

	Officer Key Decision
	Report to the Strategic Director of Customer and Digital Services
	Date of Decision:
Authority to Award a Contract for Compute and Storage	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	Two Appendix 1(exempt) Name of Tenderers Appendix 2 Tender Evaluation Scores
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Amin Jan Assistant Category Manager 07951 148778 amin.jan@brent.gov.uk

1.0

2.0 Purpose of the Report

- 1.1 This report concerns the procurement of Compute and Storage for the Shared Technology Services' boroughs of Brent, Lewisham and Southwark. This report requests authority to award a contract as required by Contract Standing Order 88. This report summarises the process undertaken in procuring this contract

and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

2.0 Recommendations

That the Strategic Director of Customer and Digital Services:

- 2.1 Approves the award of the contract for the provision of Compute and Storage for the Shared Technology Services' boroughs of Brent, Lewisham and Southwark to Computacenter (UK) Ltd for a term of five years in the sum of £1,465,000.00.

3.0 Detail

Background

- 3.1 Two key elements of the infrastructure services provided by STS are the processing and storage capabilities within the STS Datacentres which are located in the Brent Civic Centre and Croydon Council. STS currently uses Storage Area Network (SAN) technology which expires January 2023. The award of a contract to Computacenter (UK) Ltd enables STS to replace the storage and compute infrastructure.

Requirements

- 3.2 The requirements to be included in the contract are:

A modern Compute and Storage infrastructure that will meet the requirements of the three Shared Service Boroughs for a period of five years. The solution is to be simplified and secure, and will converge the entire datacentre stack, including compute, storage, storage networking, and virtualization into a single server.

Outline of Tender Process

- 3.3 Tenders for the contract were invited from the CCS Technology Products and Associated Services framework agreement (RM6068), Lot 1 Hardware and Software and Associated Services (the "Framework Agreement"). The tender process operated by Officers were in accordance with the requirements of the Framework Agreement.
- 3.4 The opportunity was published through the Crown Commercial Bravo Solution Portal on 21 December 2021.
- 3.5 In accordance with the requirements of the Framework Agreement, the Invitation to Tender stated that the selection of Suppliers to be awarded the

contract would be made on the basis of the most economically advantageous combination, and that in evaluating tenders, the Council would have regard to the following:

- Quality (40%)
- Price (60%)

Evaluation Process

- 3.6 The tender evaluation was carried out by officers from Shared Technology Services.
- 3.7 All tenders had to be submitted electronically no later than 12pm on 28 January 2022. Six tenders were submitted.
- 3.8 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Tenderer E was the highest scoring tenderer, and it is therefore recommended that the contract is awarded to Tenderer E, namely Computacenter (UK) Limited.
- 3.9 The contract will commence on 1 April 2022. As the proposed contract represents a call-off under a framework agreement, a mandatory standstill period is not required.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that the award of contracts for supplies, services or works below the value of £2m can be awarded by Chief Officers. The value of this contract is below this threshold, and therefore the Strategic Director of Customer and Digital Services has authority to award.
- 4.2 The total value of the contract is £1,465,000.00.
- 4.3 The Contract costs will be shared among the Shared Service councils as follows:

Brent	Lewisham	Southwark	Total
£775,864	£407,805	£281,280	£1,465,000

- 4.4 The cost of the Brent element of the contract will be met from the IT Capital budget agreed by Cabinet in June 2021.

5.0 Legal Implications

- 5.1 This report is seeking approval to award the contract to Computacenter, for the provision of Compute and Storage for the Shared Service boroughs for a period of five years. Officers confirmed that the value of the proposed contract is £1,465,000.
- 5.2 The estimated value of this contract is in excess of the Public Contracts Regulations 2015 ("PCR 2015") threshold for services or supplies contracts which currently is £213,477. The award of this contract is therefore governed by the PCR 2015. The award is subject to the Council's own Standing Orders in respect of Medium Value Contracts and Financial Regulations.
- 5.3 Officers have explained in paragraph 3.3, that in order to procure this contract they used Crown Commercial Service RM6068 Technology Products and Associated Services framework. The PCR 2015 allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full procurement process. Call-offs under the framework agreement need to be carried out in accordance with the framework rules, to include using evaluation criteria specified in the framework agreement and utilising the terms and conditions set out in the framework agreement. Officers have confirmed at paragraph 3.3 that the tender process operated by Officers were in accordance with the requirements of the Framework Agreement.
- 5.4 Paragraph 86 (e)(ii) of the Council's Contract Standing Orders states that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Director of Legal, HR, Audit and Investigations has advised that participation in the framework is legally permissible. Legal Services reviewed the Framework Agreement used and on 10 December 2021 confirmed that participation under this framework was legally permissible.
- 5.5 As indicated in paragraph 5.2, the award of the contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. Chief Officers have delegated to them power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.
- 5.6 As the procurement of the Contract is from a framework, there is no requirement for the Council to observe a 10 day standstill period under the PCR 2015 although the award of the contract will be subject to the council's usual call-in process.

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.
- 6.3 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.
- 6.4 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 The relevant Shared Service Borough stakeholders have been consulted in relation to this procurement.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 This service is currently provided by external contractors and there are no implications for Council staff arising from the re-procurement of the contract.

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.

Report sign off:

Kevin Ginn
Head of IT Operations