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Award

Licence Subscription Ingres/OpenRoads

Health & Safety Executive

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-037612

Procurement identifier (OCID): ocids-h6vhtk-042906

Published 21 December 2023, 9:45am

Section I: Contracting authority/entity

I.1) Name and addresses

Health & Safety Executive

Redgrave Court, Merton Road

BOOTLE

L207HS

Contact

Lisa Porter

Email

tenders@hse.gov.uk

Country

United Kingdom

Region code

UKD73 - Sefton

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.hse.gov.uk

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Licence Subscription Ingres/OpenRoads

II.1.2) Main CPV code

- 72222300 - Information technology services

II.1.3) Type of contract

Services

II.1.4) Short description

Licence Subscription for data base application and website hosting

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: £1,650,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Licence Subscription for data base application and website hosting

II.2.11) Information about options

Options: 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 procurement falls outside the scope of application of the regulations

Explanation:

Regulation 32 exempt: 32(2)(b)(ii) whereby competition is absent for technical reasons.

HSE asserts its belief that Actian UK Ltd. is the only economic operator in the EU that is capable of supporting HSE in respect of delivering the services required. The contract is for licence subscriptions and database hosting. The licences permit the continued use and support of the products on application servers, (hosted) database servers and user licences for use of the products. Actian UK Ltd. owns the intellectual property and copyright; it sells licences and services direct to its customers and the licences and services are not available through resellers or any other third party. Licences are enabled by a unique key, provided by Actian UK Ltd. without which all products cease to work, functionality ceases and data becomes unavailable. All of Chemical Regulation Division's (a Division of the Health and Safety Executive) current business systems (circa 90) have been built using Actian's OpenRoad Applications and Ingres Databases. These systems were first built in 1995, transferred to HSE ownership from DEFRA in 2008 and have been in constant use since then, iterated upon and improved. Some of these systems are public facing and all 90 systems have to be replaced or decommissioned to allow this product suite to be removed from the HSE IT estate. As such, they are embedded inextricably in CRD's business operations. The CRD Biocides and Pesticides Transformation Programme (BPT) is targeting the removal of most of these services. HSE has procured the replacement Case Management and Database System in Microsoft Dynamics 365 and the BPT Programme has procured the Systems Integrator to design and build new services which will replace the existing services that are on Actian, ultimately conducting a data migration of data out of Actian and into Dynamics 365. Consequently, Actian will not be replaced with a "like for like" contract or solution, and will be decommissioned once new services are ready. It was fully anticipated that replacement would be a multi-year activity due to the scale of business process reengineering, design and service development. The BPT programme is behind schedule due to technical complications and, whilst delivering some replacement services in March 2024, it will not deliver all of its objectives for at least 24 months. HSE asserts its belief that it is not reasonable technically to expect that alternative services, to those either built on Actian's existing solutions or being developed by the BPT programme, could be procured to design and

develop systems before the current replacement programme is expected to deliver its outcomes. Continued use of Actian is therefore considered the only reasonable technical mechanism to maintain the services supporting HSE regulatory duties alongside delivering its replacement programme.

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

21 December 2023

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

Action UK LTD

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

14803170

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £1,650,000

Total value of the contract/lot/concession: £0.01

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Health And Safety Executive

Liverpool

Country

United Kingdom