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Contract

Digital Test Platform – Service Continuity, Transition and Exit Contract

NHS Digital

F03: Contract award notice

Notice identifier: 2021/S 000-026784

Procurement identifier (OCID): ocds-h6vhtk-02f00d

Published 26 October 2021, 2:34pm

Section I: Contracting authority

I.1) Name and addresses

NHS Digital

7 & 8 Wellington Place

Leeds

LS1 4AP

Contact

Rob Elliott

Email

NHSDcontractmanagement@nhs.net

Country

United Kingdom

NUTS code

UKE42 - Leeds

Internet address(es)

Main address

<https://www.digital.nhs.uk/>

Buyer's address

<https://www.digital.nhs.uk/>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Digital Test Platform – Service Continuity, Transition and Exit Contract

Reference number

C41888

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

Contract with Deloitte LLP for the provision of digital solution design, build and live service of a digital platform, ordering portals and mobile applications to support the Covid-19 National Test Service together with transition and exit activities. The services provided under this contract support the digital and data journey for COVID-19 testing, currently amounting to millions of tests each week, and have introduced new capabilities as the testing programme has evolved to support the pandemic response. This contract also includes the provision of services to disaggregate the solution provided by Deloitte, removing interdependencies and facilitating the formation of independent services capable of transition to replacement suppliers.

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: £56,500,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKE42 - Leeds

Main site or place of performance

The Services will be delivered remotely by the Supplier however the Supplier will comply with reasonable requests to co-locate where practical to facilitate integration of the services.

II.2.4) Description of the procurement

Please see the description provided at section II.1.4. The estimated contract value is £56,500,00

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

The contract has an initial period expiring on 31 March 2022 and includes an option to extend the contract for periods of one month each, up to a maximum of 6 months in total by way of variation.

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:

NHS Digital is satisfied the tests permitting use of the negotiated procedure without prior publication (Regulation 32(2)(b(ii))) are met:

A. The works, supplies or services can be supplied only by a particular economic operator as competition is absent for technical reasons: The digital platform has been developed with a technical architecture to interoperate with the other suppliers of testing services, and a transition away from this platform whilst there is still a significant level of change to the nature of the services risks disrupting the continuity of services. Deloitte has begun to carry out work to disaggregate the services, which as each element completes allows NHS Digital to undertake phased re-procurement activity of separate elements of the service. This work will later expand into the provision of exit and transition activities to facilitate the orderly transition to the replacement supplier(s). On the basis that this disaggregation work needs to complete prior to re-procurement, competition is absent for technical reasons as there is no alternative operator who can provide the business as usual services without interruption, whilst also providing services to allow for disaggregation and to facilitate re-procurement.

B. No reasonable alternative or substitute exists: A change in contractor for the provision of the digital platform would cause significant duplication of costs as any replacement provider would have to dedicate substantial resource to establishing and understanding the detailed design and operation of the platform and how it interoperates with other service providers. Further, as well as incurring the costs involved in ensuring the transition of data from the current supplier to the new provider, transition to a new supplier could put the operation of the digital testing platform at risk of disruption or force change freezes which would cause significant inconvenience, not only to NHS Digital, but to the wider public on the end to end testing journey. This could have serious implications to public health and the containment of the spread of the virus.

C. The absence of competition is not the result of an artificial narrowing down of the parameters of the procurement: this procurement is part of a procurement strategy by NHS Digital to disaggregate the services, removing interdependencies and allowing for the formation of independent services capable of transition to replacement suppliers thus allowing the competition of services through ongoing openly advertised procurement processes.

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

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

26 October 2021

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

Deloitte LLP

2 New Street Square

London

EC4A 3HQ

Country

United Kingdom

NUTS code

- UKC11 - Hartlepool and Stockton-on-Tees

National registration number

OC303675

Internet address

<http://www2.deloitte.com>

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: £56,500,000

Total value of the contract/lot: £56,500,000

V.2.5) Information about subcontracting

The contract is likely to be subcontracted

Value or proportion likely to be subcontracted to third parties

Value excluding VAT: £11,200,000

Proportion: 20 %

Short description of the part of the contract to be subcontracted

Some services, including threat monitoring and site management services are provided by subcontractors to the Supplier. These subcontracts represent approximately 4% of the contract value. Due to the character limit in this section, please see VI.3 for further information.

Section VI. Complementary information**VI.3) Additional information**

In addition to the sub-contracts referenced in V.2.5, the supplier also passes on to NHS Digital the charges at cost for a number of third party services. These third party services have an estimated value of £1,500,000 and are included within the total contract value of £56,500,000. These third party services include toolsets for the management of the software development process, as well as AWS cloud infrastructure for both non-production and production environments, used to deploy and host the web portal and iOS applications. The material third party suppliers providing services at the contract award date are as follows (the threshold for materiality is based on third parties providing services with an aggregate spend under the contract above £10,000):- Atlassian- AWS- Google Cloud Reseller- Azure Devops- BrowserStack- ServiceNow- PagerDuty- Snyk- RapidSpike- Synopsys Coverity. Where it is commercially beneficial, NHS Digital may transition some of these third party services in house during the term of the contract. Part of the service disaggregation provided under this contract includes the migration of services onto HALO which is a DHSC/UK HSA instance of AWS, thus reducing and ultimately removing dependency on the Deloitte AWS instance. The other third party services are under review. Deloitte LLP also uses a number of other Deloitte Touche

Tohmatsu Limited entities within the provision of the services. The subcontracts with these other Deloitte entities represent approximately 13% of the total costs. The value likely to be subcontracted set on in V.2.5 has been calculated on the basis of the subcontracts set out in V.2.5, as well as the value of the third party services and the subcontracts with the Deloitte Touche Tohmatsu Limited entities. In relation to section II.2.5, this contract was awarded to the supplier to facilitate continuity of service and for the provision of services to disaggregate the solution, removing interdependencies and allowing for the formation of independent services capable of transition to replacement suppliers. Given the bespoke nature of the digital testing platform, this disaggregation work is complex and there are technical limitations which prevent other suppliers from being able to carry out the work in the required timeframe without risking the stability of the platform.

VI.4) Procedures for review

VI.4.1) Review body

NHS Digital

7 & 8 Wellington Place

Leeds

LS1 4AP

Country

United Kingdom

Internet address

<https://www.digital.nhs.uk/>