

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 25 February 2021

<b>TITLE</b>	<b>Re-procurement of Mobile Voice and Data Contract</b>		
<b>Ward(s)</b>	None		
<b>Author:</b> Sharon Scull	<b>Job title:</b> Lead – Operational Procurement & Finance		
<b>Cabinet lead:</b> Cllr Craig Cheney	<b>Executive Director lead:</b> Mike Jackson		
<b>Proposal origin:</b> <i>BCC Staff</i>			
<b>Decision maker:</b> Cabinet Member <b>Decision forum:</b> <i>Cabinet</i>			
<p><b>Purpose of Report:</b> This report identifies the requirement to procure a contract for the supply of mobile devices and associated airtime used across BCC.</p> <p>Cabinet approves the award of a 2 +1 contract, through a Crown Commercial Service Framework (RM3808 – Network Services 2) for the supply of mobile devices and associated airtime and that authority to award the contract is delegated to Director – Digital Transformation.</p> <p>Cabinet approves a 3 month extension of the existing Mobile Voice and Data contract to allow time for the new tender process to be undertaken.</p>			
<p><b>Evidence Base:</b> Mobile devices, such as mobile phones, tablets and specialist devices are used extensively across the BCC employee base; they are also used in remotely managed equipment such as parking controllers. Employees use mobile devices to support remote and agile working as well as providing emergency contact to colleagues, partner organisations and citizens. The continued growth and use of smartphone and tablet technology allows for access to email, calendars, Video Conferencing and line of business applications enabling increased productivity and improved service responses. Essentially these products now underpin the fundamental day to day operation of the Council and also in its response to Covid19.</p> <p>Our current contract expires March 2021 and we need to have a contract in place that will allow us to continue to use these devices, and also provision new devices moving forward.</p> <p>We are looking to have the flexibility within the contract to allow Council owned companies to join such as Bristol Waste and Hold Co etc., as well as traded services such as Trading with Schools (TwS), but that we will focus on Council requirements first and invite them to join in if they wish. Consideration will be given as to the preferred method to achieve this under Framework RM3808 (such as named third party or a ‘cluster’ buying approach which has considerations pertaining to who is the Data Controller etc.). In any eventuality, this would be on a fully cost-covered commercial basis including management overheads.</p> <p>We will also seek to ensure data plans enable continued flexible and agile working and enable continued move to staff working remotely and in citizen’s homes/partner locations. This will include considerations for reducing costs associated with data usage. We will also consider multi-operator plans (use any network or select which network), if feasible.</p>			

The use of framework RM3808 – Network Services 2 provides a compliant route to market and we will use the opportunity within the framework to optimise connection types and tariffs to ensure best value with consideration given to a competitive approach.

Whilst longer contract periods are achievable, a limited contract period is advised to enable the council to continue to benefit from changes/opportunities in the vendor market.

The contract value has been calculated based on current maximum anticipated spend with headroom for shared services with Council-owned companies.

**Cabinet Member / Officer Recommendations:**

1. Approve the re-procurement of a compliant Mobile voice and data contract for a period of 2 +1 years at a cost up to £2m pa/£6m over the term of the contract
2. Authorise the Director – Digital Transformation in consultation with the Cabinet Member – Finance, Governance & Performance to take all steps necessary to procure and award the contract
3. Authorise the Director – Digital Transformation to agree a 3 month extension of the existing Mobile Voice and Data Contract at an estimated cost of £250k

**Corporate Strategy alignment**

The Corporate Strategy identifies a need to work with back office services to be a more effective and efficient council to achieve our priorities (p7). The resulting IT/Digital Strategy, and the use of effective mobile technology, is a core component of this, particularly contributing to two of the four Organisational Priorities outlined in the Corporate Strategy (p11):

1. Redesign the council to work effectively as a smaller organisation
2. Equip our colleagues to be as productive and efficient as possible

**City Benefits:**

There are no specific or direct benefits to the city and there are no identified equalities impacts. However, without the use of mobile devices the Council would be unable to deliver most services in an effective way.

**Consultation Details:**

Not applicable

**Background Documents:**

Cabinet approval document from January 2019

<b>Revenue Cost</b>	Up to £2m p.a/£6m over the 2+1 year term of the contract Up to £0.25m for 3 month extension	<b>Source of Revenue Funding</b>	Cost Centre 15131 and business specific cost centres (requests)
<b>Capital Cost</b>		<b>Source of Capital Funding</b>	
One off cost <input type="checkbox"/> Ongoing cost <input checked="" type="checkbox"/>		Saving Proposal <input type="checkbox"/> Income generation proposal <input type="checkbox"/>	

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** This report requests approval to procure a contract for the supply of mobile devices and associated airtime on behalf of Bristol City Council.  
 Cost centre 15131’s base budget at this time is confirmed as £1.846m p.a. gross spend.  
 £250k p.a. of this is charged on across the organisation so that the net budget is currently £1.596m p.a.  
 A new contract for up to £2m per annum would enable the service to procure an additional £154k per annum on

behalf of and to be recharged to Council owned companies.  
 Since the existing contract expires 31/3/21 this report also requests first a 3 month extension at a gross cost of up to £0.25m to allow sufficient time to follow the procurement process necessary for a new contract.  
 Thereafter the new contract would be effective from 1/7/21 for 2 years with the option to extend for an additional 1 year.  
 The service is not expected to incur any pressure against its net £1.596m p.a. budget as a result of either the contract extension or the new contract.

**Finance Business Partner:** Jemma Prince, 03/12/2020

**2. Legal Advice:** Whenever the council procures goods or services where the value of the contract is over £189,330k, it must do so in compliance with The Public Contracts Regulations 2015 unless an exemption is available. The intention is to use an existing public procurement framework (most probably a CCS framework) to purchase goods and services. Use of CCS RM3808 framework provides a compliant procurement route for the purposes of the Regulations.

As noted this framework provides for 'cluster buying' arrangements with third parties, where the same contractual provisions (as the council) would be granted to each 'cluster member' (as third parties), and providing for separate invoicing provisions and data protection provisions i.e. each cluster member potentially acting as a data controller. However, the suitability of the framework call-off terms will need to be carefully considered by legal services and the information governance teams / data protection officers in due course.

Given the constraints on varying public framework agreements (particularly if a direct award procedure is used), careful consideration will also need to be given to whether the chosen framework can provide the desired flexibility without upfront commitments (ie at the point of signing the call-off) to invite the participation of third parties at a later date, in addition to whether such arrangements would be compliant with the public procurement rules. Where such approach is possible, bespoke terms may be required to supplement the call-off terms, potentially necessitating a further competition process, together with separate contracts / MOUs between BCC and its companies to address any risk retained by the council as the contracting party.

The choice of specific devices available under the framework will need to take into account equalities legislation and accessibility requirements. The equalities impact assessment should address this. No public consultation requirement arises in relation to this report.

**Legal Team Leader:** Eric Andrews, 03/12/2020

**3. Implications on IT:** The move to a new, more cost effective and flexible data provider will benefit the adoption of many aspects of the emerging Digital Transformation Strategy and drive usage of more mobile solutions. We wish to ensure we benefit from changes in the supplier/vendor market rather than maintain the current approach.

**IT Team Leader:** Simon Oliver, 19/11/2020

**4. HR Advice:** No HR implications evident

**HR Partner:** James Brereton, 19/11/2020

<b>EDM Sign-off</b>	Mike Jackson	09/12/2020
<b>Cabinet Member sign-off</b>	Cllr Craig Cheney	14/12/2020
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor	[date]

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>NO</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>NO</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>

<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Exempt Information</b>	<b>NO</b>
<b>Appendix J – HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>