

Notice of Non-key Executive Decision

Subject Heading:	Procurement of support contract for NEC Information@Work eDMS solution
Decision Maker:	Simon Oliver, IT Client Director
Cabinet Member:	Cllr Chris Wilkins, Cabinet Member for Finance and Transformation
SLT Lead:	Kathy Freeman, Strategic Director of Resources
Report Author and contact details:	Paul Kelly, Project Manager Paul.kelly@newham.gov.uk Telephone 02033737109
Policy context:	This does not impact any policy; this is a software update of an existing product and service.
Financial summary:	The annual cost of providing support and maintenance for NEC Information@Work is £26,001 pa based on a two-year contract with RPI.
Relevant OSC:	Overview and Scrutiny Board
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

Non-key Executive Decision

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

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

Non-key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the direct award to NEC via the Crown Commercial Services (CCS) Vertical Applicable Solutions (VAS) framework for a term of 2+1 year for a support and maintenance contract at a cost of £26,001 p/a.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution [Responsibility for Functions]

3.4 Powers of Second Tier Manager

Contract powers

(a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services

STATEMENT OF THE REASONS FOR THE DECISION

Havering Council currently uses NEC Information @ Work eDMS software in Revenues & Benefits & Maintenance departments for document management.

This software solution is currently not on a support and maintenance contract. There is a risk that the supplier could potentially stop supporting the product as there is no contract in place.

There is an urgent need for the Council to put a contract in place to ensure that the Council is compliant with the contract procedure rules and procurement regulations.

Following the steps set out in the CCS VAS framework guidance, NEC is the only supplier who meets the scope set out in the Council's statement of requirements, which is to remain with the current Information@Work software solution.

The supplier's service offer is available via the following catalogue item:
CCS Vertical Application Solutions (VAS) framework RM6259, Lot 1 – Business Applications

The CCS VAS framework offers the option to directly award to contract. The Council

Non-key Executive Decision

has selected to go with the direct award and has applied the criteria as per the framework rules. On this basis, NEC was elected as the preferred supplier.

The contract is for a 2-year term - £26,001 p/a plus a 1 year option.

OTHER OPTIONS CONSIDERED AND REJECTED

Initially, the plan was to go to market and follow a full tender process involving other suppliers with the view to consolidate both Information@Work and Civica D360 with a single supplier as both are out of contract.

It was decided on consideration that since Information@Work and Civica D360 are heavily used and embedded systems that have been in use for many years, it would take substantial effort to replace them. The following items would also act against a successful outcome and introduce some substantial risks to operations:

- The planned dissolution of oneSource
- Scale of current deliverables, and resource constraints
- The need for expediency
- Potential disruption to current services

The pragmatic option was to leave the existing solutions, info@work and D360 Civica, in place and pursue getting these systems under a support and maintenance contract.

However, the decision is taken on the proviso that alternatives for the delivery of the functionality of Information@work is undertaken within the two-year contract period to enable alternatives to be considered.

PRE-DECISION CONSULTATION

Consultation has taken place with the Architectural Design Board to ensure alignment and integration within the Council's broader digital ambition.

The Director IT (oneSource) has been appraised of the service failing to ensure appropriate contract management within the IT service.

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

Name: Paul Kelly

Designation: Project Manager

Non-key Executive Decision

Signature: Paul Kelly

Date: 14/6/23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

This report seeks to directly award a contract to NEC to provide a support and maintenance contract for a period of two years with an option to extend for 1 year. The relevant background is as set out within the body of this report. The terms and conditions of the call off agreement will be used to draw up the contract.

The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any limitations. The contract may be awarded in accordance with these powers.

The Council is a contracting authority for the purposes of the Public Contracts Regulations 2015 (as amended) (PCR). The value of the contract is below the services contracts threshold of £213,477. The contract is therefore not subject to the full rigours of the PCR, however any award must comply with the Council's Contracts Procedure Rules (CPR).

The body of this report confirms that the proposed procurement route is compliant with CPR 20.4

FINANCIAL IMPLICATIONS AND RISKS

The current cost for the Information@Work eDMS solution is £21k per year (excluding VAT). The new annual cost of £26k per year represents an increase of £5k. These costs are met from within the ICT oneSource non-shared budget (Havering).

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

There is no requirement to conduct an EQIA as this decision has no impact on any vulnerable groups.

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

Non-key Executive Decision

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.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The recommendations made in this report do not give rise to any identifiable Environmental and Climate Change implications and risks. Environmental and climate change requirements have been taken into account as part of the tendering process and all suppliers will be required to be compliant with the Waste Electrical and Electronic Equipment Regulations 2013 (WEEE).

BACKGROUND PAPERS

APPENDICES

None

Non-key Executive Decision

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

Details of decision maker



Signed:

Name: Simon Oliver

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 17/08/2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____