

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Daisy upgrade of existing Dense Wavelength-Division Multiplexing (DWDM) circuits
<b>Cabinet Member:</b>	Councillor Roger Ramsey
<b>SLT Lead:</b>	Simon Oliver
<b>Report Author and contact details:</b>	Sophie Onyek <a href="mailto:Sophie.onyek@newham.gov.uk">Sophie.onyek@newham.gov.uk</a> 07985 427558
<b>Policy context:</b>	<p>This project directly contributes to the Connections: Using technology to improve the way we live objective of the Corporate Plan.</p> <p>The following outcomes will be delivered:</p> <ul style="list-style-type: none"> <li>• Delivering digital improvements to enhance the customer experience and enable self-service</li> <li>• Ensuring that good customer experience is at the heart of our Digital Service design and the wider delivery of public services</li> </ul>
<b>Financial summary:</b>	The DWDM upgrade will cost £385,088 over a 5 year contract funded by IT.
<b>Relevant OSC:</b>	Overview and Scrutiny Board
<b>Is this decision exempt from being called-in?</b>	Yes

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**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input checked="" type="checkbox"/>

## Non-key Executive Decision

### Part A – Report seeking decision

#### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

To agree to procure a services contract for a Dense Wavelength Division Multiplexing (“DWDM”) upgrade from Daisy Corporate Services Trading Limited at a cost of £385,088 to commence in April 2022 for a 5 year term.

#### **AUTHORITY UNDER WHICH DECISION IS MADE**

##### **Part 3 Section 3.3 – Powers of Members of the Senior Leadership Team**

###### **Financial responsibilities**

(a) To incur expenditure within the revenue and capital budgets for their allocated portfolio as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council’s contract and financial procedure rules.

###### **Contract powers**

(b) To award all contracts with a total contract value of between £500,000 and £5,000,000 other than contracts covered by Contract procedure Rule 16.3.

#### **STATEMENT OF THE REASONS FOR THE DECISION**

The Dense Wavelength Division Multiplexing (DWDM) circuits in place for the London Borough of Newham (“LBN”) and London Borough of Havering (“LBH”) do not provide sufficient network performance and resilience for both councils and require urgent upgrading to support the IT infrastructure. The circuits are currently supported by Daisy Corporate Services Trading Ltd who have knowledge of the local set up and are able to provide the upgrade in the shortest time scales out of all suppliers contacted under the framework used for the award. In addition, the reselection of Daisy will minimise the risk of disruption to services whilst the new service provision is implemented.

As the upgrade is urgent, it is recommended that a direct award will be made to Daisy under Crown Commercial Services (CCS) marketplace Network Services 2 framework RM3808 Lot 1.

#### **OTHER OPTIONS CONSIDERED AND REJECTED**

1. Do nothing. This option was rejected as we would not be able to support sufficient networking performance for the IT networks.

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2. Full open tender through the Fusion portal. There are multiple suppliers in the UK who can provide this service so this option was rejected as it would take too long to go through the full tender process. This option would have taken an additional 2 months and the solution is required urgently to support our IT infrastructure.
3. Competitive tender via the CCS marketplace Network Services 2 framework RM3808 Lot 1. This option was rejected as the requirement to upgrade was urgent and Daisy could complete the upgrade in the shortest time frame.
4. Direct award to Daisy via the CCS marketplace Network Services 2 framework RM3808 Lot 1. This was the selected option as we could meet the required time frames for the urgent upgrade.

### **PRE-DECISION CONSULTATION**

<b>Role</b>	<b>Name</b>	<b>Job Title</b>
Project Sponsor	Simon Oliver	Director of Technology and Innovation
Senior Responsible Owner	Jagdeep Nagra	Assistant Director and Head of ICT Operations
Project Manager	Sophie Onyek	Infrastructure Project Manager
Project Support	Uditha Jayasoma	Principal Network Analyst
Business Analyst	Oluwafemi Bajomo	Business Analyst
IT Stakeholder	Daniel Pluck	Assistant Director of Change and Demand
Exchequer & Transactional Services Stakeholder	Lynn Jones	Employee Services Manager
Finance Stakeholder	Alan Woodward	Senior Systems Control Officer
Facilities Stakeholder	Nikki Richardson	Romford Campus Manager, Asset Management
Line of Business Support Stakeholder	Uditha Jayasoma	Principal Network Analyst

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Sophie Onyek

Designation: Infrastructure Project Manager

Signature:

Date:

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### Part B - Assessment of implications and risks

#### LEGAL IMPLICATIONS AND RISKS

1. The Council requires appropriate IT systems to carry out its functions. The Council is making a decision to make a service contract for the upgrade of its DWDM system for that purpose.
2. The Council has the power to make a contract for these services through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, or through its general power of competence under section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.
3. marketplace Network Services 2 framework RM3808 allows the Council to make direct awards. The Council has complied with the requirements of the customer guide to running a direct award through Network Services 2 (RM3808) to make this direct award.
4. The Council has the power to procure services on behalf of other authorities under section 2 of the Local Government Act 2000 and the general power of competence in section 1 of the Localism Act 2011. Before the Council enters the contract, an inter authority agreement should be made, which should include appropriate indemnities provided by the other lead authorities which will access the procured services.
5. For the reasons set out above, the Council can make the contract.

#### FINANCIAL IMPLICATIONS AND RISKS

There is an initial implementation cost for the circuits of £127,503.66 but the annual revenue costs will decrease from the current revenue costs to realise a saving of £15,965.00 per annum and a total contract saving of £79,825.00 over 5 years.

The costs and funding for the new circuits can be summarised as follows:

Cost	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Implementation	£127,503.66	£0	£0	£0	£0	£127,503.66
Annual Support	£51,516.79	£51,516.79	£51,516.79	£51,516.79	£51,516.79	£257,583.95
Total	£179,020.45	£51,516.79	£51,516.79	£51,516.79	£51,516.79	£385,087.61

The capital cost will be funded from the agreed IT Capital budgets for this project. (C28180 for LBH and GI0125 for LBN) Havering will pay the full cost and recharge 50% to Newham.

The ongoing revenue charge will be split 50/50 between both boroughs as is currently the case with the existing circuits.

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### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

EQHIA submitted to Equality and Diversity  
Submission reference: iDec-391833728

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

### **BACKGROUND PAPERS**

None

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**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

*Delete as applicable*

Proposal NOT agreed because

**Details of decision maker**

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_