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Contract

Contract Award for Oracle Enterprise Solutions

The Guinness Partnership Ltd

F03: Contract award notice

Notice identifier: 2024/S 000-038585

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

Published 29 November 2024, 12:00pm

Section I: Contracting authority

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

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

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. 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' initial contract for these services with Oracle ended in Oct 2024, and the business has renewed these contracts with Oracle on the basis of a specified exemption under the Public Contract Regulations 2015. Term is a 10 year (5+5) period, without further competition. 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)

- 48000000 - Software package and information systems

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.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 0

Price - Weighting: 100

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

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - protection of exclusive rights, including intellectual property rights

Explanation:

Guinness' has renewed 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 therefore met and has entered directly into contract via negotiation with Oracle.

Guinness has formalised the extension of contract with Oracle following the publication of a VEAT notice and the completion of a 10-day standstill period. Voluntary ex ante transparency notice Notice reference: 2024/S 000-033825; Published: 18 October 2024, 3:52pm.

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

The procurement is covered by the Government Procurement Agreement: No

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2024/S 000-033825](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

30 October 2024

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

Oracle Corporation UK Limited

Oracle Parkway, Thames Valley Park

Reading, Berkshire

RG6 1RA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Initial estimated total value of the contract/lot: £7,000,000

Total value of the contract/lot: £7,000,000

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