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Award

Voice, Video and Integration (VVI) services

Ministry of Justice

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-028986

Procurement identifier (OCID): ocds-h6vhtk-02f8a9

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Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Justice

102 Petty France

London

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Contact

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Country

United Kingdom

NUTS code

UKI - London

Internet address(es)

Main address

www.justice.gov.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

Voice, Video and Integration (VVI) services

II.1.2) Main CPV code

- 64200000 - Telecommunications services

II.1.3) Type of contract

Services

II.1.4) Short description

Contract for the supply of voice, video & integration (VVI) services

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: £105,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

Nationally, to include MoJ headquarters, HM Courts & tribunals centres, and a range of other locations

II.2.4) Description of the procurement

To provide the following main areas of service:

(i) the provision, management and maintenance of video and telephony services;

(ii) the management and maintenance of the integration of WAN services and LAN services;

(iii) the design and management of gateway services and IP addressing;

(iv) local server rooms / communications rooms; and

(v) the design and technical integration of video services, telephony services, WAN services and LAN services; and integration with other Services.

Services may be removed from scope as they are transitioned to replacement suppliers or insourced.

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:

The authority relies on Regulation 32(2)(b)(ii) (Use of negotiated procedure without prior publication) of the Public Contracts Regulations 2015 namely: the services can only be provided by a particular economic operator, the incumbent supplier (Vodafone Limited), who has been providing the services forming the subject matter of this contract under a contract with the authority for the last 7 years eleven months which is due to expire on 09.12.21, because competition is absent for technical reasons, and no reasonable alternative substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement for the following reasons.

(a) No other supplier has the necessary technical knowledge/experience to provide the services, because:

(i) video traffic between the authority and other government bodies traverses the public services network (PSN). The authority cannot migrate away from the PSN until these other bodies have also migrated to new solutions as it is a closed system. For another PSN provider to provide the PSN link, intercommunity firewall rules and 3rd party allowed lists would require updating. Previously it has taken a minimum of 12 months for all 3rd parties to update their allowed lists with these timescales being outside the authority's control. Migrating the PSN IP address ranges to another supplier's network would have to be done simultaneously because IP ranges can only be in one place, presenting significant and unacceptable risks to service continuity. As PSN is due to close by 2023 the authority would also incur significant wasted costs by changing supplier given the short remaining lifespan of PSN;

(ii) many of the hardware components that are core to the services are hosted in Vodafone's datacentres. A new supplier would have to i) design/implement a new environment, ii) re-route sub-contracted solutions through their own datacentres or a combination of these options, which would introduce a high level of risk to service delivery

and substantial duplication of costs given PSN is due to close and would not therefore be a reasonable alternative/substitute; and

(iii) Vodafone has knowledge of the environment and complexities of how it inter-operates with other parts of the authority's ICT environment, i.e. the WAN/LAN service, developed over the past 13 years. The integration gateway was designed with separate security domains to satisfy information assurance requirements at the time. This segregated environment means WAN traffic must be routed via the gateway to communicate, and only Vodafone can provide this gateway with the existing WAN/LAN service, until the WAN/LAN service is replaced.

(b) Even if it was theoretically possible that another supplier did have the necessary technical knowledge/experience, which the authority does not consider to be the case, it is estimated to take around 12 months to procure a replacement supplier and a further 18 to 24 months to complete a managed transition, whereas the services are required from 10.12.2021.

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

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

19 November 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

Vodafone Ltd

Vodafone House, The Connection

Newbury

RG142FN

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

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: £105,000,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Value or proportion likely to be subcontracted to third parties

Proportion: 60 %

Short description of the part of the contract to be subcontracted

The operation/management of hardware in the Authority data centers; support for voice and video services.

Section VI. Complementary information

VI.3) Additional information

The initial term of the contract is for twenty two (22) months, with an option to extend for a further period of twelve (12) months. The contract includes the ability for the authority to remove services from scope as and when required and therefore it is likely to have a reducing scope, although when and which services may be removed early has not yet been determined. It is currently envisaged that if the extension option is exercised this will be to cover the remaining Services that have not yet transitioned to a replacement supplier. The authority intends to commence competitive procurement processes for the services early on during the initial term. The first of a series of market engagement activities commenced on 7 October 2021.

The estimated total value for this contract is between £80m - £105m depending on whether the 12 month extension option is exercised and the order and timing of services being removed from scope. The project work is entirely optional and is not guaranteed, the extension may not be necessary, and services may be removed from scope over the term, so the actual cost of this contract may be lower than the estimated maximum contract value.

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, Strand

London

WC2A2LL

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

High Court

Royal Courts of Justice, Strand

London

WC2A2LL

Country

United Kingdom

VI.4.4) Service from which information about the review procedure may be obtained

High Court

Royal Courts of Justice, Strand

London

WC2A2LL

Country

United Kingdom