

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: CR/416/11/20

**BOX 1**

**DIRECTORATE:** Corporate Resources    **DATE:** 7<sup>th</sup> October, 2020

**Contact Name:** Alison Morte                      **Tel. No.:** 01302 737932

**Subject Matter:** Mobile Voice & Data Services Procurement for a 36-month period

**BOX 2****DECISION TAKEN**

Using the Crown Commercial Services (CCS) RM3808 Lot 6, to procure a direct award for the provision of Mobile Voice & Data Services for a 36-month period.

**BOX 3****REASON FOR THE DECISION**

In 2014, the Council entered into a contract with Virgin Media Business for the provision of mobile phone & data services through the 'Yorkshire and Humber Publish Services Network' (YHPSN) for a period of 5 years with options to extend the contract for a further +1 +1 years. All contract extensions have been utilised and will end on 28<sup>th</sup> February, 2021.

A request for information and a subsequent statement of requirements were published via CCS on the RM3808 Lot 6 framework in June 2020. This enabled potential service providers to respond and present their commercial offers for a mobile phone & Data service provision over the next 3 years. These responses were collated, assessed and scored on cost and quality; this resulted in Virgin Media Business scoring highest and therefore becoming the preferred supplier.

The decision is to now grant a direct award on RM3808 Lot 6 CCS framework to Virgin Media Business for a 3 year contract commencing 1<sup>st</sup> March, 2021 until 28<sup>th</sup> February, 2024.

The value of this contract over the 3 year period is ██████████, equating to an annual value of ██████████ and will be funded from revenue ██████████).

**BOX 4****ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**Alternative 1 - Do nothing

This is not an option as we need to ensure ongoing service provision of mobile telephony & data services.

Alternative 2 - Transferring to a new supplier

The cost of change was presented as part of the statement of supplier requirements and was scored accordingly. Transferring to a new supplier added a significant amount to the overall cost of the contract, with high migration and project management costs being incurred in transferring mobile services to a new supplier. These additional costs outweighed any value that transferring to a new supplier might bring.

**BOX 5****LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do.

The report author has advised that the Council will direct award the Contract through the Crown Commercial Services (CCS) Framework. Frameworks are arrangements set up in accordance with EU procurement rules, which will allow the Council to purchase the services without the need to run a separate tender.

The Council must adhere to strict compliance with the rules of the CCS framework if this procurement is to be compliant with EU Regulations.

Direct award offers a quick and flexible way to buy products and services from the Network Services framework (RM3808). Direct award should be used only if there is a clear understanding of the services required because it does not allow special terms to be added to the call off terms.

The terms and conditions which apply to the Network Services framework have been reviewed by legal and advice has been given. The order form will require careful completion by procurement with the help of legal if necessary.

**Name: \_Nichola Varty Signature: \_by email \_ Date: \_14<sup>th</sup> October 2020\_**

Signature of Assistant Director of Legal and Democratic Services (or representative)

**BOX 6****FINANCIAL IMPLICATIONS:**

The cost of the contract will be charged to [REDACTED]. The previous recharging mechanism has been discontinued in line with the drive to reduce recharges where practical and appropriate, with budgets reclaimed from services based on levels of previous recharges and centralised into CDICT. This centralisation process has resulted in a pressure being reported in CDICT whereas previously this was dispersed across the Council. Options to resolve this pressure are being taken forward but by agreeing this contract it is not expected to add to that pressure, plus potential switching costs can be avoided.

**Name: Paul Holgate Signature: By e-mail Date: 20/10/2020**

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7****OTHER RELEVANT IMPLICATIONS****PROCUREMENT:**

The Crown Commercial Services Framework RM3808 lot 6 offers a compliant and competitive route to market and ensures that the authority obtains the most cost effective and flexible solution to meet its needs which adheres to the council's procurement rules and procurement regulations.

The Council must adhere to the rules and compliance of the direct award process and framework conditions. A contract award notice will also need to be completed via Iserve.

Name: A Gater Signature: [REDACTED] Date: 15/10/20

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8****EQUALITY IMPLICATIONS:** (To be completed by the author).

There aren't any equality implications associated with this decision.

**BOX 9****RISK IMPLICATIONS:** (To be completed by the author)

There aren't any risk implications associated with this decision.

**BOX 10****CONSULTATION**

No consultation necessary

**BOX 11****INFORMATION NOT FOR PUBLICATION****Publish**

It is in the public's interest to be aware of this decision under the Freedom of Information Act 2000. However some information is commercially sensitive redacting box 3 paragraph 4 and box 6 paragraph 1 and signatures.

Name: Lisa Shaw Signature L.Shaw Date: 21/10/20

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12****BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR - NO

(If YES please list and submit these with this form)

**BOX 13  
AUTHORISATION**

Name: Julie Grant Signature:  Date: 21/10/20

Assistant Director of Customers, Digital & ICT

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**NO**

**If yes please authorise below:**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Designation \_\_\_\_\_

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

**Declaration of Interest YES/NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**