

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	3773
Author:	Jason Mark Clifford
Department:	Development and Growth
Contact:	Jason Mark Clifford (Job Title: Principal Public Transport Officer, Email: jason.clifford@nottinghamcity.gov.uk, Phone: 01158764664)
Subject:	CMS System For ENCTS and Robin Hood Network schemes
Total Value:	£97,000 (Type: Capital and Revenue)
Decision Being Taken:	<p>To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to purchase a Card Management System (CMS) to enable the function of the English National Concessions Travel Scheme (ENCTS) and Robin Hood Smartcard scheme to continue, and include mobile app development, via a contract award to the current supplier, on a 4 year contract starting on 1 April 2020.</p> <p>To delegate authority to the Corporate Director for Development and Growth to award the contract.</p>
Reasons for the Decision(s)	<p>The CMS enables the provision, printing and maintenance of all ENCTS and Robin Hood smartcards. The current CMS contract was awarded under an ESPO Framework in 2015 and is now coming to an end, ergo a new contract needs to be sought. ESPO no longer have a framework for these services. There are other frameworks offering similar services but none are compliant legally and/or meet Nottingham City Council's (NCCs) requirements. A mobile phone application directly linked to the CMS is required to provide the platform for mobile ticketing developments for the Robin Hood Network scheme agreed to be provided under the Transforming Cities Program approved at Executive Board on 21 May 2019.</p> <p>The CMS value over 4 years is £64,000, the mobile app development value is £33,000, and operational costs are included in the CMS.</p> <p>Approval is required to award a contract with the current supplier as they demonstrate value for money compared to other suppliers, the current system works extremely well and to move supplier would be disruptive. The decision is also based on the relatively low cost of including the mobile phone app within the CMS.</p>

**Other Options Considered:** Using other frameworks was rejected because there are none available which meet the Council's legal requirements to use them.

**Background Papers:** None

**Published Works:** Transforming Cities Programme - Executive Board - 21 May 2019

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** None

**Any Information Exempt from publication:** Yes

**Dispensation from Financial Regulations:** Yes

**Exempt Information:**

**Description of what is exempt:** Benchmarking information

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it could prejudice contract negotiations

**Documents exempt from publication:** Commentary for CMS including mobile application Direct Award DDM~1.docx

<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	None
<b>Equality:</b>	EIA not required. Reasons: The decision is a business as usual approach
<b>Social Value Considerations:</b>	N/A
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	29/01/2020
<b>Advice Sought:</b>	Legal, Finance, Procurement
<b>Legal Advice:</b>	<p>The proposals in this decision raise no significant legal issues and are supported.</p> <p>Whilst frameworks for these services do exist, they are not deemed suitable for the Council's use and the current supplier of CMS services is considered to offer value for money having been benchmarked by the report author against other potential suppliers. There are functional and financial benefits associated with linking the mobile phone application development to the CMS system so as detailed within the decision it is considered sensible to purchase the two from the same supplier.</p> <p>The cost of the both elements of these services fall below the relevant procurement threshold and for the technical and financial reasons detailed within the decision, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported.</p> <p>Advice provided by Dionne Claire Screatton (Solicitor) on 09/01/2020.</p>
<b>Finance Advice:</b>	<p>The cost of these schemes are £16k per year over 4 years and this can be funded from current Public Transport revenue budget.</p> <p>£33k capital costs are being funded from Transforming Cities Bid Tranche 1 which has been approved. Therefore the funding is in place for these schemes at no additional financial pressure to the service or the Council.</p> <p>Advice provided by Susan Tytherleigh (Senior Finance Manager) on 18/12/2019.</p>

**Procurement Advice:**

Approval to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow for a direct award to the existing supplier is required. The Author has also carried out a benchmarking exercise, albeit not formally via the procurement team and this shows that the Council is getting a value for money purchase.

Advice provided by Paul Ritchie (Lead Procurement Officer) on 07/01/2020.

**Signatures**

**Adele Williams (Portfolio Holder for Adult Care & Local Transport)**

**SIGNED and Dated: 21/01/2020**

**Chris Henning (Corporate Director for Development and Growth)**

**SIGNED and Dated: 17/01/2020**

**Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations**

**SIGNED and Dated: 14/01/2020**

**Chief Finance Officer's Comments:**