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Award

Stopped Vehicle Detection

National Highways

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-018156

Procurement identifier (OCID): ocds-h6vhtk-046f57

Published 12 June 2024, 11:47am

Section I: Contracting authority/entity

I.1) Name and addresses

National Highways

Birmingham

B1 1RN

Contact

Hywel Jones

Email

Hywel.Jones@nationalhighways.co.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://nationalhighways.co.uk>

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Stopped Vehicle Detection

II.1.2) Main CPV code

- 63712710 - Traffic monitoring services

II.1.3) Type of contract

Services

II.1.4) Short description

The scope of the procurement is to provide:

- i) support and maintenance services to existing radar units and for new radar units to be supplied under this contract,
- ii) the supply of additional radar devices for the targeted replacement of specific existing units
- iii) the option to upgrade the drive mechanism within existing radar units

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: £17,300,000

II.2) Description

II.2.2) Additional CPV code(s)

- 45316210 - Installation of traffic monitoring equipment

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The contract has 3 elements:

a) support and maintenance services to the existing 1200 radar units which have already been supplied and installed; support and maintenance services to additional radar units to be supplied under this contract as part of a targeted device refresh where radar are reaching “end of life”; and support and maintenance services for the upgrade of existing radars on the M3 and M25 and for the National Emergency Area Refresh Programme.

b) Supply of additional radar units (in the region of 120 units) to replace existing devices which are approaching “end of life”.

c) the option to upgrade the drive mechanism within existing radar units. No decision has been made regarding the adoption of a new drive mechanism so this would be incorporated into the contract as additional optional scope.

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

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 procurement falls outside the scope of application of the regulations

Explanation:

National Highways is relying on Regulation 32(2)(b) (ii) and (iii) of the Public Contracts Regulations 2015 to justify the use of the negotiated procedure without prior publication for the following reasons:

1. The proposed supplier has exclusive (intellectual property) rights in the hardware and software already supplied to National Highways and do not share /re-sell/licence any of its designs/intellectual property with/to third parties. Without these, no other supplier could provide the support and maintenance services under the proposed contract to the pre-existing hardware. For the same reasons, no other supplier could provide upgrades to existing hardware.
2. Any targeted replacement of hardware under the proposed contract must be capable of integrating and interoperating with the existing deployed radar solution and its wider operational technology environment. In order to achieve this integration, access to the existing supplier's intellectual property is required and the existing supplier will not share this with any third party. The proposed supplier is therefore currently the only supplier who is capable of supplying replacement hardware which will integrate with the existing solution and operational technology environment.
3. The only means by which another supplier could provide services and supplies similar to those under the proposed contract would be to replace the existing hardware with an alternative solution. Very significant investment has been made to deploy the existing hardware and the majority of these assets still have a number of years before they reach 'end of life'. To undertake a wholesale replacement of the hardware at this juncture would therefore be disproportionate and unreasonable.

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

Contract No

ORT0127

Title

Strategic SVD

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

5 April 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

Navtech Radar

Home Farm, Ardington, Wantage,

Oxfordshire

OX12 8PD

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £17,300,000

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

Highcourt

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

National Highways will incorporate a minimum 10 calendar day standstill period from the date of publication of this notice before awarding this contract. Review procedures and timelines are as set out in the Public Contracts Regulations 2015.