ii) of the Utilities Contracts Regulations 2016 permits Network Rail to use the negotiated procedure, without a call for competition, to enter into the contract. Luminate is uniquely suited to meeting the objectives with which the contract is concerned.

Improvements to train service performance and delivery have been achieved through the existing deployment of Luminate. Network Rail wishes to deliver these benefits across a wider area in stages. The enhancement which Network Rail wishes to implement, for the first stage within 6 months of contract award represents additional supplies and is an extension to the geographical coverage of the existing Luminate system supplied and installed by Resonate. The extension must be compatible with Luminate as interface management is critical for safety, performance, and efficiency. The currently deployed Luminate system is connected to and provides a smooth interface to other critical business operating systems, generating a single version of the current and planned state of the geographical network. The ability to operate over differing signalling control technology and infrastructure ownership across the entire Elizabeth line is a key requirement, to which Luminate is uniquely suited. To obtain the software, associated application programmes and system interfaces, from a supplier other than the owner of Luminate that originally supplied, installed, and configured the system would result in Network Rail purchasing supplies with different technical characteristics. Purchasing alternative supplies / systems would mean that additional interfaces would then need to be generated requiring modifications to applications that operate across the wider

geographical area, e.g., Crew, Rolling Stock and DAS systems. This would generate system integration and/or compatibility risks in terms of consistency of operation and performance impact, as well as cost and timescale risks associated with both the deployment and ongoing training, support, maintenance, and change to the operating model. As Luminate is the central system interfacing with TOC systems the risks associated with contracting from a supplier other than the owner of Luminate could impact on TOC operations as well as Network Rail. Network Rail therefore considers that a change in supplier and consequently system in relation to this extension would oblige Network Rail to purchase supplies with different technical characteristics which would result in incompatibility and/or disproportionate technical and business operational delivery difficulties. Network Rail is therefore also entitled to purchase from Resonate on the basis of Regulation 50(1)(e). Network Rail estimates these technical and business operational delivery difficulties to have an initial additional implementation cost of at least £3.15m even before additional operational costs over the duration of the contract are taken into account.

Luminate is a proprietary system; intellectual property in the system is owned exclusively by Resonate. Network Rail therefore has no alternative but to contract with Resonate for supply of Luminate.

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

The procurement is covered by the Government Procurement Agreement: Yes

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

13 June 2022

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of England and wales

Strand

London

WC2A 2LL

Country

United Kingdom