

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

SERVICE DIRECTORATE: Regulatory

1. DECISION TAKEN

- 1.1. To procure a 3-year contract with the option to extend by 12 months with Imperial Civil Enforcement Solutions via a direct award using framework G Cloud 13 RM1557.13 Lot 2. The provision is for a hosted solution for software for the issuing and processing of PCN's, processing permits.

2. DECISION TAKER:

- 2.1. Nigel Smith, Acting Service Director - Regulatory

3. DATE DECISION TAKEN:

- 3.1 30 September 2024

4. REASON FOR DECISION

- 4.1. To ensure the continuation of service delivery in relation to the processing of Parking Contravention Notice's (PCN) and permits when the existing contract with Imperial Civil Enforcement Solutions ends on 3rd Oct 24. To replace the products that are currently provided by Barbour Logic upon expiration of the existing contract for the letter writing solution with the alternative Imperial products. The new contract will commence on 4th Oct 24 and will end on 3rd Oct 27 with the option to extend for a further 12 months.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1. In considering the opportunity for the Council to terminate its current set of contracts associated with the parking enforcement function, i.e. the notice processing software, permit software and letter writing products, and to enter a new contract for three years, the following options were considered: -
- Option 1- remain with the existing contractual arrangements.
 - Option 2- replace the current products with an in-house solution.
 - Option 3- carry out market testing and procure directly from a framework.
- 5.2. Option 1 and option 2 were discounted for the following reasons:
- 5.3. Option 1- To remain with the existing contractual arrangements. This option was discounted as it was always the intention to evaluate the existing supplier and alternately whether the products provided by Barbour Logic could be replaced with the Imperial products that would provide an integrated solution.
- 5.4. Option 2- Replace the current products with an in-house solution. A meeting took place with the Service Director Customers and the Digital Transformation team during Oct 23 to discuss the viability of the team building an in-house solution. It was agreed that there would not be sufficient time to consider this option at this stage due insufficient time to carry out a detailed evaluation given that the current contract expires on 3rd Oct 24. It was agreed to proceed with procurement.

- 5.5. Option 3- Carry out market testing and seek to procure from a framework. This was considered to be the best option and following a procurement process it was considered best value to remain with Imperial for the provision of a hosted solution for software for the issuing and processing of PCN's and processing permits. The procurement is for a 3-year contract with the option to extend by 12 months with Imperial Civil Enforcement Solutions via a direct award using framework G Cloud 13 RM1557.13 Lot 2.
- 5.6. The products that are currently provided by Imperial Civil Enforcement Solutions meets our needs, however detailed market testing was also carried out with other suppliers to establish if there was a better offering. The market testing exercise concluded that Imperial Civil Enforcement Solutions continue to provide good value for money and in addition to that, they are also in the process of preparing the product for the implementation of virtual permits.
- 5.7. During the evaluation process it was decided to review whether the letter writing software that is currently provided by Barbour Logic should be replaced with the Imperial alternative product. A site visit took place to the Imperial head office to observe the product being used at their processing centre and feedback was obtained from Councils that use the Imperial Letter Writing products, Following a detailed evaluation it was agreed that as the Imperial product is integrated it will provide a better solution for the processing of penalty charge notices.
- 5.8. Following procurement and legal advice, it was agreed that it would be acceptable to direct award via a Framework.
- 5.9. The contract has also made provision for an unconditional and non-obligatory option to move from 3 Sixty to 3Sixty Web. This provision was made to avoid further procurement and instead a variation to contract can be arranged should we decide to move to 3Sixty Web. Costs are to be agreed and the suitability of the product will be reviewed in the Autumn.
- 5.10. The total cost of the new three-year contract is £138,450.00. Price excludes DVLA enquiries which will be charged at £0.15 per enquiry. All charges are subject to increases in line with the Consumer Price Index (CPI) with effect from each anniversary of the Go-live Date.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS, AND THE PUBLIC)

- 6.1. The Leader and interim Executive Member for Planning & Transport, Councillor Daniel Allen, has been consulted and supports this approach.
- 6.2. The option to entering into a single combined contract to deliver all the services required has been discussed with Service Director-Regulatory and that decision was supported.

7. FORWARD PLAN

- 7.1. This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1. North Herts Council has been working with Barbour Logic for 10years. Although the current products are fit for purpose the main reason to move away from Barbour Logic is to enjoy the integration that the Imperial products will provide.
- 8.2. The current contract with Barbour Logic will expire on 4th October 2024. A 3-to-6-month extension period may be required to provide additional time if required for the set up and implementation of the replacement products. These costs will be funded from the un-ringfenced Land charges transition payments.

9. LEGAL IMPLICATIONS

- 9.1. Under paragraph 14.6.4 (a) (ii) of the Council's Constitution, Service Directors have general authority to enter contracts to carry out works and/or for the supply of goods and services within approved budgets.
- 9.2. Paragraph 14.6.6 (a) (i) further gives the Service Director – Customers, the authority to manage, direct and control resources allocated to the Directorate in accordance with the Council's policies and procedures.
- 9.3. A new contract will need to be in place at the end of the termination period to allow smooth continuity of the current services and legal officers will liaise with officers and Imperial Civil enforcement Solutions to ensure a contract is duly signed and executed.

10. FINANCIAL IMPLICATIONS

- 10.1. The total cost of the new three-year contract is £138,450.00 and will be funded by the parking budget. The extension of the Barbour Logic product will be funded by the Land Charges transition payment funds in addition to the £6k additional to move from Barbour Logic to Imperial.
- 10.2. The cost of the current Imperial contract over 3 years is £104,760 plus the cost of the Barbour Logic product is £24k over a 3-year period the total is £128,760.
- 10.3. By entering into the new three-year contract there will be an additional cost over 3 years of £9690 which will be met by the parking budget.

	Existing costs	New contract
Imperial Products 3 yr.	102,510	103,500
Imperial set up costs yr1	2,250	4,950
Letter writing tool 3 years	24,000	30,000
Total	128,760	138,450
Explanation of difference in cost		
Additional set up costs in new contract when compared with current contract		+£2,700
Additional costs over 3 years to move from Barbour Logic to Imperial		+£6,000
Increase in costs of Imperial products		+£990
Total difference		£9,690

- 10.4. The suppliers evaluated as part of the Framework included Chipside, Taranto and Marston. Chipside were eliminated as costs were comparable with Imperial however they did not have a letter writing solution. Taranto were eliminated as prices were higher and also they did not have a letter writing tool. Marston were eliminated on the basis of cost and that the VRM could not be scanned.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. This is a low-risk implementation. The options assessment concluded that the digital team trying to build an in-house solution would be higher risk.

12. EQUALITIES IMPLICATIONS

12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2. There are no equalities implications.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and “go local” policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1. There are no human resource implications to consider other than managing the implementation of the new contract,

16. BACKGROUND PAPERS

16.1. none

17. APPENDICES

17.1. none

NOTIFICATION DATE 01 October 2024



Signature of Executive Member consulted.



Signature of Decision Taker

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS