

**United Kingdom-London: IT services: consulting, software development, Internet and support
OJ S 114/2019 17/06/2019
Contract award notice
Services**

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: The Secretary of State for the Home Department

Postal address: 3rd Floor, Clive House, 70 Petty France

Town: London

NUTS code: UK United Kingdom

Postal code: SW1H 9EX

Country: United Kingdom

Contact person: ESMCP Commercial Team

E-mail: ESMCPSupplier@homeoffice.gov.uk

Internet address(es):

Main address: <https://www.gov.uk/government/organisations/home-office>

I.4. Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.5. Main activity

Public order and safety

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Emergency Services Network (ESN) Lot 2 User Services — Contract Award

Reference number: C9284

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

In December 2015, following advertisement of the contract in the OJEU (on 18.4.2014, reference [2014/S 077-133654](#)), the Home Office entered into a contract (the ESN Lot 2 contract) with Motorola Solutions UK Ltd (Motorola) for the development and roll-out of a Public Safety Communications Solution (PSCS) application which is to be installed on users mobile devices, as part of the Home Offices ESN project. The solution is to be used by emergency services staff. It is to replace the UK's current 'Airwave' PSCS, which uses old technology and is costly. The new solution will provide (amongst other things) 'push to talk' functionality and new data services over an existing mobile network (on a prioritised basis).

This notice is to confirm that the original contract has been varied (see Section II.2.4 below for a description of the variation).

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 297 000 000,00 GBP

II.2. Description

II.2.2. Additional CPV code(s)

32500000 Telecommunications equipment and supplies, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 45232332 Ancillary works for telecommunications, 48200000 Networking, Internet and intranet software package, 48444100 Billing system, 50312600 Maintenance and repair of information technology equipment, 50324100 System maintenance services, 50330000 Maintenance services of telecommunications equipment, 50334400 Communications system maintenance services, 64212000 Mobile-telephone services, 64225000 Air-to-ground telecommunications services, 71243000 Draft plans (systems and integration), 72246000 Systems consultancy services, 72253000 Helpdesk and support services, 72253100 Helpdesk services, 72253200 Systems support services, 72254000 Software testing, 72254100 Systems testing services, 72260000 Software-related services, 72261000 Software support services, 72262000 Software development services, 72263000 Software implementation services, 72267200 Repair of information technology software, 72268000 Software supply services, 72315000 Data network management and support services, 72318000 Data transmission services, 72322000 Data management services, 72400000 Internet services, 79342300 Customer services, 79512000 Call centre, 79980000 Subscription services, 79990000 Miscellaneous business-related services, 80511000 Staff training services, 92210000 Radio services, 92217000 General Mobile Radio Services/Family Radio Services (GMRS/FRS), 92312212 Services related to the preparation of training manuals, 98110000 Services furnished by business, professional and specialist organisations

II.2.3. Place of performance

NUTS code: UK United Kingdom

II.2.4. Description of the procurement

Under the existing contract, the main services provided by Motorola are: design of the application; interconnection with the mobile network services procured by the Home Office from a network provider under the 'ESN Lot 3' contract; user service/profile management; device management (provision of SIM cards, etc.); customer support and service management (capacity planning, availability planning, etc.). The existing contract with Motorola is to be varied as follows. The contract period is to be extended. Its original term is due to expire, insofar as extension options in the original contract are exercised, on 8.12.2023. Through variation the Authority has extended the term of the contract to December 2024 in order to fully rollout the solution to the users and to avoid the risk of impacting on the benefits of the service to the users. Motorola's solution will now include its off-the-shelf Kodiak product. The delivery approach and timetable have been amended to be incremental (rather than big-bang) and the payment profile has been aligned to this to incentivise delivery. Historic disputes and claims are between the Home Office and Motorola are settled. The total value of the contract is 401 000 000 GBP which is an increase from the previous 319 000 000 GBP which includes the original OJEU value of 294 000 000 GBP and 25 000 000 GBP of previously agreed changes.

The increase is made up as follows: 44 000 000 GBP for the additional 1 years extension of the contract, 12 000 000 GBP enhanced support to the Kodiak product; and 26 000 000 GBP for additional capability to enable delivery e.g. additional hardware for testing.

The need for these changes has arisen because the ESN project is delayed and therefore changes are required to the delivery timetable. Further the change from Wave 7 000 to the already working Kodiak product de-risks delivery and enables the programme to move to a standardised solution faster. The incremental approach enables user benefit to be achieved earlier than under a big bang rollout. The Home Office needs to secure delivery of an ESN solution as early as it reasonably can, both to avoid high ongoing costs of the Airwave service which ESN will replace; and to provide end users with more modern and advanced functionality. The Home Office considers this variation represents the best option for securing delivery as early as possible.

II.2.5. Award criteria

Quality criterion - Name: Service and technical / Weighting: 70

Cost criterion - Name: Overall cost effectiveness / Weighting: 30

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

II.2.14. Additional information

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 Official Journal of the European Union in the cases listed below

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

This is a modification of a contract via a new procurement procedure pursuant to paragraph 5 of Article 72 of Directive 2014/24/EU. The new procurement procedure is the negotiated procedure without prior publication, under Article 32, which is justified because the services being procured under the modified contract can be provided only by Motorola because competition is absent for technical reasons. The services required by the Home Office consist of the full rollout of the ESN solution as soon as reasonably possible (to transition away from and avoid the high costs of, Airwave and to improve end users' PSCS). The soonest that a full rollout could reasonably be achieved is by around December 2022. The Home Office is therefore procuring services which include the development and full rollout of an ESN solution by around December 2022 (along with a necessary contractual period thereafter, to facilitate transition to a new provider). Only Motorola can provide such services within that timeframe. This absence of competition is for technical reasons: Motorola has made substantial progress in the development of a technical solution, and any alternative provider would require time to

'catch up'; a change to a new provider would require the migration of technical infrastructure from Motorola to the new provider, causing further delay; the technical interface between Airwave and ESN is owned by Motorola (and Airwave-ESN interworking will be required to facilitate the transition from ESN to Airwave, and to avoid users having to carry both Airwave and ESN devices, and/or have unsatisfactory 'work-arounds' in their control rooms); and the Home Office may be unable to sub-license essential software to a new provider. There is no reasonable alternative to procuring these services from Motorola: the Home Office's assessment is that, were it to use a different provider for all of these services, full rollout would be delayed by approximately 5 years (including the time needed to procure a new provider). Such delay would (principally because of Airwave's high cost) cost the Home Office approximately 2 600 000 000 GBP (full termination). Alternatively, were the Home Office to continue to use Motorola's Kodiak solution but switch to a new provider for the Lot 2 'service wrap' around that solution, then it estimates that this would cause a delay of just over 2 years, at a cost of approximately 1 100 000 000 GBP (partial termination). These figures take account of the fact that switching to a new provider would be likely to mean that the Home Office has not only to pay the new provider for the services, but also covers likely additional legal costs and contractual disputes. The context for these points is that the PSCS is critical national infrastructure.

IV.1.3. Information about a framework agreement or a dynamic purchasing system

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

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2014/S 077-133654](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Contract No: C9284

Lot No: 2

Title:

Emergency Services Network (ESN) Lot 2 User Services Contract Award

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

02/05/2019

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

Official name: Motorola Solutions UK Ltd

National registration number: 00912182

Postal address: Nova South, Victoria Street

Town: London

NUTS code: UK United Kingdom

Postal code: SW1E 5LB

Country: United Kingdom

Internet address: www.motorolasolutions.com

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 297 000 000,00 GBP

Total value of the contract/lot: 297 000 000,00 GBP

V.2.5. Information about subcontracting

The contract is likely to be subcontracted Value or proportion likely to be subcontracted to third parties Proportion: 20 % Short description of the part of the contract to be subcontracted:

Parts of the contract are to be subcontracted:

The Services include various specialist technical activities such as billing systems and cyber digital resilience Services. Motorola have declared their intention to sub-let some of these elements to relevant specialists. It is anticipated that these subcontracted Services account for in the region of 20 % of the total contract value.

Section VI: Complementary information

VI.3. Additional information**VI.4. Procedures for review****VI.4.1. Review body**

Official name: N/A

Town: London

Country: United Kingdom

VI.5. Date of dispatch of this notice

12/06/2019