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Award

Enfield (LGPS) Pension Administration Software and Support

London Borough of Enfield

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-036052

Procurement identifier (OCID): ocds-h6vhtk-04b498

Published 7 November 2024, 11:56am

Section I: Contracting authority/entity

I.1) Name and addresses

London Borough of Enfield

Civic Centre

Enfield

EN1 3ES

Contact

Procurement Services

Email

Procurement.Support@enfield.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

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

Buyer's address

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

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Enfield (LGPS) Pension Administration Software and Support

Reference number

DN724064

II.1.2) Main CPV code

- 48000000 - Software package and information systems

II.1.3) Type of contract

Supplies

II.1.4) Short description

The London Borough of Enfield, acting as the Administering Authority for the Enfield Pension Fund, intends to award a 5 year contract for the provision of Pension

Administration Software and support, from 01/04/2025 to 31/03/2030.

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: £1,805,895

II.2) Description

II.2.2) Additional CPV code(s)

- 75320000 - Government employee pension schemes

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

5 year contract for the provision of Pension Administration Software and support, from 01/04/2025 to 31/03/2030. Award in accordance with Regulation 32(2)(B)(ii), the negotiated procedure without prior publication where competition is absent for technical reasons.

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:

Regulation 32(2)(B)(ii) states:

(2) The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:—

(b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:—

(ii) competition is absent for technical reasons

The reasons for this are as follows:

1. In 2015, the Court of Appeal ruled that the Government's public sector pension changes unlawfully treated existing public sectors differently in relation to age discrimination. This is referred to as the McCloud Judgement. Public sector pension schemes are required to assess member benefits and make changes to member service, which will include paying compensation during the 'remedy period' which is April 2014 to March 2022.

The huge impact and timing of McCloud on LGPS funds means that it is not possible to scope the technical requirements or implement a transition to a new software supplier to coincide with the current contract cycle.

2. The unreasonable cost (due to scarcity) of resource to dedicate to a transition to a new supplier, due to difficulty recruiting staff within the public sector pensions administration sector.

3. LGPS changes to the re-evaluation dates of pensions have altered the technical

parameters of the system. It would be a significant risk to move away from the incumbent system while this work is taking place.

4. The National Pension Dashboard, which is being developed by the Government will allow individuals to see all their pension benefits and pension savings in one place. Enfield Pension Fund must on board by October 2025. It would be a significant risk to move away from the incumbent system before this date as the transfer may jeopardise the ability to meet the onboarding deadline.

5. The above changes in pensions regulations and associated law, which are outside the control of the Enfield Administering Authority means that the timescales required for procurement and transition to a new supplier (between 12 -18 months) are such that it is not technically possible for any other provider to fulfil the Council's service requirements at the time required.

6. As per the LGPS Regulations, the Enfield Pension Fund must be revaluated every 3 years. The next Fund valuation is based on scheme date at 31st March 2025. The Enfield Administering Authority will need to ensure data is accurate and available at this date to provide required information to the Funds actuaries. There would be a significant risk to move away from the incumbent system on 1st April 2025.

The intention will be to run a competitive procurement process at around the end of year 3 of the proposed new contract.

A 10 day standstill period will now commence which will expire midnight 18/11/2024.

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/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

16 September 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

Heywood Limited

2nd Floor, 3 Barrington Road

Altrincham

WA14 1GY

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £1,805,895

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

The Strand

London

WC2A 2LL

Country

United Kingdom