

DELEGATED POWERS REPORT NO.

1987

SUBJECT: Electoral Registration and Elections Management Software Contract

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	Paul Frost 27-2-13
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Paul Frost 27-2-13
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Fin officer Date	Catherine Peters 14-3-13
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Res officer Date	N/A
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 28-2-13
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date:	Sheila Saunders 14-3-13
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 27-2-13
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 27-2-13
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Jeff Lustig 18-3-13
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	DPR 19-3-13
11. Report published by Governance Service to website	Name of GSO Date	Andrew Charlwood 2-4-13
12. Head of Service informed report is published	Name of GSO Date	Andrew Charlwood 2-4-13
Key decisions only:		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER
(EXECUTIVE FUNCTION)****Subject** **Electoral Registration and Elections
Management Software Contract****Officer taking decision** Director of Corporate Governance**Date of decision** 15 March 2013

Summary	To approve the award of contract to Xpress Software Solutions Ltd for the supply, maintenance and support of an Electoral Registration and Elections Management software system for a period of three years, with the option to extend for one additional year.
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Officer Contributors John Bailey – Electoral Projects Manager**Status (public or exempt)** Public (with separate Exempt Report)**Wards affected** All**Enclosures** None**Reason for exemption from call-in (if appropriate)** Not applicable**Key decision** No**Contact for further information:** John Bailey – Electoral Projects Manager
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Serial No. 1987

1. RELEVANT PREVIOUS DECISIONS

1.1 None

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 The award of this contract for an Electoral Registration and Elections Management Software System supports the Corporate Plan 2012/13 priority of 'Better services with less money' by ensuring resources are used economically and effectively.
- 2.2 The Electoral Registration and Administration Bill 2012 (ERA Bill 2012) has recently passed through Parliament and by law, a change in the processes of electoral registration to one based upon Individual Electoral Registration (IER), must be completed by July 2014. The award of this contract thus facilitates the Electoral Registration Officer (ERO), operating through the Electoral Registration Service, in contributing to the Council's strategic objective of 'an efficient council, with services designed to meet the changing needs of residents' under the Corporate Plan 2012/13 priority of 'Better services with less money'.

3. RISK MANAGEMENT ISSUES

- 3.1 Following the introduction of the ERA Bill 2012, there is a duty upon the ERO to implement an Electoral Register based upon IER (and compliant with the new legislation). At a national level, the project to introduce IER is being led by the Cabinet Office (CO). At a borough level, the Electoral Projects Manager is conducting a project to ensure that the London Borough of Barnet and ERO comply with all activities and deadlines of the Cabinet Office project, as well as to ensure that the introduction of IER within LBB is as efficient as possible.
- 3.2 In order to effectively fulfil many of the activities of the CO IER project and to mitigate against a number of its risks, it is considered necessary that the Authority has an Electoral Registration and Elections Management software system contract in place that will run for the entire duration of the IER project and which ensures the commitment of the supplier to the new requirements upon the software system that the ERA Bill 2012 will introduce.
- 3.3 The following table summarises a number of the identified IER project risks that the new ER/EMS contract is mitigation against (and the Residual Risk Ratings following this procurement):

Risk Description	Consequences	Residual Risk rating:		Relevant ER/EMS Mitigating Action
		Likelihood	Impact	
Risk of high costs being incurred to upgrade the current ER/EMS software in order to create and maintain an IER register	The Council has to find funds to cover a budget overspend for the upgrade of the ER/EMS system	Low	Medium	Put in place an ER/EMS contract which covers the entire period of the IER project
Risk that the transition to IER introduces additional registration activities and causes the Electoral	Eligible electors face delays in either being registered or receiving confirmation that they	Low	High	Ensure that the new ER/EMS system introduces efficiencies to the process of

Registration workload to become unmanageable	are registered. Eligible electors are not registered.			electoral registration and is effectively evaluated as offering an effective IER transition solution
Risk that the electoral registration surge for elections scheduled during the period of transition to IER divert resources away from the project and lead to registration failings	Eligible electors face delays in being registered and/or fail to receive (e.g.) poll cards, postal vote packs etc. Eligible electors are not registered to vote.	Low	High	Action as for risk above – <i>and</i> – Ensure that the new ER/EMS system is effectively evaluated as offering efficiencies to the processes required during a live election project.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 Pursuant to the Equality Act 2010, the Council and all other organisations exercising public functions on its behalf must have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; and sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.
- 4.2 The Council is responsible for ensuring that all contracts for supplies, works and services are consistent with its equality & diversity obligations. The Council has a duty to promote equality of opportunity and the procurement process must ensure that this extends to parties carrying out work on behalf of the Council.
- 4.3 The preferred suppliers have an equal opportunities employment policy that ensures that no individual or group of individuals are discriminated against in the delivery of this contract.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 5.1 The Elections Office worked closely with Corporate Procurement to put in place a thorough procurement process ahead of inviting tenders for the ER/EMS contract. The procurement process was specifically designed to ensure that the ER/EMS system that was adjudged to offer the best possible combination of; qualitative system performance, operational efficiency and value for money was chosen.
- 5.2 Suppliers who wished to submit a quotation had to respond with:
- a breakdown of the costs for a three year contract
 - a completed self-scored 'Specification Compliance' response form which outlined a detailed list of requirements that LBB has of the new ER/EMS system
 - information on the Support & Training offered under the contract
 - information on the Project Management of the system install and set-up
 - details of their Experience and Track Record

- 5.3 Quotations were received from three suppliers and all were subjected to the full evaluation process. The scoring of the three quotations is outlined in the table below:

Supplier Name	Supplier A	Supplier B	Xpress Software Solutions Ltd.
Tender price (3 years)	£48,000	£20,850	£34,500
Price points	0.00 ^(*1)	25.00	8.63
Compliance with Specification - Supplier Response Scoring	24.22	23.74	23.52
Compliance with Specification - LBB 'Site Visit' Scoring	8.21	0.00 ^(*2)	19.62
Support & Training	10.00	10.00	10.00
Project Management	5.00	5.00	5.00
Experience and Track Record	10.00	10.00	10.00
Total Points	57.42	74.92	76.77
RANK	3	2	1

(*1) – As Supplier A's tender price was more than double the lowest received, the price scoring formula gave a negative score. Supplier A was therefore awarded zero points for price.

(*2) – Supplier B were awarded zero points for the LBB 'Site Visit' evaluation as the system on demonstration was still in a 'test' phase and furthermore was not available to see in 'live' operation in any Local Authority (thus non-compliant with the specification criteria outlined in the published invitation to tender)

- 5.4 The identities of Suppliers A and B are contained within the accompanying exempt report.
- 5.5 The cost of the three year contract award is £34,500, which represents a saving against the costs of the current ER/EMS system of £6,750 over three years. The cost will be met from the budgets for the Electoral Registration Office and Elections Project Team.
- 5.6 It is believed that the operational efficiencies demonstrated by the new ER/EMS system may yield further savings (primarily in temporary staff costs) during periods of peak electoral registration and during live election projects.

6. LEGAL ISSUES

- 6.1 As the value of this contract is below the current European threshold (£173,934) the Public (Contracts) Regulations 2006 (as amended) do not apply.

- 6.2 The Treaty principles of transparency, fairness and non-discrimination do apply and must be met. On the basis of the information contained in the report the relevant provisions of the Council's Contract Procedure Rules have been met.
- 6.3 The Council will enter into a written contract with Xpress Software Solutions Limited capturing the terms and conditions which apply.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution Part 3 – Responsibility for Functions, Paragraph 6, Item 6.1 - Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 12) can take decisions without consultation with the Cabinet Member concerned where it is a decision authorised to be taken by the Chief Officer under the Contract Procedure Rules for approved schemes with sufficient estimate provision.
- 7.2 Contract Procedure Rules (June 2012) – 5.2 'Any contract, including additions, extensions and variations, which has been included in a directorate or service's Budget/contract forward plan and supporting plans and strategies or any other Cabinet Resource Committee approved plan incorporating procurement activity is deemed as authorised irrespective of value, subject to compliance with contract procedure rule and EU thresholds.'
- 7.3 Contract Procedure Rules (June 2012) – 5.5 Authorisation & Acceptance Procedures, Table 5-1, Authorisation & Acceptance Thresholds for works, supplies and services authorises a Director/Assistant Director to 'Accept' a contract with a value of £173,933 or less..

8. BACKGROUND INFORMATION

- 8.1 Quotations (with specified accompanying documentation) were invited via advertisement on the Supply4London website procurement portal on 4 January 2013. A deadline for receiving submitted quotations was set for 1pm on 23 January 2013 and three quotations with correct accompanying documentation were received before this deadline.
- 8.2 The submitted quotations and accompanying documentation were reviewed by an evaluation team consisting of four council officers with relevant knowledge and experience of:
- electoral registration processes and procedures
 - elections management requirements and statutory obligations,
 - information technology (including LBB's specific IT infrastructure)
 - existing and forthcoming electoral law
- 8.3 The scoring for the evaluations of the submitted quotations comprised:
- 25% for price – with the bids scored competitively against each other (the lowest priced bid receiving a score of 25 and the others a comparatively lower score based upon how much higher they were priced)
 - 25% for compliance with specification – based upon the suppliers own undertaking of compliance against a wide variety of specific system capabilities and requirements
 - 25% for compliance with specification - based upon a site visit by the

evaluation team to a Local Authority (chosen by the supplier) where the system could be observed and queried in a 'live' environment. The bids were competitively scored against each other over 33 specific criteria, with the winner scoring highest marks on each criteria.

- 10% for the 'Support & Training' offered as part of the quoted contract price
- 10% for the submitted evidence of 'Project Management' for the installation and set-up of the ER/EMS system
- 5% for the submitted evidence of 'Experience & Track Record' in delivering ER/EMS systems to other Local Authorities

8.4 Throughout the evaluation period, the evaluation team worked in close consultation with colleagues from LBB's Corporate Procurement Team to ensure full compliance with the Council's Contract Procedure Rules.

8.4 The ER/EMS system offered by Xpress Software Solutions Limited was selected following the full evaluation and scoring of the three quotations received. A breakdown of the scores is available in the table at 5.3 above.

9. LIST OF BACKGROUND PAPERS

9.1 None

10. OFFICER'S DECISION

I authorise the following action:

10.1 That the Council enters into a contract with Xpress Software Solutions Limited for the; supply, installation, set-up, documented training and support and annual software maintenance of their Electoral Registration and Elections Management Software System for a period three years in the sum of £11,500 per annum (with the option to extend for a further one year retained at the Council's sole discretion).

Signed

Jeff Lustig

Director of Corporate Governance

Date

18 March 2013