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Award

NOMIS - Software, Live Service Support, Development and Maintenance

Ministry of Justice

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

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Scope

Reference

prj_11667

Description

The provision of the National Offender Information System (NOMIS) software and live service support, maintenance and development for HM Prison Service in England and Wales.

Contract 1. NOMIS - Software, Live Service Support, Development and Maintenance

Supplier

- N. Harris Computer Corporation

Contract value

- £21,341,062.46 excluding VAT
- £25,609,274.95 including VAT

Above the relevant threshold

Earliest date the contract will be signed

19 September 2025

Contract dates (estimated)

- 29 September 2025 to 28 September 2028
- Possible extension to 28 September 2029
- 4 years

Description of possible extension:

The Authority may extend the contract to the extension end date by providing at least 20 working days notice.

Main procurement category

Services

CPV classifications

- 48000000 - Software package and information systems
- 72267000 - Software maintenance and repair services
- 72000000 - IT services: consulting, software development, Internet and support

Contract locations

- UK - United Kingdom

Other information

Conflicts assessment prepared/revised

Yes

Procedure

Procedure type

Direct award

Direct award justification

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

The National Offender Management Information System ("NOMIS") is an operational database and is the core offender case management system used in prisons in England and Wales and therefore is a critical service. It is a digital system which holds details relating to the offenders which includes the type of offence(s), the type of custody and any other relevant personal information. In addition, there are many systems that have a dependency on NOMIS. For example:

- prison reporting - a separate system which combines NOMIS data with other sources - prisons run thousands of reports a month; and
- a separate analytical platform which combines NOMIS data with other systems to produce all MOJ official reports and statistics.

NOMIS contains sensitive information and needs to be supported and maintained to prevent malfunctions, perform data fixes, and implement changes.

The services to be provided by the supplier under the contract include licences for NOMIS, live service support and maintenance (third and fourth line) and ensuring NOMIS remains in vendor support with all components including database and middleware. The supplier has been licensing NOMIS since at least 2017. The services are required on a 3+1 year basis from and including 28 September 2025.

The contracting authority ("MOJ") is relying on the single supplier direct award justifications in paragraphs 5 and 6 of schedule 5 of the Procurement Act 2023:

- paragraph 5 (a) due to a particular supplier having intellectual property rights or other exclusive rights, only that supplier can supply the goods, services or works required, and (b) there are no reasonable alternatives to those goods, services or works and
- paragraph 6 (a) due to an absence of competition for technical reasons, only a particular supplier can supply the goods, services or works required, and (b) there are no reasonable alternatives to those goods, services or works

The explanations for why the justifications apply are as follows.

Intellectual property rights - paragraph 5.

This justification applies because due to the intellectual property provisions in the contract only the supplier has the intellectual property rights needed to be able to provide the services. NOMIS has been in use for several years and the intellectual property provisions

in the contract include the following:

- o all intellectual property rights existing in the NOMIS System at the start of the contract belong to the supplier and are the supplier's background intellectual property rights
- o all intellectual property rights created only by the supplier in relation to the NOMIS System during the term of the contract shall be deemed to be part of the NOMIS System and therefore owned by the supplier
- o MOJ does not have any express rights to transfer or licence the intellectual property rights in the NOMIS System to a replacement supplier

No reasonable alternatives

In the absence of the intellectual property rights that would be needed for an alternative supplier to be able to provide the services, the only reasonable potential alternative would be for another supplier to have to develop a replacement solution to MOJ's requirements, whether building from scratch or configuring a commercial off the shelf solution. They would then need time for testing and mobilisation of that solution. There is not sufficient time for any alternative supplier to design, build, test, and deploy an alternative solution by the date the services are required. This is evidenced by the number of years it is taking to replace NOMIS by transitioning to a new Digital Prison Services ("DPS"). The DPS platform is being deployed and is being used in all prisons with new services being rolled out incrementally over time to eventually end use of NOMIS for core prison functions. MOJ is 3-4 years into the build of DPS and the estimated full go live date of DPS is September 2028 with full replacement of NOMIS by 2029.

It is not reasonable to procure and fully implement an alternative interim offender management system to NOMIS and DPS by 28 September 2025 or at any point prior to September 2028 because it would not be feasible to do so for practical and financial reasons. It would need to be bespoke to allow it to work with HMPPS and be integrated into wider MOJ systems. It would take a significant amount of time to design, secure all necessary approvals and governance including obtaining funding and procure a new interim system and roll it out fully which would include integrating it to ensure compatibility with other systems. NOMIS took over 3 years to roll out to the full prison estate and the transition from NOMIS to DPS is estimated to take a total of 6 years of dual running to transition fully away from NOMIS.

Transitioning to an interim solution which is not NOMIS or DPS is not reasonable because it would mean having to train thousands of staff in prisons and other users of NOMIS to use a new interim system. Training on any new interim system would be essential because if staff did not know how to operate it correctly, the consequences could be catastrophic and would pose a very high risk to the safety of the public, MOJ staff and prisoners. Due to the current difficulties in prisons operations, a training programme of this

size would not be feasible or reasonable especially for an interim solution.

Therefore, there are no reasonable alternatives.

The second justification is absence of competition for technical reasons - paragraph 6

There is an absence of competition for technical reasons which are based on the same arguments as for the intellectual property rights justification under paragraph 5, which are stated above. NOMIS is bespoke and an alternative supplier would not be able to walk in and take over the services on the date from which they are required due to the intellectual property rights of the supplier. Instead, another supplier would have to build a replacement service and as stated in the justification under paragraph 5 above, this is not possible to do by the time the services are required.

No reasonable alternatives

The same justifications, stated above, for why there are no reasonable alternatives for paragraph 5 intellectual property rights, apply to the justification for paragraph 6. Therefore, there are no reasonable alternatives.

Supplier

N. Harris Computer Corporation

- Public Procurement Organisation Number: PXWT-7191-QGTZ

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Small or medium-sized enterprise (SME): No

Voluntary, community or social enterprise (VCSE): No

Contract 1. NOMIS - Software, Live Service Support, Development and Maintenance

Contracting authority

Ministry of Justice

- Public Procurement Organisation Number: PDNN-2773-HVYN

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Region: UKI32 - Westminster

Organisation type: Public authority - central government

