

Report Title: Corporate Mobile Telephone Contract Retender

Date of meeting:	7 November 2024
Report to:	Cabinet
Report of:	Executive Director – Corporate Services and Commercial
Portfolio:	Corporate Services
Wards affected:	All Wards
Included in Forward Plan:	Yes
Is this a key decision:	Yes
Exempt/confidential report:	No

Summary:

This report seeks authority to go to market for the provision of mobile telephony SIM cards to support the mobile data and telephony provision across the authority.

The report sets out the background to the Council's current contract with EE, which is due to expire on the 31 March 2026 and recommends a route to market in line with Public Procurement legislation.

Recommendation(s):

It is recommended that Cabinet:

- (1) Authorise the use of Crown Commercial Services Framework (RM6261) Mobile Voice and Data Services to run a further competition for the provision of a new corporate mobile telephone contract with a proposed term of an initial 3-years with the option of 2 further 12-month extension periods.
- (2) That the Executive Director – Corporate Services and Commercial, in consultation with the Cabinet Member - Corporate Services, be granted delegated authority to award a contract resulting from the above procurement (and to award any extension thereof).

1. The Rationale and Evidence for the Recommendations

- 1.1 The Council is currently in a contract for its mobile telephone provision with EE Ltd after running a previous competitive procurement process under a now expired Crown

Commercial Services framework (RM1045). The contract has been in place since April 2019 and was for an initial term of 5 years, with the option of extending by two further periods of 12 months through delegated authority to the Executive Director of Corporate Services and Commercial. The Council is using both optional extension periods giving a final contract end date of 31st March 2026.

- 1.2 The current contract predominantly covers SIM cards for data and mobile handsets used by Council Officers and Members. In addition, the current contract also includes SIM cards which are used within various traffic signal devices around the borough.
- 1.3 With the impending contract end date, the Council now needs to start the process of tendering for a new mobile phone contract. Whilst 2026 is indeed a while off, a procurement process is expected to take anywhere from 6 to 9 months and with the possibility of a different provider winning this new contract, additional time for migrating and implementing the mobile service also needs to be factored into the overall project timeline.
- 1.4 The proposed procurement route is to utilise Crown Commercial Services dedicated Mobile Voice and Data Services (RM6261) framework to run a mini competition. This framework is Public Contract Regulations compliant. A key requirement within the new specification will be the ability of operators to provide acceptable signal coverage across the borough to enable Council officers and Members to continue to be able to conduct their duties, noting that due to Sefton's coastal regions, not all providers have the same service availability.
- 1.5 Consultation has been carried out with colleagues from the Council's Highways department who are responsible for the provision of traffic signals mentioned above under 1.2. It was anticipated there could be large disruption to service and a large cost of change should the outcome of this tender result in the awarding to a new mobile supplier as SIM cards would potentially need to be physically replaced in a significant number of traffic signal equipment across the borough. However, it has been confirmed that the Highways department have already commenced the process of moving their services to a new solution. This procurement exercise will therefore not include traffic signal SIMs and the scope of this procurement only relates to the provision of mobile SIM cards for use for mobile phones, or mobile data as required by officers and members to discharge their duties.

2. Financial Implications

Costs will be contained within existing corporate revenue streams managed by the ICT Client team.

3. Legal Implications

The Council has a current statutory duty under Public Contract Regulations 2015. Whilst this will soon change to the Procurement Act 2023, as this procurement will be under a framework established prior the new act coming into force PCR2015 will apply.

4. Risk Implications

Without a mobile telephone/data contract, the Council and its staff would be without a core communication tool used for its business and duties. The provision of this service supports the core business as well as ensuring the provision of business continuity arrangements across a number of services by provide data which can be used should there be a network outage.

5 Staffing HR Implications

There are no staffing implications

6 Conclusion

If the recommendations within this report are approved, the next steps will be to complete the procurement process to ensure that Sefton has a new contract in place before the current contract ends thereby allowing for an implementation/transition period should the contract be awarded to a new provider.

Alternative Options Considered and Rejected

The other option available to the Council would be consider a direct award to the incumbent provider (EE Ltd). This was rejected on the basis that the Council has been with the incumbent provider for a number of years and by going out competitively to market could realise savings for the Council but at minimum confirm value for money has been achieved. Unlike some other ICT services, the incumbent providers services are not embedded or intrinsically linked enough that would bring into consideration a large cost of change.

Resource within both ICT and Procurement has been identified and reserved to conduct this procurement exercise.

Equality Implications: There are no equality implications.
Impact on Children and Young People: None
Climate Emergency Implications: The recommendations within this report will have a Neutral. Impact as the existing services will continue under a new contract.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Services & Commercial (FD.7791/24) and the Chief Legal and Democratic Officer (LD.5891/24) have been consulted and any comments have been incorporated into the report.

Consultation has also taken place with the Highways department as outlined within the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision :

Following the expiry of the “call-in” period for the Cabinet decision.

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Appendices:

There are no appendices to this report.

Background Papers:

There are no background papers to this report.