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Award

## Spectrum Licensing System

Ofcom

UK5: Transparency notice - Procurement Act 2023 - [view information about notice types](#)

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Procurement identifier (OCID): ocds-h6vhtk-0556d6

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## Scope

## Reference

C20242169

## Description

As part of our statutory duties Ofcom is required under the Wireless Telegraphy (WT) Act to authorise the use of spectrum by radio equipment. Unless such use of a spectrum band is explicitly exempt by regulation, use is authorised through the issuance of an appropriate spectrum license and collection of the required fees. This contract consolidates into a single contract a range of maintenance, support and development agreements for services related to Spectrum and Broadcast licensing.

## **Contract 1. Spectrum Licensing System**

### **Supplier**

- [LS Telcom AG](#)

### **Contract value**

- £24 including VAT

Above the relevant threshold

### **Earliest date the contract will be signed**

1 August 2025

### **Contract dates (estimated)**

- 4 August 2025 to 3 August 2030
- Possible extension to 3 August 2035
- 10 years

Description of possible extension:

The extension will be exercised on the condition that the service is still required and the supplier is meeting the KPIs set out in the contract. There is one five year extension available in the contract.

## **Main procurement category**

Goods

## **CPV classifications**

- 48100000 - Industry specific software package
- 72212100 - Industry specific software development services

## **Contract locations**

- UK - United Kingdom

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## **Other information**

### **Conflicts assessment prepared/revised**

Yes

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## Procedure

### Procedure type

Direct award

### Direct award justification

- Single supplier - intellectual property or exclusive rights
- Single supplier - technical reasons

Ofcom intend to enter into a five-year agreement with LS Telcom AG with the option to extend the term by a further one five-year period. The agreement is being entered into on a single source basis in accordance with paragraph 6 of Schedule 5 to the Procurement Act 2023 as competition is absent for technical reasons to deliver maintenance and operational development services for Ofcom's spectrum licensing system which is licensed by LS Telcom AG (the "System").

A direct award to LS Telcom AG is appropriate as they are the only firm that can realistically provide the services, and competition is absent for technical reasons as follows:

- A significant portion of the services, those related to maintenance, involve making change to software code that is owned by and proprietary to LS Telecom and therefore cannot reasonably be performed by other suppliers.
- Similar constraints apply to development services - no other supplier is licensed to use and develop the System. Therefore, if development services are not secured from LS Telecom an alternative spectrum management system would be required.
- The nature of the services required are highly specialised.
- With respect to development of new licence types and in particular those that are not tied to the existing LS Telcom implementation, Ofcom remains open to alternative development options. A number of simpler licences have been implemented in alternative licencing systems.

Moving to a new system would require a major new programme with sizable operational and financial risk. Such a programme would take many months to articulate and years to

implement which is not practicable as the System requires regular updating in response to regulatory changes. The cost and time taken to undertake a change in Ofcom's spectrum licensing system would not offer value for money and would far exceed the cost of continuing with the System, which is working effectively.

For these reasons and because the System is not capable of being licensed / sub-licensed to other suppliers, paragraph 5 of Schedule 5 of the Procurement Act 2023 (single supplier: exclusive rights) also applies.

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## Supplier

### LS Telcom AG

- Public Procurement Organisation Number: PXPP-6644-VPWW

Im Gewerbegebiet 31-33

Lichtenau

77839

Germany

Email: [info@LStelcom.com](mailto:info@LStelcom.com)

Website: <http://www.lstelcom.com>

Small or medium-sized enterprise (SME): No

Voluntary, community or social enterprise (VCSE): Yes

Contract 1. Spectrum Licensing System

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## Contracting authority

### Ofcom

- Public Procurement Organisation Number: PQQZ-1663-NWMN

Riverside House, 2a Southwark Bridge Road

London

SE1 9HA

United Kingdom

Email: [procurementnotice@ofcom.org.uk](mailto:procurementnotice@ofcom.org.uk)

Website: <http://www.ofcom.org.uk>

Region: UKI44 - Lewisham and Southwark

Organisation type: Public authority - sub-central government