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Tender

## **376E\_24 Digital Library Content and Print Books**

ESPO

F02: Contract notice

Notice identifier: 2024/S 000-022823

Procurement identifier (OCID): ocds-h6vhtk-042bd8

Published 23 July 2024, 12:50pm

### **Section I: Contracting authority**

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

ESPO

Barnsdale Way, Grove Park, Enderby

LEICESTER

LE19 1ES

#### **Contact**

Food, Communities and Technology Procurement Team

#### **Email**

[tenders@espo.org](mailto:tenders@espo.org)

#### **Country**

United Kingdom

#### **Region code**

UKF22 - Leicestershire CC and Rutland

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.espo.org/>

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.eastmidstenders.org/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.eastmidstenders.org/>

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

Regional or local authority

**I.5) Main activity**

Other activity

Local Authority Services

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

376E\_24 Digital Library Content and Print Books

Reference number

376E\_24

#### II.1.2) Main CPV code

- 79980000 - Subscription services

#### II.1.3) Type of contract

Services

#### II.1.4) Short description

ESPO is seeking to renew its eBooks, eAudiobooks and Print Books framework, with the addition of an ePress Sub-Lot. It is anticipated that the new framework will be awarded during Autumn 2024.

To tender:

(a) Go to <https://www.eastmidstenders.org/>; (b) Register (if not already registered on ProContract); (c) Search for tender opportunity '376E\_24' (via "View Opportunities" from the 'EastMidsTenders' Portal); (d) Express an interest (if not already completed via the previously Published PIN); (e) Download the tender documents (from the ProContract Activity summary screen, once an Expression of interest has been completed).

#### II.1.5) Estimated total value

Value excluding VAT: £24,000,000

#### II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

### II.2) Description

### **II.2.1) Title**

Lot 1.1 - eBook Solutions

Lot No

1.1

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

- 48160000 - Library software package
- 79980000 - Subscription services
- 92511000 - Library services

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

NUTS codes

- UK - United Kingdom

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

This lot is for digital lending platforms to provide eBook accessibility to education and public library service users. Solutions will offer a range of eBook titles via a portal, where service users will be able to reserve and check-out content virtually on a range of devices including smart phones, e-readers, tablets and desktop computers. This lot is expected to be used by schools and public libraries.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £3,600,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 1.2 - eAudiobook Solutions

Lot No

1.2

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

- 48160000 - Library software package
- 79980000 - Subscription services
- 92511000 - Library services

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

NUTS codes

- UK - United Kingdom

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

This lot is for digital lending platforms to provide eAudiobook accessibility to education

and public library service users. Solutions will offer a range of eAudiobook titles via a portal, where service users will be able to reserve and check-out content virtually on a range of devices including smart phones, e-readers, tablets and desktop computers. This lot is expected to be used by schools and public libraries.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £2,400,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

## Lot 1.3 - ePress and Associated Solutions

Lot No

1.3

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

- 48160000 - Library software package
- 79980000 - Subscription services
- 92511000 - Library services

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

NUTS codes

- UK - United Kingdom

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

This lot is for digital lending platforms to provide ePress accessibility to education and public library service users. Solutions will offer a range of ePress titles via a portal, where service users will be able to access content virtually on a range of devices including smart phones, e-readers, tablets and desktop computers. This lot is expected to be used by schools and public libraries.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £1,200,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 1.4 - Combined eBook and eAudiobook Solutions

Lot No

1.4

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

- 48160000 - Library software package
- 79980000 - Subscription services
- 92511000 - Library services

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

NUTS codes

- UK - United Kingdom

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

This lot will be used by customers who require a comprehensive system that combines the functionalities offered by both lots 1.1 and 1.2.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £7,200,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 1.5 - Combined eBook, eAudiobook and ePress Solutions

Lot No

1.5

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

- 48160000 - Library software package
- 79980000 - Subscription services
- 92511000 - Library services

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

NUTS codes

- UK - United Kingdom

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

This lot will be used by customers who require a comprehensive system that combines the functionalities offered by both lots 1.1, 1.2 and 1.3.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £7,200,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 2.1 - Fiction and Curriculum Books

Lot No

2.1

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

- 22110000 - Printed books

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

NUTS codes

- UK - United Kingdom

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

This lot will cover both children's and adult fiction titles, textbooks, revision guides and reading scheme sets used in schools and colleges by students. This lot will largely be used by education customers.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £1,680,000

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 2.2 - Reference Materials, Handbooks and Manuals

Lot No

2.2

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

- 22112000 - Textbooks
- 22114000 - Dictionaries, maps, music books and other books
- 22200000 - Newspapers, journals, periodicals and magazines

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

NUTS codes

- UK - United Kingdom

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

This lot will cover the requirements of education customers for materials such as dictionaries, and encyclopaedias as well as non-education customers such as local authority departments and central governments bodies for reference books related to their area of work (e.g. social care).

#### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **II.2.6) Estimated value**

Value excluding VAT: £720,000

#### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 November 2024

End date

31 October 2026

This contract is subject to renewal

No

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.2) Economic and financial standing**

Selection criteria as stated in the procurement documents

#### **III.1.3) Technical and professional ability**

Selection criteria as stated in the procurement documents

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

As part of the on-going contract management process, during the period of the Framework Agreement, ESPO shall monitor the financial stability of the awarded Suppliers during the period of the Framework Agreement by reference to credit rating agency reports. ESPO shall obtain a credit score for the Supplier on or before the Framework start date as a base score and where a significant change in the credit score is identified over the life of the Framework Agreement, ESPO reserves the right to investigate the reasons for this significant change. Depending on the severity of the changes, it will be at the sole discretion of ESPO to suspend or even permanently remove the Supplier from the Framework Agreement.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

#### **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: [2024/S 000-000719](#)

### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

28 August 2024

Local time

12:00pm

### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 3 (from the date stated for receipt of tender)

### **IV.2.7) Conditions for opening of tenders**

Date

28 August 2024

Local time

12:01pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.3) Additional information**

As a Central Purchasing Body as defined in the Public Contracts Regulations 2015, the Framework Agreement is open for use by Public Bodies (defined at <https://www.espo.org/amfile/file/download/file/9608/>) that also fall into one of the following classifications of user throughout all administrative regions of the UK: Local Authorities; Educational Establishments (including Academies); Central Government Departments and Agencies; Police, Fire & Rescue and Coastguard Emergency Services; NHS and HSC Bodies, including Ambulance Services; Registered Charities; Registered Social Landlords; The Corporate Office of the House of Lords, The Corporate Officer of the House of Commons; or any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament. Details of the classification of end user establishments and geographical areas are available at: <https://www.espo.org/legal>.

ESPO has established a commercial trading company, ESPO Trading Limited, whose target clients are third sector organisations such as national and local charities, public sector mutual organisations and other organisations involved in the delivery of services to or for the public sector. The successful Supplier may be asked to enter into an additional separate framework agreement (the Second Framework) with ESPO Trading Limited on materially similar terms to that found in the tender pack to be entered into by ESPO itself.

Any Second Framework agreement will be a purely commercial agreement and will, for the avoidance of doubt, not be governed by the Public Contract Regulations 2015 or other public procurement legislation. ESPO Trading Limited may enter into the second framework agreement with the successful supplier and make it available to third sector clients who themselves are not required to follow the Public Contracts Regulations 2015 or other public procurement legislation. Accordingly, this is provided for bidders information only.

An eAuction process may be used to award subsequent call off contracts following the reopening of competition among the parties to the Framework Agreement.

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

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

The Royal Court of Justice

The Strand

LONDON

WC2A 2LL

Country

United Kingdom

Internet address

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

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

ESPO will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers. Applicants who are unsuccessful shall be informed by ESPO as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2015 (SI 2105 No. 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order for any document to be amended and may award damages, make a declaration of ineffectiveness, order for a fine to be paid, and/or order the duration of the contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.