

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/017857-2022>

Contract

ICCS Software Development for the Emergency Services Network ('ESN') — Systel

Secretary of State for the Home Department - Home Office - Emergency Services Mobile Communications Programme (ESMCP)

F03: Contract award notice

Notice identifier: 2022/S 000-017857

Procurement identifier (OCID): ocds-h6vhtk-034c67

Published 30 June 2022, 11:07am

Section I: Contracting authority

I.1) Name and addresses

Secretary of State for the Home Department - Home Office - Emergency Services Mobile Communications Programme (ESMCP)

2 Marsham Street

London

SW1P 4DF

Contact

Control Rooms Commercial team

Email

ESMCPSupplier@homeoffice.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

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

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Public order and safety

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

ICCS Software Development for the Emergency Services Network ('ESN') — System

Reference number

C21873

II.1.2) Main CPV code

- 72212100 - Industry specific software development services

II.1.3) Type of contract

Services

II.1.4) Short description

This procurement seeks to establish a contract between the supplier as a vendor of integrated communications control systems (ICCS) software to the three emergency services (3ES) and the Home Office, specifically the Emergency Services Mobile Communications Programme ('ESMCP' or the 'Programme'), for the provision of software development and supporting services.

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: £981,754

II.2) Description

II.2.2) Additional CPV code(s)

- 72212517 - IT software development services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The service requirements are concerned with the development of a compatible ICCS product upgrade that enables the supplier's control room ICCS product(s) (as deployed to the supplier's UK 3ES customers) to interface to ESN, for the minimum subset of Kodiak 12 (K12) features as set out in the contract schedules.

Kodiak is the mission critical push to talk application (provided by Motorola Solutions UK Limited) used on ESN to connect the 3ES to the EE mobile network (the ESN's mobile network operator). It is critical that the 3ES control rooms are compatible with ESN. If they are not, ESN will not work, and this could endanger life.

This Notice is for the provision of services in connection with the development of Systel's IRIS Solution against Kodiak 12 (K12). It should be noted that the contracting authority may require Systel to provide further development work in the future, as may be relevant for newer versions of the release.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

N/A

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.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - protection of exclusive rights, including intellectual property rights

Explanation:

The services can only be provided by the Awardee to protect exclusive rights, including intellectual property rights. There is no reasonable alternative to the Awardee in the circumstances.

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

Contract No

C21873

Title

ICCS Software Development for the Emergency Services Network ('ESN') — System

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

31 May 2022

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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

V.2.3) Name and address of the contractor

System Systèmes & Télécommunications SA

17 Rue Leverrier – ZI de Belle Aire

AYTRE

17440

Country

France

NUTS code

- FR - France

Internet address

<https://www.system-sa.fr/en/home/>

The contractor is an SME

Yes

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

Total value of the contract/lot: £981,754

Section VI. Complementary information

VI.3) Additional information

The Authority has contracted with a number of Original Equipment Manufacturers (OEMs) to provide Integrated Communications Control Systems (ICCS) services for the emergency services (3ES).

Each OEM has proprietary systems that must be developed to ensure compatibility with the Emergency Services Network (ESN) when it goes live. The Authority has contracted with the relevant OEMs to carry out this development work (i.e. each has a contract to develop their own respective systems).

One of those OEMs is Systel, which is carrying out development work on its proprietary system (called IRIS) accordingly. Systel's contract with the Authority, under which it is carrying out that development work, is to be replaced with a new contract with greater scope and increased cost to ensure compatibility against the latest Kodiak iteration (Kodiak 12).

Systel is the only supplier that can provide these development services, most notably because it owns the intellectual property rights (IPRs) to IRIS, and does not license them to third party developers who might otherwise be able to do so. The parameters of the procurement are a function of the development work needed to make IRIS ESN compatible.

The Authority has already contracted or is in the process of reaching an agreement with the rest of the market, either on a similar basis or under a Memorandum of Understanding (MoU), to make sure that all available ICCS solutions (i.e. Systel's and those of its competitors) are developed to be compatible with ESN. The Authority has actively sought to ensure that competition is maintained across the marketplace. The purpose of this particular procurement is to ensure 3ES users of Systel's IRIS system, have an ESN compatible product.

This procurement will prevent Systel from being disadvantaged in comparison to the rest of the marketplace, enabling all market players to compete fairly and offer ESN compatible control room solutions when 3ES procure control rooms in the future.

The value of the proposed changes to Systel's contract is such that to comply with the PCR 2015 (as amended), the Authority must award a new contract to Systel.

The above justifies, the use of a direct award relying on Reg 32(2)(b)(iii), where the services can only be supplied by a particular operator for the protection of exclusive rights including IPRs, no reasonable alternative or substitute exists and the absence of

competition is not the result of an artificial narrowing of the parameters of the procurement.

VI.4) Procedures for review

VI.4.1) Review body

Emergency Services Mobile Communications Programme (ESMCP) - Home Office

3rd Floor, Clive House, 70 Petty France

London

SW1H 9EX

Email

ESMCPSupplier@homeoffice.gov.uk

Country

United Kingdom