

	Officer Key Decision
	Report to the Corporate Director, Finance and Resources
AUTHORITY TO AWARD CONTRACT FOR NETWORK TECHNOLOGY AT SOUTHWARK – TOOLEY STREET	

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:	Appendix 1 (exempt) – Names of Tenderers Appendix 2 – Evaluation Scores
Background Papers¹:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Amin Jan Assistant Category Manager, Shared Technology Services Amin.jan@brent.gov.uk 07951148778

1.0 Purpose of the Report

- 1.1 This report concerns the procurement of Network Technology at Southwark – Tooley Street. This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Corporate Director, Finance and Resources:

- 2.1 Approves the award of the contract for Network Technology at Southwark – Tooley Street from 9 November 2022 until 8 November 2027 to Insight Direct (UK) Ltd in the sum of £542,069.03.

3.0 Detail

- 3.1 Southwark’s network infrastructure is ageing and expensive to operate – with outages and regular disconnects causing a loss of productivity. With a refresh cycle due, it is vital to upgrade the vital components across the Southwark network to improve connectivity. It is proposed to award a new contract to Insight Direct (UK) Ltd for the upgrade and support of Network Technology at Southwark – Tooley Street from 9 November 2022 until 8 November 2027.

The Tender Process

- 3.2 The new contract will be let using the Health Trust Europe’s ICT Solutions 2019 Framework (ComIT 2 – Complete IT) for five years.
- 3.3 A further competition exercise was carried out using the Framework Agreement in accordance with its rules.

Evaluation process

- 3.4 The evaluation of tenders was on the basis of 80% price and 20% quality in compliance with the Framework Agreement further competition guidance.
- 3.5 The tender evaluation was carried out by a panel of officers from Shared Technology Services.
- 3.6 All tenders had to be submitted electronically no later than 5 pm on 14 October 2022. Tenders were opened on 14 October 2022 and two valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.7 The panel met on 18 October 2022 and each submission was marked by the whole panel against the award criteria.
- 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 Contractor A was the highest scoring tenderer. Officers therefore recommend the award of the contract to Contractor A, Insight Direct (UK) Ltd.
- 3.9 The contract will commence on 9 November 2022.

4.0 Financial Implications

- 4.1 Part 3 of the Council's Constitution states that the Corporate Director, Finance and Resources has delegated authority to approve the award of contracts for services / supplies valued at less than £2 million.
- 4.2 The estimated value of this contract is £542,069.03.
- 4.3 The cost of the contract will be met entirely from Southwark IT budget.

5.0 Legal Implications

- 5.1 The value of this contract over its lifetime is in excess of the threshold for Services and the award of the contract is therefore governed by the Public Contracts Regulations 2015 (the "PCR 2015"). The award is subject to the Council's own Standing Orders in respect of Medium Value Contracts and Financial Regulations.
- 5.2 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 need to be carried out in accordance with the framework rules, to include using evaluation criteria specified in the framework and utilising the terms and conditions set out in the framework.
- 5.3 The Council's Contract Standing Orders state 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 Corporate Director, Governance has advised that participation in the framework is legally permissible. The Corporate Director, Governance confirms that participation in the Framework in respect of the proposed procurement is legally permissible.
- 5.4 As the proposed Contract is classed as a Medium Value Contract pursuant to the Council's Contract Standing Order 82, the relevant Chief Officer has delegated authority to award the Contract under Contract Standing Order 88, in accordance with section 3(a) of the table at paragraph 9.5 of Part 3 of the Constitution, subject to the Chief Officer being satisfied there is sufficient budgetary provision in accordance with Financial Regulations.

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, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 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 London Borough of Southwark has been consulted in relation to this procurement.

8.0 Human Resources/Property Implications (if appropriate)

Not Applicable.

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, Shared Technology
Services