

 Brent	Officer Key Decision
	Report to the Assistant Chief Executive
Authority to Tender Contract for Printing of Election Material	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Khadija Koroma Electoral Services Project Manager 020 8937 2522 Email:Khadija.koroma@brent.gov.uk

1.0 Purpose of the Report

1.1 This report concerns the procurement of Electoral Services printing. This report requests approval to invite tenders in respect of election and canvass printing as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

That the Assistant Chief Executive:

2.1 Approves inviting tenders for printing requirements of Electoral Services on the basis of the pre-tender considerations set out in paragraph 3.5 of the report.

2.2 Approves Officers evaluating the tenders referred to in 2.1 (above) on the basis of the evaluation criteria set out in paragraph 3.5 of the report.

3.0 Detail

3.1 The council requires the provision of printing services required to maintain the electoral register and conduct elections/referenda. It has been determined that the most appropriate means of providing the printing services for Electoral Services is through the procurement of a contractor by way of a tender process.

3.2 Officers have reviewed a range of procurement options including the use of frameworks such as CCS RM6017 –Lot 7-Hybrid Mail, Digital and Transformational Communications and RM6170-Lot 2- Print Management Services but consider that a tender process is the most appropriate means of procuring a contractor

3.3 Presently the Council procures electoral printing services from time to time on a project needs basis, for example, prior to annual canvass or an election. As there have been a number of unplanned polls in recent years, Officers are now seeking to procure a contract to enable consistency of supply covering the Council's electoral printing services requirements for the next five years. This will ensure the Council receives the required services during the life of the contract under a consistent pricing scheme.

3.4 The Returning Officer and Electoral Registration Officer have a statutory responsibility for the administration of elections and referenda and the compilation of the electoral register. These services require the sourcing of specialist printing in the forms of poll cards, ballot papers, postal vote packs, annual canvass forms and other statutory documents, including:-

- All statutory printing associated with the administration of national and local Elections and referenda; and
- All statutory printing associated with the administration of the annual publication and maintenance of the electoral register.

The majority of these items are in a format prescribed by legislation and must meet statutory deadlines. The Council requires a print supplier to design and supply the statutory materials in accordance with the legislation relevant to each election and each stage of the registration of voters.

3.5 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Strategic Director.

Ref.	Requirement	Response	
(i)	The nature of the service	All printing required to maintain the electoral register and conduct elections/referenda.	
(ii)	The estimated value.	£800,000 over the life of the proposed contract term approx. £160k per annum but this is an estimate as only payable when elections are due.	
(iii)	The contract term.	5 years	
(iv)	The tender procedure to be adopted.	Open tender under the Public Contracts Regulations 2015.	
v)	The procurement timetable.	Indicative dates are:	
		Forward Plan Publish date	21 September 2021
		Mandatory 5 working days call in	21-28 September 2021
		Invitation to tender	29 September 2021
		Deadline for tender submissions	29 October 2021 3pm
		Panel evaluation completed	1-8 November 2021
		Report recommending Contract award circulated internally for comment	8-12 November- 2021
		Assistant Chief Executive approval	12-16 November 2021
		Approval date to Publish by Governance Team	16-17 November 2021
		Mandatory 5 working days call in	25 November 2021
		Minimum 10 calendar day standstill period	5 December 2021
		Contract Mobilisation	6-13 December 2021

Ref.	Requirement	Response	
		Contract start date	From 14 December 2021
(vi)	The evaluation criteria and process.	<p>1. A selection questionnaire will be used to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:</p>	
		Technical / Quality	Area weighting
		Service Delivery	25%
		Value Adding on Innovation	5%
		Resources	25%
		Business Continuity	10%
		Sustainability	5
		Total for Quality/Technical	70%
		Social Value	Area Weighting
		A future built for everyone, an economy fit for all	4%
		A Cleaner, More Considerate Brent	4%
		A Borough Where We Can All feel Safe, Secure, Happy and Healthy	2%
		Total for Social Value	10%
		Commercial – Cost	Area weighting
		Commercial (Price)	20%
		Total for Commercial	20%
		Total	100%
(vii)	Any business risks associated with entering the contract.	Failure to meet the requirements of the contract could cause reputational damage should statutory documentation not be despatched in accordance with statutory timescales. Furthermore, it could lead to legal actions against the Returning Officer/Electoral Registration Officer if electors were not be able to vote.	
(viii)	The Council's Best Value duties.	The Council has a duty under Best Value to secure cost-effective and efficient services that meet the	

Ref.	Requirement	Response
		needs of the Borough's customers. This will be achieved through inviting bids from the open market and awarding the contract based on Most Economic Advantageous Tender.
(ix)	Consideration of Public Services (Social Value) Act 2012	Social Value will be included and given a weighting of 10% of the overall evaluation criteria.
(x)	Any staffing implications, including TUPE and pensions.	None
(xi)	The relevant financial, legal and other considerations.	See sections 4.0, 5.0, 6.0 and 8.0 below.
(xii)	Sustainability	Sustainability considerations will be included in accordance with the Council's Sustainability Policy. This is included as a sustainability question in method statement questions.
(xiii)	Key Performance Indicators / Outcomes	Appropriate Key Performance Indicators / Outcomes will be included in the contract.
(xiv)	London Living Wage	The Contract will require the payment of the London Living Wage.
(xv)	Contract Management	A contract manager will be appointed and appropriate contract management provisions will be included in the contract.

3.6 The Assistant Chief Executive is asked to give her approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

4.1 The estimated value of this services contract is £800k.

4.2 It is anticipated that the cost of this contract will be shared between central government, the Greater London Authority and Brent Council depending on the nature of the election

5.0 Legal Implications

5.1 The estimated total value of the procurement, as detailed in paragraph 3.5 exceeds the current threshold for services and supplies set by the Public

Contract Regulations 2015 (the “PCR 2015”). The procurement is therefore governed by the PCR 2015 and the Council must comply with the requirements prescribed by the PCR 2015 in tendering the contract. An Open tender process in accordance with Regulation 27 of the PCR 2015 will be used.

- 5.2 For Medium Value Contracts, Chief Officers and Operational Directors are delegated the power to invite Tenders (CSO 88(a)). In procuring any contract, the relevant Chief Officer (or Operational Director as the case may be) is also required to consider the pre-tender considerations as detailed by Officers at paragraph 3.5 above (CSO 89).
- 5.3 Once the tendering process is undertaken, Officers will report back to the Assistant Chief Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.4 As this procurement is subject to the full application of the PCR 2015, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the PCR 2015 before the contract can be awarded. The requirements include notifying all tenderers in writing of the Council’s decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council’s award decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

6.0 Equality Implications

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment and victimisation
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 6.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected

characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.

6.3 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications

7.0 Consultation with Ward Members and Stakeholders

7.1 There is no direct legal obligation to consult in respect of the procurement of the election tender.

8.0 Human Resources/Property Implications (if appropriate)

8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.

8.2 There are no implications for Council property.

9.0 Public Services (Social Value) Act 2012

9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (“the Social Value Act”) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.

9.2 Providers will be asked how they plan to provide social value through this contract. They will need to demonstrate how they meet the following social values KPIs:

- A future built for everyone, an economy fit for all
- A Cleaner, More Considerate Brent
- A Borough Where We Can All feel Safe, Secure, Happy and Healthy

Report sign off:

Shazia Hussain
Assistant Chief Executive