

Report to Council

Subject: Waiver of Contract Standing Orders

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1. Purpose of the Report

To request a waiver of Contract Standing Orders in respect of the requirement for a full tender exercise to procure new electoral services and committee management software packages.

2. Background

The Council acquired the current elections software solution in 2008 as a replacement to a system that could no longer support the work of electoral services.

The current solution has not been used to its full effect since installation. This is largely because staff have found the product to be unreliable and difficult to work with. Tasks take what is considered to be an unreasonable amount of time to complete and increased support from Gedling's own IT department is required to maintain services. Due to the ongoing problems described and a very challenging period ahead for electoral services (County, European and National elections all in the next 3 years as well as wholesale changes to voter registration) changing supplier has become essential and the timeframe to do this is very small.

The current committee software (acquired in 2004) is also considered to be in need of replacement due to similar issues in terms of usability and functionality.

3. Proposal

Council is asked to waive Contract Standing Orders in respect of the requirement for a full tender exercise for the reasons outlined in this report.

The elections market is a very small field. Research has identified four main suppliers in the field and market research has been carried out. At an early stage it has emerged that Xpress Software Solutions Limited (XSSL) should be selected as the only sensible option. It is the market leader in electoral services and can deliver a cost neutral replacement for the Council.

XSSL is part of the much larger Electoral Reform Services Group (ERS). It is the leading supplier to local authorities with over 175 local authority customers. The software is the only supplier to provide an “end to end” service for elections with all elements of the software automatically integrating into the central database without the need for exports of data resulting in wasted time. As Xpress is part of the ERS group substantial discounts for all services such as production of poll cards, postal voting packs and telephone, internet and text canvass services are available to local authorities. Their reputation in the field is unrivalled and Xpress is the only supplier that can claim never to have lost a customer to a rival.

For the reasons above it is considered appropriate to select XSSL as the preferred supplier for elections software. Given the very restricted marketplace, ongoing difficulties with the current system and the very narrow window of opportunity within the electoral cycle plus the clear cost savings (see below) for the Council officers consider that a waiver of contract standing orders is appropriate.

XSSL has recently acquired the market leading Committee Management Software Company Modern.gov. Gedling Borough Council’s Committee Management System is in need of replacement. It would therefore be advantageous to the Council to procure both systems at the same time thereby achieving a substantial discount. The replaced systems will also achieve a modest revenue saving for the Council.

The Council’s Contract Standing Orders require tenders to be invited where the estimated value or amount of a proposed Contract exceeds £50,000. Exemption from this provision may be made by direction of the Council where they are satisfied that the exemption is justified in special circumstances. Such a waiver cannot be given where the contract value exceeds the E.U. threshold unless an exemption is available under the E.U. Procurement Regulations.

The value of the contract exceeds £50,000 but falls under the E.U. threshold, therefore a waiver could be granted by Council if satisfied that there are special circumstances.

4. Financial Implications

Currently ongoing support for committee administration software and electoral registration software costs the Council £23,000 per annum. The new combined annual cost would be £19,600 with no upfront or capital costs. This results in a

saving of £3,400 per annum. As the contract is a fixed price (£98,300 over five years) this approach avoids any annual uplift to the maintenance fee which both current suppliers currently impose.

There will also be significant additional savings to be made once the new systems are in place as the department will be working more efficiently with less spent on printing (for example fewer agendas will need to be printed) The precise nature of these savings have not been calculated at this stage but are likely to be significant in terms of the service's budget.

5. Recommendation

That Council waives Contract Standing Order 3 to enable the purchase of Xpress Elections Software and Modern.gov from Xpress Software Solutions Limited without the necessity of inviting other tenders.