

## 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/417/11/20

**BOX 1**

**DIRECTORATE:** Corporate Resources      **DATE:** 6<sup>th</sup> October, 2020

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

**Subject Matter:** Corporate Wide Area Network Short Term Procurement for a period of 24 months

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

Using the Crown Commercial Services (CCS) RM3808 Lot 1, procure a direct award for the provision of the Wide Area Network (WAN) for a 24-month period.

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

In 2013 the Council entered into a contract for the provision of a Wide Area Network (WAN). This was procured through the Yorkshire and Humber Public Service Network (YHPSN) framework, led by Leeds City Council, along with circa 60 other partners using this route to market. This contract was for 5 years with an option to extend. The extension options were taken, and the contract expires on 31<sup>st</sup> December, 2020.

The Wide Area Network is the underpinning foundation of the ICT Service, providing network connectivity across the Council and to Strategic Partners. Without this infrastructure, the ICT provision for the Council wouldn't operate and would have a critical impact on service delivery.

The Council began work to procure a contract for a longer period of five years. The work undertaken during the pre-market engagement has been extremely valuable. The Council's team working on the project are of the opinion that a further competition will be needed for a procurement which will bind the Council for the period of five years or more.

The procurement has been disrupted by Covid-19 and having carefully reflected on the matter, the Council will need a longer period of time to complete the longer-term procurement. To bridge the gap the Council will direct award a 24 month contract to the incumbent supplier through Crown Commercial Services (CCS) RM3808 Lot 1.

The estimated cost of the 24 month contract is circa [REDACTED] rental charges [REDACTED] one off investment to update the current infrastructure to ensure it continues to be compliance for support and maintenance, plus enhance the network technology.

**BOX 4****ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

There are no alternative options at this stage due to all the extension options being taken. The timescales in which future provision is required limits the possibility of a full tender exercise being undertaken and a full migration of the Wide Area Network to a new supplier.

**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 a 24 month 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:**   7<sup>th</sup> October 2020   **Date:**   

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

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

As indicated in the body of the report, the Council has an existing contract for the provision of a Wide Area Network (WAN) – this is funded from a specific budget within the ICT budgetary allocation. As the existing contract comes to an end, a new 24 month contract period, will be funded from a continuation of this specific budget.

Estimated revenue costs for the new 24-month period [REDACTED] and will be contained within existing budget [REDACTED]. Capital costs estimated at [REDACTED] will be met from scheme [REDACTED]. If costs are to increase, the Budget Holder will need to ensure that sufficient budget is identified from elsewhere with the ICT budgetary allocation to fund the increase.


**Name:**   P Holgate   **Signature:**   FP&C (by email)   **Date:**   08/10/2020  

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

**BOX 7****Procurement Implications**

The Crown Commercial Services Framework RM3808 Network Services 2 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 in which procurement will advise and support.

Name: A Gater Signature:  Date: 7<sup>th</sup> October 2020  
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 are no equality implications

**BOX 9**

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

The YHPSN contract ends in December 2020, therefore, service provision could be at risk if a new contract isn't agreed in advance of this.

**BOX 10**

**CONSULTATION**

Legal and Procurement consultation has taken place to confirm the route to market via CCS (RM3808) framework.

**BOX 11**

**INFORMATION NOT FOR PUBLICATION**

**Publish**

It is in the public's interest to be aware of this decision record under the Freedom of Information Act 2000, However some information is commercially sensitive redacting box 3 paragraph 5, box 6 paragraph 2 and signatures.

Name: Lisa Shaw Signature L.Shaw Date: 29/10/20

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  YES/ NO

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

**BOX 13  
AUTHORISATION**

Name: Julie Grant Signature:  Date: 29/10/20

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.**