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Contract

Provision of Library Subscriptions

Scottish Courts and Tribunals Service

F03: Contract award notice

Notice identifier: 2022/S 000-028146

Procurement identifier (OCID): ocds-h6vhtk-037399

Published 6 October 2022, 4:24pm

Section I: Contracting authority

I.1) Name and addresses

Scottish Courts and Tribunals Service

Saughton House, Broomhouse Drive

Edinburgh

EH11 3XD

Email

procurement@scotcourts.gov.uk

Telephone

+44 1314443300

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.scotcourtsribunals.gov.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00396

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

Other activity

Justice

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of Library Subscriptions

Reference number

SCTS-2021-146

II.1.2) Main CPV code

- 22113000 - Library books

II.1.3) Type of contract

Supplies

II.1.4) Short description

Subscriptions to loose-leafs and journals published by Thomson Reuters for all 39 Sheriff Courts Libraries.

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: £3,678,974.13

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

Thomson Reuters is a monopoly in the legal publications market and therefore, Thomson Reuters were negotiated with directly to establish a Contract for the provision of library subscriptions.

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

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:
 - protection of exclusive rights, including intellectual property rights

Explanation:

Thomson Reuters is the major suppliers of legal publications used by SCTS. They are publishers of the material we purchase, and having a de-facto monopoly, they are the only one that can provide the material. An attempt had been made by procurement to see if intermediaries were able to provide better agreements but being the material published by Thomson Reuters, they are the only one able to provide a better deal.

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

Contract No

SCTS-2021-146

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

6 September 2022

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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

V.2.3) Name and address of the contractor

Thomson Reuters

Johnson Bldg , 77 Hatton Garden,

London

EC1N 8JS

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £3,678,974.13

Section VI. Complementary information

VI.3) Additional information

(SC Ref:707915)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court

27 Chambers Street

Edinburgh

EH1 1 LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

General

Reference should be made to Part 3 "Remedies" (Regs 84 – 5) of the Public Contracts (Scotland) Regulations 2015 and independent legal advice should be sought urgently before any claim is commenced.

A claimed breach of the public procurement rules is actionable by any economic operator in legal proceedings brought in the Sheriff Court or the Court of Session in Scotland.

Prior Notice of Proceedings

Proceedings under this regulation may not be brought unless the economic operator has first informed the contracting authority of —

(a) the nature of the claimed breach or apprehended breach of the public procurement rules; and

(b) its intention to bring proceedings in respect of that claimed breach.

Time Limits for Bringing Proceeding

Proceedings must be brought within 30 days beginning with the date when the economic operator first knew or ought to have known that grounds for starting the proceedings had arisen unless the court considers that there is a good reason for extending the period within which proceedings may be brought, in which case the court may extend that period for up to a maximum of 3 months from that date