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Award

## **Contract Award for Oracle Enterprise Solutions**

The Guinness Partnership Ltd

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-033825

Procurement identifier (OCID): ocds-h6vhtk-04af3e

Published 18 October 2024, 3:52pm

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

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

The Guinness Partnership Ltd

30 Brock Street, Regents Place

London

NW1 3FG

#### **Contact**

- Dennis Viljoen

#### **Email**

[dennis.viljoen@guinness.org.uk](mailto:dennis.viljoen@guinness.org.uk)

#### **Telephone**

+44 3031231890

#### **Country**

United Kingdom

**Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<http://www.guinnesspartnership.com/>

Buyer's address

<http://www.guinnesspartnership.com/>

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

Body governed by public law

**I.5) Main activity**

Housing and community amenities

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**Section II: Object**

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

**II.1.1) Title**

Contract Award for Oracle Enterprise Solutions

Reference number

DN748092

**II.1.2) Main CPV code**

- 48440000 - Financial analysis and accounting software package

**II.1.3) Type of contract**

Supplies

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

The Guinness Partnership Ltd. currently employs the software solutions provided by the Oracle Corporation as the business' core financial management, planning and budgeting systems. This includes a number of licences for software provided by Oracle, which can be grouped into two core products - Oracle Fusion ERP, and Oracle Fusion EPM.

Guinness' current contract for these services with Oracle ends shortly, and the business intends to renew these contracts for with Oracle for a 10 year (5+5) period, without further competition, on the basis of a specified exemption under the Public Contract Regulations 2015. See below for further details.

#### **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: £7,000,000

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

#### **II.2.2) Additional CPV code(s)**

- 48400000 - Business transaction and personal business software package

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

NUTS codes

- UK - United Kingdom

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

Financial management, planning and budgeting systems provided by Oracle Corporation UK Ltd. This includes a number of licences for software provided by Oracle, which can be grouped into two core products - Oracle Fusion ERP, and Oracle Fusion EPM.

#### **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

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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:

Guinness' intends to renew its contract for these services directly with Oracle, without further competition, on the basis of a specified exemption under the Public Contract Regulations (PCR) 2015.

Under Regulation 32 of the PCR, authorities are able to make use of the negotiated procedure without prior publication where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:- (i) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance, (ii) competition is absent for technical reasons, or (iii) the protection of exclusive rights, including intellectual property rights.

Guinness as the contracting authority is of the view that competition is absent for technical reasons (ii). The software configuration in place is deeply embedded into Guinness' IT architecture and is significantly bespoke to our business requirements, which makes changing systems highly complex and prohibitive.

Furthermore Guinness considers that exemption (iii) also applies, on the basis that Oracle alone has exclusive ownership of the intellectual property which forms our bespoke solution.

As per exemption (ii), the level of complexity of the current software implementation and licencing configuration embedded within Guinness' IT architecture is such that it can only feasibly be provided and maintained by Oracle.

The Guinness Partnership therefore believes that the conditions for Regulation 32 of the PCR are met and therefore intends to enter directly into negotiations with Oracle. Guinness intends to formalise the extension of contract with Oracle once the 10-day standstill period for this VEAT notice has come to an end on 28/10/24.

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

The procurement is covered by the Government Procurement Agreement: No

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### **Section V. Award of contract/concession**

#### **Title**

Proposed Contract Award for Oracle Enterprise Solutions

A contract/lot is awarded: Yes

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

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

18 October 2024

##### **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**

Oracle Corporation UK Limited

Oracle Parkway, Thames Valley Park

Reading, Berkshire

RG6 1RA

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

1782505

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: £7,000,000

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**Section VI. Complementary information**

**VI.4) Procedures for review**

**VI.4.1) Review body**

The Guinness Partnership Ltd.

350 Euston Road, Regent's Place

London

NW1 3AX

Country

United Kingdom