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Award

LASS Contract

London Grid for Learning

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-022840

Procurement identifier (OCID): ocds-h6vhtk-03ed60

Published 5 August 2023, 4:49pm

Section I: Contracting authority/entity

I.1) Name and addresses

London Grid for Learning

9th Floor 10 Exchange Square, Primrose Street

London

EC2A 2BR

Contact

Mr Terry Brewer

Email

Terry.Brewer@lgfl.net

Telephone

+44 2084084455

Country

United Kingdom

Region code

UKI - London

Internet address(es)

Main address

www.lgfl.net

Buyer's address

www.lgfl.net

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

LASS Contract

Reference number

DN677368

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

This VEAT notice relates to the proposed award of a new contract of 60 months duration to the incumbent provider for the period 01/08/2023 to 31/07/2028 with the option of a 36-month extension for the period 01/08/28 to 31/07/31.

London Grid for Learning Trust (LGfL) proposes to award a contract to Atomwide Limited for the provision of its Universal Sign On (USO) platform and Related Services.

The services provided by Atomwide are complex, deeply integrated and dependent on the use of proprietary software that was developed over an extended period. The software is not a commodity product due to its unique nature and its limited market; Atomwide is the only supplier capable of supporting and maintaining it. Consequently, economic operators could not submit competitive tenders for the provision of alternative services without a licence from Atomwide for its proprietary materials resulting in an absence of genuine competition. Following extensive consideration of alternative options, LGfL determined that use of the negotiated procedure without prior notice under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 was essential for the continued successful operation of LGfL.

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: £21,800,000

II.2) Description

II.2.2) Additional CPV code(s)

- 48000000 - Software package and information systems
- 64215000 - IP telephone services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

LGfL was established in 2001 as a Regional Broadband Authority by the 32 London local authorities and the City of London Council. It was established as a not-for-profit company

and a registered charity, and is a body governed by public law. Its purpose is to provide broadband connectivity and Information and Communications Technology and related services to schools in London, LGfL's 'customers'. It currently provides essential services to over 3,000 schools providing education to around 1.2 million students each year.

Atomwide developed a proprietary product for the provision of a Universal Sign On (USO) solution and related support services that is inextricably linked to the provision of broadband connectivity and related support and ICT services for the benefit of LGfL's customers.

The proprietary nature of the USO solution and the nature of its deep and wide integration with the other services provided by LGfL to its customers means that an alternative supplier could not deliver replacement services without a licence from Atomwide. LGfL determined that proper competition would also be absent due to the complexity and interconnected nature of the solution and concluded that use of the negotiated procedure without prior notice under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 was justified.

LGfL conducted thorough due diligence of its options and satisfied itself that USO is a unique product delivering proprietary and interconnected services for which there is no comparable alternative in the Education market.

LGfL is developing a clear technology and design principles for future solutions which will require the replacement of proprietary solutions with those based on open standards and interoperability. This is a necessary strategic step to replace USO as a central system and to reduce dependency on USO during the term of the new contract.

LGfL has negotiated the terms of a new contract with Atomwide but will voluntarily delay award of the contract for 30 days following the publication of this contract award notice.

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

Negotiated without a prior call for competition

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

Explanation:

1. LGfL was established in 2001 as a Regional Broadband Authority by the 32 London local authorities and the City of London Council. It was established as a not-for-profit company and a registered charity, and is a body governed by public law. Its purpose is to provide broadband connectivity and Information and Communications Technology and related services to schools in London, LGfL's 'customers'. It currently provides essential services to over 3,000 schools providing education to around 1.2 million students each year.
2. Atomwide developed a proprietary product for the provision of a Universal Sign On (USO) solution and related support services that is inextricably linked to the provision of broadband connectivity and related support and ICT services for the benefit of LGfL's customers.
3. The proprietary nature of the USO solution and the nature of its deep and wide integration with the other services provided by LGfL to its customers means that an alternative supplier could not deliver replacement services without a licence from Atomwide. LGfL determined that proper competition would also be absent due to the complexity and interconnected nature of the solution and concluded that use of the negotiated procedure without prior notice under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 was justified.
4. LGfL conducted thorough due diligence of its options and satisfied itself that USO is a unique product delivering proprietary and interconnected services for which there is no comparable alternative in the Education market.
5. LGfL is developing a clear technology and design principles for future solutions which will require the replacement of proprietary solutions with those based on open standards and interoperability. This is a necessary strategic step to replace USO as a central system and to reduce dependency on USO during the term of the new contract.

6. LGfL has negotiated the terms of a new contract with Atomwide but will voluntarily delay award of the contract for 30 days following the publication of this contract award notice.

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

Contract No

DN677368

Title

LASS Contract

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

2 August 2023

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

ATOMWIDE LIMITED

Wavenet One Central Boulevard, Shirley,

Solihull

B90 8BG

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

Internet address

<https://www.adept.co.uk/atomwide/>

The contractor/concessionaire is an SME

Yes

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

Initial estimated total value of the contract/lot/concession: £21,800,000

Total value of the contract/lot/concession: £21,800,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Royal Courts Of Justice

Strand, London WC2A 2LL

London

WC2A 2LL

Country

United Kingdom

Internet address

www.lgfl.net