

# Supply Contract Office 365

- NHS Digital

F03: Contract award notice

## Section I: Contracting authority

### 1) Name and addresses

NHS Digital (as agent for the Department of Health and Social Care)

7 and 8 Wellington Place

LEEDS

LS1 4AP

Contact

Helen Crowther

Email

NHSDcommercial@nhs.net

Telephone

+44 3003035678

Country

United Kingdom

NUTS code

UKE42 - Leeds

Internet address(es)

Main address

<https://digital.nhs.uk/>

### I.4) Type of the contracting authority

Ministry or any other national or federal authority

### I.5) Main activity

General public services

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

Supply Contract Office 365

Reference number

PRJ3469

#### 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**

Reseller contract for a Microsoft Office365 Enterprise Subscription Agreement ("ESA") of Microsoft Office365 Licences ("O365 Licences") for use across the applicable health and social care bodies within the Department for Health and Social Care ("NHS Estate"). Only central licensing will be purchased through this agreement. Any other licensing required by the NHS Estate would be purchased through their own existing arrangements / LSPs.

#### **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: £59,568,000.00

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

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

NUTS codes

•UKE42 - Leeds

Main site or place of performance

The Services will be delivered remotely by the Supplier.

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

Please see the description provided at section II.1.4.

#### **II.2.5) Award criteria**

Quality criterion –

Name:

Quality – Service Delivery - Weighting: 20

Price - Weighting: 80

#### **II.2.11) Information about options**

Options: Yes

Description of options

The contract has an initial period expiring on 30 April 2023 and includes an option to extend the contract for periods of one year each, up to a maximum of two years in total.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Mini competition under a Framework

#### **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

Contract No

PRJ3469

A contract/lot is awarded: Yes

### V.2) Award of contract

V.2.1) Date of conclusion of the contract

31 March 2020

V.2.2) Information about tenders

Number of tenders received: 2

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

V.2.3) Name and address of the contractor

Insight Direct (UK) Limited

Sheffield Technical Building

Insight Campus

Terry Street

Sheffield

S9 2BU

Telephone

07801049620

Country

United Kingdom

NUTS code

•UKE32 - Sheffield

Internet address

<https://uk.insight.com>

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: £59,568,000.00

Total value of the contract/lot: £59,568,000.00

V.2.5) Information about subcontracting

The contract is likely to be subcontracted

Value or proportion likely to be subcontracted to third parties

Value excluding VAT: £59,568,000.00

Proportion: 100%

Short description of the part of the contract to be subcontracted

Short description of the part of the contract to be subcontracted:

Microsoft licensing will be provided on a pass-through basis by the Supplier.

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## Section VI. Complementary information

### VI.3) Additional information

#### Novation to the Department of Health and Social Care ('DHSC')

- In accordance with clauses 6 and 27.2 of the contract, the contract was novated to DHSC on 10 June 2020.

#### Additional licences added to the contract

- There have been a number of additional licences added during the term of the contract as detailed below. These additional licences were added to the contract in accordance with:
  - the Statement of Requirements issued by NHS Digital as part of the mini competition which stated at paragraph 6.2.2:  
  
*“Any additional 0365 Licences that are required by the Authority will be purchased and managed at the same unit price over the term of the [Insight Contract]”*
  - the terms prescribed by Microsoft - The contract at Section C clause 1.8 of the Order Form confirms that the terms prescribed by Microsoft apply (“**Microsoft Terms**”). The Microsoft Terms provide for a total license count to be reported in an Annual Order – this annual order accounts for both growth and any reduction in required licenses since all products and services are provided on a subscription basis.

Details of additional products and services:

Unless further detail is provided below, these additional licences were a result of growth and associated usage through the COVID-19 pandemic and evolution of service.

1. 13/11/2020 184,000 O365 licences added – licences added in respect of social care, care homes, community pharmacy.
2. 07/12/2020 Microsoft premier support agreement added.
3. 25/02/2020 50 licences added – to allow access to Development 2 and Model Office tenants.
4. 04/05/2021 368,810 O365 licences added.
5. 29/06/2021 300,000 O365 licences added.
6. 05/07/2021 3,600 licences added.
7. 17/12/2021 381 licences added.
8. 01/04/2022 90,550 licences added start of Year 3 (13 months, annual order 01/04/22 – 30/04/23)
9. Since 31 March 2022 , in addition to the above a further 94,350 licences were added to the contract.
10. A further annual order [is due to be placed] in January 2023.

**The contract was modified in accordance with the Public Contracts Regulations 2015 to incorporate additional licenses**

- The additional telephony related licenses listed below were required to support winter access to General Practitioners – the increased demand for calls in and out of general practice created a critical need to modernise telephony to ensure capacity, robustness, resilience and ultimately improved access to general practice. As such, the contract was modified to accommodate this requirement.
- The modification was not considered to be substantial and as such, fell within regulation 72(1)(e) of the Public Contracts Regulations 2015.<sup>1</sup>

Details of additional licences:

1. 30/11/2021 163,516 licences added
2. 30/11/2021 150,029 licenses added
3. 16/12/2021 60,000 licences added

As a result of these additional licences the total spend under the contract is £103,048,181.47 (excluding VAT).

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<sup>1</sup> Furthermore, the need for change was not considered as i) foreseeable or ii) altering the overall nature of the contract and the increase in price did not exceed 50% of the value of the original contract.

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

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

Health and Social Care Information Centre, known as NHS Digital  
Leeds

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Part 3 of the Regulations provides for aggrieved parties who have been harmed or are at risk of harm by a breach of the Regulations to take legal action. Any such action must be started in the High Court within the applicable limitation period set out in Part 3.