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Contract

ID 4866411 DAC 55/23 - DfC - Mitigation Measures Upgrade

Department for Communities

F03: Contract award notice

Notice identifier: 2023/S 000-018560

Procurement identifier (OCID): ocds-h6vhtk-03d6eb

Published 29 June 2023, 3:19pm

Section I: Contracting authority

I.1) Name and addresses

Department for Communities

Causeway Exchange, 1-7 Bedford Street

BELFAST

BT2 7EG

Contact

SSDAdmin.CPDfinance-ni.gov.uk

Email

ssdadmin.cpd@finance-ni.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

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II.1.2) Main CPV code

- 72000000 - IT services: consulting, software development, Internet and support

II.1.3) Type of contract

Services

II.1.4) Short description

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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: £500,000

II.2) Description

II.2.2) Additional CPV code(s)

- 48000000 - Software package and information systems

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland

II.2.4) Description of the procurement

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II.2.5) Award criteria

Price

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

Explanation:

The Department for Communities requires Microsoft support for their Mitigation Measures IT system, for 6 months to 31 December 2023. This is permitted under Regulation 32(2)(b)(ii) – technical reasons; whereby it is considered that given the amount of custom code currently in the system that only Microsoft could perform this upgrade.

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

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-017150](#)

Section V. Award of contract

Contract No

1

Title

Contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 June 2023

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 0

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

MICROSOFT IRELAND OPERATIONS LIMITED

Atrium Building Block B, Carmanhall Road Sandyford Industrial Estate

DUBLIN

18

Email

brendan.mckee@microsoft.com

Country

Ireland

NUTS code

- IE - Ireland

Internet address

<https://etendersni.gov.uk/epps>

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £500,000

Total value of the contract/lot: £500,000

Section VI. Complementary information

VI.3) Additional information

The successful contractor's performance on the contract will be regularly monitored. Contractors not delivering on contract requirements is a serious matter. It means the public purse is not getting what it is paying for. If a contractor fails to reach satisfactory levels of contract performance they will be given a specified time to improve. If, after the specified time, they still fail to reach satisfactory levels of contract performance, the matter will be escalated to senior management in construction and procurement delivery (CPD) for further action. If this occurs and their performance still does not improve to satisfactory levels within the specified period, this may be considered grounds for termination of the contract at your expense as provided for in the Conditions of Contract. In lieu of termination, CPD may issue a Notice of Written Warning or a Notice of Unsatisfactory Performance. A supplier in receipt of multiple Notices of Written Warning or a Notice of Unsatisfactory Performance may, in accordance with The Public Contracts Regulations 2015 (as amended), be excluded from future public procurement competitions for a period of up to three years..

VI.4) Procedures for review

VI.4.1) Review body

The UK does not have any such bodies with responsibility for appeal/mediation procedures. Instead; any challenges are dealt with by the High Court, Commercial Division, to which proceedings may be issued regarding alleged breaches of the PCR 2015 as amended.

Belfast

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

CPD complied with the Public Contracts Regulations 2015 (as amended) and incorporated a standstill period (i.e. a minimum of 10 calendar days) at the point information on the award of contract was communicated to tenderers. That notification provided full information on the award decision. This provided time for the unsuccessful tenderers to challenge the award decision before the contract was entered into.