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Award

## **ACM Digital Library Journals Agreement 2022**

Jisc

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-027226

Procurement identifier (OCID): ocds-h6vhtk-02f1c8

Published 29 October 2021, 4:10pm

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

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

Jisc

4 Portwall Lane

Bristol

BS1 6NB

#### **Contact**

Clare Nurton

#### **Email**

[clare.nurton@jisc.ac.uk](mailto:clare.nurton@jisc.ac.uk)

#### **Telephone**

+44 3003002212

#### **Country**

United Kingdom

**NUTS code**

UK - United Kingdom

**National registration number**

56579

**Internet address(es)**

Main address

<https://www.jisc.ac.uk>

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

Other type

National Research and Education Network Provider

**I.5) Main activity**

Education

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

ACM Digital Library Journals Agreement 2022

Reference number

Proc1719

#### **II.1.2) Main CPV code**

- 80000000 - Education and training services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Jisc is seeking to enter into a contract Association for Computing Machinery, Inc. to offer Jisc

members the opportunity to access ACM Digital Library Journal. The ACM Digital Library is a comprehensive collection of full-text articles and bibliographic records covering the fields of computing and information technology. The service is being contracted on behalf of our members, not for Jisc Collections' own use. The contract will be for 1 year from 1st Jan 2022.

#### **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: 376,485.75 USD

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

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

NUTS codes

- UK - United Kingdom

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

Jisc is seeking to enter into a contract Association for Computing Machinery, Inc. to offer Jisc

members the opportunity to access ACM Digital Library Journal. The ACM Digital Library is a comprehensive collection of full-text articles and bibliographic records covering the fields of computing and information technology. The service is being contracted on behalf of our members, not for Jisc Collections' own use. The contract will be for 1 year from 1st Jan 2022.

#### **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

#### **II.2.14) Additional information**

The contract value is an estimate based on the aggregate sum of the licence fees that will be paid to the supplier by Jisc member institutions over the one year term of the contract. Jisc Collections itself makes no payment to the supplier for this service.

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## **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:
  - protection of exclusive rights, including intellectual property rights

Explanation:

The supplier is the rightsholder to the IP of the content and the sole supplier of this unique resource. Therefore Jisc is clear that the arrangement falls within the protection of exclusive

rights, including intellectual property rights, contained within Regulation 32 (2) (b) (iii) of the

Public Contracts Regulations 2015, permitting Jisc to enter into the direct award.

#### **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**

A contract/lot is awarded: Yes

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

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

21 October 2021

#### **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**

Association for Computing Machinery, Inc.

2 Penn Plaza, Suite 701

New York

10121-0701

Country

United States

NUTS code

- US - United States

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: 376,485.75 USD

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## **Section VI. Complementary information**

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

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

Jisc Services Ltd

4 Portwall Lane

Bristol

BS1 6NB

Telephone

+44 3003002212

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Jisc Services Limited will incorporate a standstill period at the point information on the award

of the contract is communicated to suppliers. This notification provides information on the award decision. The standstill period, which will be for a minimum of 10 calendar days, provides time for suppliers to challenge the award decision before the contract is entered into. The Public Contracts Regulations 2015 article 91 provides for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).