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Award

## **Cloud Migration and SaaS**

Bedford Borough Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-022512

Procurement identifier (OCID): ocids-h6vhtk-0482e6

Published 19 July 2024, 2:16pm

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

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

Bedford Borough Council

Borough Hall, Cauldwell Street

BEDFORD

MK429AP

#### **Contact**

Leon Clancy

#### **Email**

[leon.clancy@bedford.gov.uk](mailto:leon.clancy@bedford.gov.uk)

#### **Telephone**

+44 1234276626

#### **Country**

United Kingdom

**Region code**

UKH24 - Bedford

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.bedford.gov.uk/>

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

Regional or local 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**

Cloud Migration and SaaS

**II.1.2) Main CPV code**

- 72212710 - Backup or recovery software development services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

The Council currently have an on-premise support for ERP 7 update 10, however this will no longer be supported and will need to be migrated onto the cloud.

The proposal includes software subscription implementation costs for migration and upgrade.

#### **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: £709,880

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 48000000 - Software package and information systems

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

NUTS codes

- UKH24 - Bedford

Main site or place of performance

Borough Hall

Cauldwell Street

Bedford

MK42 9AP

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

Enterprise Resource Planning

500Named User(unless stated otherwise)

ERP Core Accounting Package

ERP Procurement Package

ERP Project Base and Plus Package

ERP Travel and Expenses Package

ERP Local Products Finance and Procurement

ERP Local Products BIF, ADL and Data load

3 standard environments (1 x Prod and 2 x Non-Prod)

10 Desktop users Total (10 x Std)

Unlimited SQL Database size

Full Technical Managed Service with proactive monitoring

Document Storage of 250GB standard

Unit4 Success4U Essentials Support

SaaS options

Unit4 Scanmarket

Unit4 FP&A1 x Integrated Finance

4 x Modelling Users

200 Planning Users

Standard Implementation 45 days

## **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

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

The Council considers that the award of the contract is permitted under Regulation 32(2)(c) of the PCR 2015. Regulation 32 of the PCR 2015 allows contracting authorities to award a public contract by a negotiated procedure without prior publication. Regulation 32(2)(c) permits the award of a public contract for reasons of extreme urgency brought about by events unforeseeable by the contracting authority; the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. The Council considers that its reliance on Regulation 32(2)(c) is justified for the following reasons: The Council has a perpetual licence for the Unit4 Agresso Enterprise Resource and Planning Solution and receives annual maintenance and support from Unit4 Business Software Limited (Unit4). The data is stored on the Council's infrastructure, which is an on-premises model. On 17 October 2023 Unit4 announced that it would no longer provide maintenance and support services for perpetual licences or any on premises solutions post 31 December 2024, meaning that the Council would have to migrate the existing solution to Unit4's own cloud services and adopt a subscription-based licence model. The ERP solution is an essential and integral part of the Council's financial systems. Unit4's announcement that it would cease to provide maintenance and support services or any on premises solutions post 31 December 2024 was not foreseeable by the Council and has given rise to a situation of extreme urgency in which the Council must ensure that its ERP systems do not become unsupported post 31 December 2024. It is the Council's position that the time period provided by Unit4 before the ERP system becomes unsupported is insufficient to permit the Council to undertake the intricate process of compiling detailed business requirements for a new solution, perform an exhaustive market analysis, execute a comprehensive open procurement exercise, and deploy a new ERP system prior to 31 December 2024. The decision to award a contract pursuant to Unit4 pursuant to Regulation 32(2)(c) is therefore considered to be strictly necessary in a situation of extreme urgency, to ensure business continuity for the Council. This approach will also provide the Council with the necessary time to evaluate all potential options and ensure that any future procurement decisions align with the Council's best interests and value for money obligations.

#### **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**

### **Contract No**

C BBC CS 05808

### **Title**

Cloud Migration and SaaS

A contract/lot is awarded: Yes

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

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

1 July 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**

Unit4 Business Software Ltd

Bristol

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

01737985

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £709,880

Total value of the contract/lot/concession: £709,880

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## **Section VI. Complementary information**

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

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

High Court

Royal Courts of Justice

London

Country

United Kingdom