

FORM 1


NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Helen Dyke, as Strong Leader, delegate the decision to decide on the Provision of Network Switches to the Cabinet Member detailed below:

Cabinet Member for Finance and Capital Portfolio, Councillor Mary Rayner

Dated: 11th February 2022

Signed: 

Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Provision of Network Switches	Grants delegated authority to the S151 Officer in consultation with the Cabinet Member for Finance and Capital Portfolio to award and enter into the Network Switch Contract for up to a seven-year term in accordance with the approved evaluation model	The Council is required to tender for the provision of Network Switches. It is suggested that the tender be for a period of up to 7 years, potentially to expire 30 th May 2029. The proposed delegation allows this award to be progressed in a timely manner.	11 th February 2022

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 11th February 2022

Signed: 

Councillor:
Mary Rayner, Cabinet Member for Finance and Capital Portfolio

WYRE FOREST DISTRICT COUNCIL

CABINET DECISION FOR STRONG LEADER APPROVAL

11th February 2022

Provision of Network Switches

Open	
CABINET MEMBER:	Councillor Mary Rayner, Cabinet Member for Finance and Capital Portfolio
RESPONSIBLE OFFICER	Head of Resources / S151 Officer
CONTACT OFFICER:	Helen Ogram Helen.ogram@wyreforestdc.gov.uk Dave.Johnson@wyreforestdc.gov.uk Steve.boddey@wyreforestdc.gov.uk

1. **PURPOSE OF REPORT**

- 1.1 Approval of the Cabinet is required by the Contract Procedure Rules to enter into a procurement exercise where the value of the purchase is over £175,000.
- 1.2 The report seeks to gain approval to advertise the contract, for the tender evaluation model proposed for the procurement of new network switches, support and associated professional services contract and the granting of delegated authority to the Head of Resources / S151 Officer in consultation with the Cabinet Member for Finance and Capital Portfolio to award the Network Switches, support and associated professional services contracts.

2. **RECOMMENDATION**

2.1 **That the Leader:**

- 2.1.1 Delegates the approval of the use of the CCS Framework RM3808 Network Services 2 Lot 2 and the further competition evaluation model contained in section 5 of this report to the Cabinet Member for Finance and Capital Portfolio.
- 2.1.2 Grant delegated authority to the Head of Resources/S151 Officer in consultation with the Cabinet Member for Finance and Capital Portfolio to award and enter into the Network Switches contract for up to a 7 year term in accordance with the approved evaluation model.

3. **BACKGROUND**

- 3.1 The Council's current edge network switches go end of life at the end of May 2022 and the current support contract with Charterhouse Group ends. Initially the majority of the switches being replaced were procured in May 2011 with a 5-year support contract. Subsequent support contracts have been awarded in 2016 and 2020 following procurement exercises.

- 3.2 The Council's existing support contract expires on the 30th May 2022.
- 3.3 The pricing aspect of the evaluation will include costs for hardware, software, professional services and 5 years support and all other relevant factors.
- 3.4 Delegated authority to award the contract following evaluation in accordance with the approved criteria is sought as this needs to be done promptly to provide sufficient purchase and implementation time between award and commencement of the new contract.

4. KEY ISSUES

- 4.1 The estimated initial charge for hardware and professional services along with annual support costs is likely to mean that the overall value of the contract, over the 5-year period, exceeds Public Contracts Regulations limit for 2022 for sub-central government goods and services of £213,477 (including VAT) and must be advertised on the UK e-notification Service, Find a Tender (FTS).
- 4.2 The contract will be procured using Crown Commercial Services (CCS) Framework which is sponsored by the cabinet office and comprises a list of suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The contract will be procured using CCS Framework RM3808 Network Services 2 Lot 2. The framework is compliant with the advertising requirements of the Public Contracts Regulations and requires users to undertake a mini competition between the pre-approved suppliers.
- 4.2 The new contract will be for 5 years with the option to extend for a further two-year period making a maximum term of 7 years.
- 4.3 The proposed tender timetable is as follows:

Task	Date
Approval of Tender Process, including evaluation model and delegation to award contract	10 th February 2022
Advert place on procurement portal by WFDC	23 rd February 2022
Deadline for Tender responses	14 th March 2022
Evaluation completed	18 th March 2022
Contract Award - standstill	21 st March 2022
Final Award – End standstill	1 st April 2022

5. EVALUATION CRITERIA AND SCORING METHODOLOGY

5.1 All Tenders will be evaluated on a 60/40 split in favor of price over quality.

5.1.1 Price

The Total Contract Costs for the five-year contract period including hardware, support costs and professional services for implementation and training.

The Tenderer with the lowest tender price will score the maximum score of 60%.

The other tenders will be scored pro rata as a percentage of their tender sum compared with the lowest tender.

$$\frac{\text{Lowest submitted total price}}{\text{Tenderer's submitted total price}} \times 60$$

5.1.2 Quality

The quality element of submissions will be evaluated based on responses to the Quality Questionnaire included at Appendix 1. The individual weighting of each question is detailed below:

	Criteria	Weighting
1.	Implementation	14%
2.	Training	4%
3.	Testing and Acceptance	12%
4.	Service Level Agreement	10%
	Total	40%

The following matrix illustrates how responses to questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the percentage weightings listed above.

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below average	4
Below expectations	Poor	3
Well below expectations	Weak	2
Almost Unacceptable	Very Weak	1
Unacceptable		0

The evaluation process will consider all relevant submitted evidence and written information provided by each tenderer, in relation to the specific requirements as set out within the ITT and the supporting documentation. There will be an initial check of all tenders for completeness and compliance with the tendering instructions (including a check that the tender is a “compliant tender”). Any submissions that in the opinion of the Council do not meet the requirements set out in the ITT may be rejected as non-compliant and will not be evaluated further.

Each question for quality will be assessed by a panel. The panel will agree a single overall score up to the maximum score for the question. This score will be multiplied by the weighting for that question (as set out in the above table) to give weighted score. The following formula will be used to calculate weighted scores:

$$\text{Weighted Score} = \frac{\text{Awarded Score}}{\text{Maximum Score}} \times \text{Weighting}$$

For example, if a score of 6 is awarded for Question 4 (weighting 10%) the weighted score will be 6 (6/10 x10).

At the sole discretion of the Council, Tenderer’s may be invited to present their proposals at clarification meeting and demonstrate details of their submission. The meeting may be used to validate the provisional scores for the Tenderer’s written submissions in relation to quality and technical merit. The Council’s tender evaluation panel may therefore reduce a Tenderer’s provisional score for their written submissions in relation to quality where the meeting indicates that a Tenderer’s provisional score on the basis of their written submission cannot be justified. Conversely, the evaluation panel may increase a Tenderer’s provisional score where it considers their written submissions in relation to quality did not sufficiently reflect the quality of their actual delivery proposals for the Contract.

6. FINANCIAL IMPLICATIONS

- 6.1 The contract term will be for a minimum of 5 years and could potentially be 7 years depending on the solution and whether it is more economically advantageous for the Council and agreed under the terms of the framework.
- 6.2 The capital cost of the purchase and installation are estimated to be in the region of £190,000 (net of VAT) and will be funded out of the ICT Strategy Capital Programme approved in 2017 for the delivery of the ICT Strategy over the period 2018/19 – 2022/23.
- 6.3 Any first-year annual maintenance costs will be included in the first year of the contract from the ICT Capital Programme with subsequent years being met from existing ICT revenue budgets as per the current contract. Estimated annual cost for support of £12,000.

7. LEGAL AND POLICY IMPLICATIONS

- 7.1 As stated in the Council's Contracts Procedure Rules Cabinet Approval is sought for procurements where the value of the purchase is estimated to be in excess of £175,000.
- 7.2 The evaluation model is compliant with the requirements of the CCS Framework. Use of the framework in accordance with the framework guidance is compliant with the regulations.
- 7.2 The successful Tenderer will be required to enter into a formal contract under the rules of the CCS Framework.

8. RISK MANAGEMENT

- 8.1 The Council must fully evaluate contracts to ensure that they are capable of delivering upon the contract.
- 8.2 By using the CCS framework procurement risks are reduced. The ability to provide a reliable, supported and fully functional ICT service for the Council including both Live and Business Continuity will not be possible without Network Switch refresh.

9. EQUALITY IMPACT ASSESSMENT

- 9.1 This is a financial report and there is no requirement to consider an Equality Impact Assessment.

10. CONCLUSION

- 10.1 It is essential that the Council's network infrastructure is fully supported and able to receive security updates and new software releases.
- 10.2 Due to the value of the contract authorisation is required to run an additional competition and award the contract for network switches, support and associated professional services under the associated rules and regulations of the CCS framework.
- 10.3 In conducting this further competition the Council will achieve the most economically advantageous result in terms of price and quality.

11. CONSULTEES

Cabinet Member for Finance and Capital Portfolio
Procurement Officer
Contracts Solicitor
ICT Strategy Board

12. BACKGROUND PAPERS

ICT Strategy Board Report Appendix B

Quality Questions Appendix A

Compliance Pass / Fail Criteria

If you cannot answer 'Fully compliant' to Question 1 a & b the Council reserves the right to reject your tender. In the event that you answer not Fully Compliant to these questions please set out full details of the reason why. The information provided will be taken into account by the Authority in considering whether or not you will be able to proceed in this procurement exercise. The Council is aware of potential delays in supply chains and this will be taken into consideration with regard to Q1

Q1	Delivery Period
a	Please confirm you are able to meet the requirements of the specification including all required hardware.
b	Please confirm you can meet the Councils timetable.
c	Please confirm if there are delays in the implementation due to equipment lead times you are able to support the current solution until such time the new solution can be implemented.

Q2	Implementation
a	Please provide an example project plan assuming contract signed mid-March 2022 and go Live by the end June 2022.
b	Please detail when the project would start assuming contract was signed by mid-March 2022
c	Please list any risks or issues from past experience which will need to be monitored and how you plan to mitigate this as much as possible
d	Please provide details of your (tenderers) responsibilities for implementing the proposed solution with an indication of type and amount (in days) to implement the solution in the required timescale. Please include your own SOW based on that document Please ensure number of professional days and daily rates are all included in the cost table
e	Please provide details of our (Council) responsibilities for implementing the proposed solution and an indication of type and amount (in days) of the Council resource expected from the supplier for this project to be met within expected timescales.
f	Please provide details of the deployment and setup of the solution including integration into our current infrastructure. Please include in the SOW.
g	Please confirm if you intend to use any third party suppliers and their role in providing the solution. Please ensure any third party costs are included in the cost tables and also provide their accreditations.

Marks 0-10 will be allocated based on scoring matrix in 5.1.2

Q3	Training
a.	Please provide details of training that will be provided, how it will be delivered Please ensure any training costs are including in the cost tables.

Marks 0-10 will be allocated based on scoring matrix in 5.1.2

Q4	Testing and Acceptance
a	Please provide details of your approach to migrating network over to the new infrastructure while maintaining an un-interrupted service.
b	Please provide details of what testing will be undertaken as part of the implementation and provide a sample testing plan.
c	Please provide details of how the business continuity testing will be undertaken
d	Please provide details of your change control process for any major changes required during the implementation

Marks 0-10 will be allocated based on scoring matrix in 5.1.2

Q5	Service Level Agreement
a	Please provide details of your SLA for Support of the solution include response / resolution times and escalation procedures.
b	Please provide details of in hour helpdesk support and out of hours' support. Please include in cost table any additional costs for levels of support.
c	Please confirm how long you will provide support for the solution and when the hardware support ends i.e. End of Life.
d	Please provide details of all warranties and SLA's for quoted hardware within the solution
e	Please provide details of approach to engineer allocation and continuity of support

Marks 0-10 will be allocated based on scoring matrix in 5.1.2

Appendix B

ICT Strategy Board Report



20220207LANSwitche
s.docx