

**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 1<sup>st</sup> 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 for the procurement of the upgrade of existing Dedicated Internet Access (DIA) lines at Wyre Forest House and the upgrade and installation of new Point to Point (P2P) lines connecting Wyre Forest House with Green Street, as detailed in the Forward Plan to the Cabinet Member detailed below:

Cabinet Member for Finance and Capital Portfolio

Dated: 26<sup>th</sup> July 2022

A handwritten signature in black ink that reads "H.E. Dyke". The signature is written in a cursive style with a large, looped 'D'.

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 1<sup>st</sup> 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, I have made the following decision:

<b>Subject</b>	<b>Decision</b>	<b>Reason for decision</b>	<b>Date for Decision to be taken</b>
The procurement of new and the upgrade of existing Dedicated Internet Access (DIA) lines and installation of new Point to Point (P2P) lines connecting WFH with Green Street	To approve the use of the Yorkshire Purchasing Organisation (YPO) Network Connectivity and Telecommunications Solution Framework  To direct award and enter into a contract for new P2P and upgraded DIA lines.	To proceed in a timely fashion with the procurement as new or upgraded lines are required to increase capacity to cope with increased band width demand associated with new systems and hybrid working and to add resilience to the network.	

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

Dated: 26<sup>th</sup> July 2022

Signed:



Councillor: **Mary Rayner**  
Cabinet Member

## WYRE FOREST DISTRICT COUNCIL

### CABINET DECISION FOR STRONG LEADER APPROVAL

26th July 2022

#### Provision for New and Existing Line Upgrades

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

#### 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 and delegated authority to the Head of Resources / S151 Officer in consultation with the Cabinet Member for Finance and Capital Portfolio to direct award the contract for the upgrade of existing Dedicated Internet Access (DIA) lines at WFH and upgrade and installation of new Point to Point (P2P) lines connecting WFH with Green Street.

#### 2. RECOMMENDATION

- 2.1 That the Leader is asked to DECIDE to:
  - 2.1.1 Approve the use of the Yorkshire Purchasing Organisation (YPO) Network Connectivity and Telecommunication Solutions Framework Agreement.
  - 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 direct award and enter into a new contract for new and upgraded lines under the terms and conditions of the YPO framework to Adept Technology Group PLC

#### 3. BACKGROUND

- 3.1 The majority of the Council's DIA and P2P lines are either out of contract or require upgrading to increase capacity to cope with increased bandwidth demand associated with new systems and hybrid working.
- 3.2 New lines will be required to add resilience to the network between WFH and Green Street with the Town Hall closing in 2023 for a period of time and cancellation of existing lines.

- 3.3 Entering into a new contract will provide assurance for the Council for the next 5 years in terms of price, capacity, and on-going support, together with generating a good level of savings.
- 3.4 Additional papers presented to the ICT Strategy Board can be found in section 12 Background Papers at the end of this report.

#### **4. KEY ISSUES**

- 4.1 The overall 5 year cost is estimated to be £115,150.00 although there could also be some excess charges on at least 1 of the installs but this won't be confirmed until the site surveys have been completed. One off install costs to be paid for from the ICT Strategy Capital Programme, with on ongoing costs from existing ICT revenue budgets.
- 4.2 The YPO Network Connectivity and Telecommunication Solutions Framework Agreement allows for direct award where retaining of a supplier's services provide best value.
- 4.3 Direct award to current provider provides the Council best value for a number of reasons:
- Continuity of service as they have knowledge of the current solution, together with understanding of what we are trying to achieve and can strongly relate this to our current setup and provide the best solution.
  - A few lines won't be included in the award but will stay with the current provider making the solution easier to manage.
  - Current provider has always provided an excellent service and competitive pricing with access to multiple carriers and solutions.

In addition to continuing the good relationship with the existing provider, a direct award will save on the costs and time of running a tender exercise. Current provider has always been competitive so it is unlikely that going out to tender will generate significant cost savings. Soft market testing has supported this view.

- 4.4 YPO framework is a publicly owned central purchasing body based in Yorkshire that is owned and governed by a consortium of county, metropolitan and borough councils in Yorkshire and North West England. The YPO's framework agreements are established to allow customers, including Local Authorities, to purchase goods, works or services from suppliers/providers via either direct award or further competition under the terms and conditions of the framework.
- 4.5 The new contract will be for 5 years.
- 4.3 Timetable for anticipated award of contract end July 2022.

#### **5. EVALUATION CRITERIA AND SCORING METHODOLOGY**

- 5.1 Prior to the decision to direct award ICT have carried out soft market testing to ensure the Council is getting best value in terms of both cost and quality.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The contract term will be for 5 years and 3 years depending on type of line, typically DIA are 3-year term and P2P are 5 years. Cost in 4.1 of £115,150.00 assume a 5-year contract for both P2P and DIA lines.
- 6.2 The capital cost for install and any excess charges won't be known until site surveys have been completed. It is expected that costs will be in the range of £3,000 to £30,000. All capital costs will fall within the existing capital approval for the ICT Strategy. The balance available under this approval is £30,000.

## **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. Although it is anticipated this contract will be under the threshold, this approval is sought due to the uncertainty of the excess charges.
- 7.2 YPO framework allows for direct award where retaining of a supplier's services provide best value see point 4.2 and 4.3.
- 7.3 The Council will enter into a new formal contract with the incumbent supplier under the rules of the YPO 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 YPO framework procurement risks are reduced. The procurement will ensure that the Council's has a resilient Wide Area Network (WAN) to fully support users and tenants across the Council and homeworkers.

**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 has a resilient Wide Area Network (WAN) to fully support users and tenants across the Council and homeworkers.
- 10.2 Due to the value of the contract authorisation is to direct award the contract to the incumbent supplier under the associated rules and regulations of the YPO framework.
- 10.3 In awarding this directly the Council will achieve the most economically advantageous result in terms of price and quality with a good anticipated level of savings and increased capacity.

**11. CONSULTEES**

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

**12. BACKGROUND PAPERS**

Line upgrade ICT Strategy Board 30/05/2022