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Award

## **Housing Management System**

East Lothian Housing Association Ltd

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-041397

Procurement identifier (OCID): ocds-h6vhtk-04cc9d

Published 23 December 2024, 12:24pm

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

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

East Lothian Housing Association Ltd

18-20 Market Street

Haddington

EH41 3JL

#### **Contact**

Gary Alison

#### **Email**

[gary.alison@elha.com](mailto:gary.alison@elha.com)

#### **Telephone**

+44 1620825032

#### **Country**

United Kingdom

**NUTS code**

UKM73 - East Lothian and Midlothian

**Internet address(es)**

Main address

<http://www.elha.com>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA15603](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA15603)

**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**

Housing Management System

**II.1.2) Main CPV code**

- 72000000 - IT services: consulting, software development, Internet and support

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

East Lothian Housing Association is looking for software that can integrate with its

MyHome portal, that can allow this integration to be continually developed to ensure it continues on the latest version of this system and has technical support should it have any issues.

#### **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: £280,000

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

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

NUTS codes

- UKM73 - East Lothian and Midlothian

Main site or place of performance

East Lothian Housing Association Ltd, 18-20 Market Street, Haddington, EH41 3JL

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

East Lothian has bespoke API integrations with its other key IT systems as part of the MyHome offering to deliver key repairs and maintenance services to its tenants.

The current MyHome customer portal has been assessed to meet the needs of the business and the organisation does not wish to seek to procure an alternative solution. We are seeking to procure a supplier than can maintain and develop the integration with the MyHome from our Housing Management, Asset and Finance databases.

#### **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:

Competition is absent for technical reasons; and the protection of exclusive rights. ELHA use and rely upon a customer portal called the “MyHome customer portal” which is provided by a supplier called Housing Online. ELHA is procuring a contract for the provision of an HMS software system that must be interoperable, interactive and continue to be developed alongside the MyHome customer portal. ELHA’s external IT consultants have advised that Designer Software has an exclusivity arrangement with Housing Online that includes a clause that allows Designer Software to veto any work that Housing Online might want to do that supports or develops its interactivity with a competitor’s solution. Designer Software also has a significant shareholding in Housing Online and is capable of exercising considerable influence over its management decisions. As a consequence of this, only Designer Software’s HMS solution will continue to be developed to ensure it is interoperable and interactive with the MyHome customer portal, which ELHA must use and is reliant upon. ELHA’s IT external consultants have advised that that there is no reasonable alternative or substitute to contracting with Designer Software due to the exclusivity arrangements and, as there is no reasonable workaround, the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.

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

The procurement is covered by the Government Procurement Agreement: Yes

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## 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**

23 December 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**

Designer Software Ltd

11 Whittle Court, Davy Avenue

Milton Keynes

MK5 8FT

Telephone

+44 7359373168

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)**

Initial estimated total value of the contract/lot/concession: £280,000

Total value of the contract/lot/concession: £280,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

It should be noted that this VEAT notice is intended to inform the market of the intention to award a contract under Regulation 33 (1) (b) (ii) and/or (iii) and whilst the system requires an award date prior to the notice publication at section V.2.1 above, the contract shall not be entered into until a minimum of 10 days from the publication of this notice.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

[https://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=786488](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=786488).

(SC Ref:786488)

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Edinburgh Sheriff Court

Edinburgh

EH1 1LB

Telephone

+44 1312252525

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contract (Scotland) Regulations 2015 (SSI2015/446) (as amended) may bring proceedings to the Sheriff Court or the Court of Session.