

CABINET

21 September 2021

Title: Procurement of Elections Stationery and Printing Services Contract	
Report of the Cabinet Member for Finance, Performance and Core Services	
Open Report	For Decision
Wards Affected: None	Key Decision: No
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Accountable Strategic Leadership Director: Fiona Taylor, Strategic Director, Law and Governance	
Summary: This report seeks approval to the procurement strategy for an initial four-year contract, with an option to extend for a further year, for the provision of elections stationery and printing services, with an anticipated start date of 1 February 2022.	
Recommendation(s) The Cabinet is recommended to: (i) Agree that the Council proceeds with the procurement of a maximum five-year year contract for the supply of elections stationery and printing services, in accordance with the strategy set out in the report; and (ii) Authorise the Strategic Director, Law and Governance, in consultation with the Cabinet Member for Finance, Performance and Core Services, to conduct the procurements and award and enter into the contracts and all other necessary or ancillary agreements with the successful bidder(s), in accordance with the strategy set out in the report.	
Reason(s) To meet the statutory requirements in relation to election services and assist the Council to meet its priority of a "Well Run Organisation".	

1. Introduction and Background

- 1.1 In May 2016 and following a competitive tendering exercise, the Council entered into a contract with Financial Data Management (FDM) for the provision of elections stationery and printing services for a three-year period commencing 8 June 2016 with the option to extend for a further year at the Council's discretion. The extension clause was applied and the contract formally expired on 7 June 2020.

- 1.2 Prior to the COVID-19 pandemic, the intention was to review the specification for this contract, as well as the contract for the supply of Individual Electoral Registration (IER) stationery, printing and other IER services which was to expire at the same time. Due to the uncertainty at the time however, it was decided not to retender the contracts and, instead, to progress 1-year direct award arrangements with the existing providers, FDM and Civica Election Services (CES) Limited respectively.
- 1.3 For information, the IER services contract has subsequently been relet via a further direct award contract for the six-month period ending 31 January 2022, to enable the 2021 annual canvass to be delivered while preparations for a similar 4 + 1 year contract commencing 1 February 2022 is progressed. Cabinet approval for that contract is not required as the value is below the £500,00 threshold.
- 1.4 Although the latest contract with FDM for the provision of elections stationery and printing services expired on 13 September 2021, it does not need to be extended for the interim period as the next set of elections, the Locals, do not take place until May 2022. The commissioning of services for that election, and any resultant expenditure, will commence after 1 February 2022 by which time the new contract will be in place.

2. Proposed Procurement Strategy

2.1 Outline specification of the works, goods or services being procured

2.1.1 Contract for Supply of Elections Stationery and Printing Services

- Design, supply, printing and delivery (either to Council offices for staff delivery or via Royal Mail delivery) of enveloped A5-size Polling Cards;
- Design, supply, printing and mail delivery of Postal Voting packs;
- Design, supply, printing and delivery (to Council offices) of Ballot Papers;
- Design, supply, printing and delivery (to Council offices) of other election stationery, posters etc.

2.2 Estimated Contract Value, including the value of any uplift or extension period

2.2.1 The estimated contract value is as follows:

	Estimated 4 years	Estimated 4+1 Years	Estimated 5 years incl. 2% annual uplift
Supply of Elections Stationery and Printing Services	£400,000	£500,000	£520,400

2.2.2 Expenditure on election-related activities is met from F25160 (Elections) for all non-Local election activities such as Parliamentary and GLA elections. Expenditure incurred on non-Local elections is reclaimable from the respective body (ie. Cabinet Office or GLA).

2.2.3 Expenditure on Local election activities is met from F25180 (Local Elections) and the Council sets aside £75,000 per annum in order to provide a £300,000 overall budget to deliver the four-yearly election.

2.3 Duration of the contract, including any options for extension

2.3.1 The contract will be let for four years with an option to extend for one year, giving a potential duration of five years from 1 February 2022 to 31 January 2027.

2.4 Is the contract subject to (a) the Public Contracts Regulations 2015 or (b) Concession Contracts Regulations 2016? If Yes to (a) and contract is for services, are the services for social, health, education or other services subject to the Light Touch Regime?

2.4.1 This contract is subject to the Public Contracts Regulations 2015. The Light Touch Regime is not relevant to this contract.

2.5 Recommended procurement procedure and reasons for the recommendation

2.5.1 The contract will be procured via open tender and advertised in Find a Tender (<https://www.find-tender.service.gov.uk>), the Council's e-tendering portal (Bravo), Contracts Finder, the Council's website and inclusion in the B&D Business Forum Newsletter.

Outline Procurement Timetable:

Procurement Strategy Report to Procurement Sub Board	August 2021
Procurement Strategy Report to Procurement Board	August 2021
Procurement Strategy Report to Cabinet	21 September 2021
Advertisement of Contract Notices	September / October 2021
Tenders returned and evaluation	October 2021
Award Report to Procurement Board	November 2021
Implementation	January 2022
Contract Commencement	1st February 2022

2.6 The contract delivery methodology and documentation to be adopted

2.6.1 The contract will be let using the Council's standard Terms and Conditions. The successful contractor will be required to maintain a full electronic set of information on the goods/services provided to the Council. This data will be accessible to LBBD officers in the form of Management Information when requested.

2.6.2 It is intended that contract prices will be agreed for the duration of the contract period but provision has been made for a 2% annual uplift to account for any potential price increases which cannot be controlled (ie. Royal Mail increased prices) or other rises which will be agreed by both parties before being applied.

2.7 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract

2.7.1 The procurement will provide the Council with cost effective, high-quality services to enable the Returning Officer to meet their statutory requirements and relevant performance standards.

2.8 **Criteria against which the tenderers are to be selected and contract is to be awarded**

2.8.1 The contracts will be awarded through a scoring matrix based on 65% price, 25% quality and 10% social value. The primary focus on price is due to the design / artwork aspects of the services being largely pre-set and well established, including the delivery timetables for the services to be provided.

2.9 **How the procurement will address and implement the Council's Social Value policies**

2.9.1 The Council's approach to social value asks major contractors to contribute to the achievement of the Borough Manifesto goals and targets. The aim of this policy is to ensure that the Council maximises the social, economic, and environmental wellbeing that it delivers through its expenditure. The policy also ensures that the Council is aligned to the requirements of the Public Services (Social Value Act) 2012.

2.9.2 Bidders will be expected to demonstrate how they can add value to the work of the Council in line with the Social Value Framework and will be assessed accordingly. It is envisaged that "Investment in Local People" and "Investment in Local Economy" will be the primary themes of the Council's Social Value policy that bidders will be asked to focus on.

2.10 **Contract Management methodology to be adopted**

2.10.1 The Council will provide the contractors with a detailed specification which will detail the contracts management methodology to be adopted by the contractors throughout the contracts term. A named contract manager will lead the process supported by others from within the Electoral Services team.

3. **Options Appraisal**

3.1 **Option 1: Do Nothing - Rejected.** This option is not viable as the value associated with the services requires that a full tender exercise must be carried out for the spend to be compliant with the Councils Contract Rules and Public Contracts Regulations 2015

3.2 **Option 2: Use of existing corporate printing contract with Xerox – Provisionally Rejected.** Discussions are ongoing with Xerox regarding the potential for them to undertake the services via the corporate contract and any economies of scale that may be achieved. Should these discussions result in a positive outcome, the proposal to tender this contract via the open procedure will be discontinued and the service incorporated into the corporate contract. However, in order to meet the timescales for letting this contract should it be appropriate / necessary to go out to tender, approval to proceed via the open procedure is required.

3.3 **Option 3: Utilise an existing Framework Agreement – Rejected:** There are no existing Framework Agreements in place which cover the services required.

3.4 **Option 4: Open tender – Recommended:** Procuring via the open tender route will provide an equal opportunity for both local and national providers to tender for these

contracts, in line with the Council's social value requirements, as well as providing the opportunity for efficient and cost-effective procurement through economies of scale.

4. Waiver

4.1 Not applicable.

5. Consultation

5.1 The report was considered and endorsed at the Procurement Sub-Group and Procurement Board meetings in August 2021.

6. Corporate Procurement

Implications completed by: Sam Woolvett

6.1 Corporate Procurement will be managing the tender process for this procurement.

6.2 The timetable is dependent on the full suite of tender documents being written within the timescales stated in the report.

7. Financial Implications

Implications completed by: David Folorunso – Finance Business Partner

7.1 This report seeks approval to proceed with the procurement of a 4 + 1 year contract for the Supply of Elections Stationery and Printing Services, in accordance with the strategy set out in the report.

7.2 The estimated cost of this proposal over the full 5-year period is £520,400. This will be met from a combination of budget provisions from the grant funding from the Cabinet Office, General Fund budget and drawdown from Election Reserve if necessary.

7.3 The expenditure will be monitored as part of the budget monitoring arrangement for the service area.

8. Legal Implications

Implications completed by: Kayleigh Eaton, Senior Contracts and Procurement Solicitor, Law & Governance

8.1 This report is seeking approval to tender a contract for Elections Stationery and Printing Services, for 4 years with the option to extend for an additional year from 1 February 2022.

8.2 It is anticipated that the estimated value of the contract will be in excess of the threshold for goods and services under the Public Contracts Regulations 2015 (the Regulations) and therefore a competitive tendering process will be required, which will be subject to the full application of the Regulations. In compliance with this, paragraph 2.5.1 states that the tenders will be run using the open process and advertised in Find a Tender, the Council's e-tendering portal (Bravo), Contracts

Finder, the Council's website and inclusion in the next issue of the B&D Business Forum Newsletter.

- 8.3 Contract Rule 28.8 of the Council's Contract Rules requires that all procurements above £500,000 in value must be submitted to Cabinet for approval.
- 8.4 In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award the contracts following the procurement processes with the approval of Corporate Finance.
- 8.5 The procurement procedure anticipated by this report would appear to be following a compliant tender exercise and Legal Services will be available to assist and advise upon further instruction.

9. Other Implications

- 9.1 **Risk and Risk Management** – The contract specification will set out the detailed requirements for the services, including the need to align services, where appropriate, with the Council's current election and electoral registration IT system, Xpress, to ensure the timely and secure transfer of data. The planning process for both the annual canvass and election preparations will also ensure that services are delivered in accordance with statutory and other set timescales.
- 9.2 **Corporate Policy and Equality Impact** – Much of the printing and stationery associated with this contract will be in a prescribed form as set by the Government / Electoral Commission. An Equalities Impact Assessment or Screening Tool is, therefore, not required.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None