

**Report of the Chief Constable to the Chair and Members
of the Policy and Resources Panel
16th March 2010**

**Executive & Presenting Officer: Mrs Ann Hall, Assistant Chief Officer
(Finance & Commissioning)**

Status: For Decision

Procurement report for the Niche Records Management System

1 Purpose

- 1.1 Cleveland Police Authority procured the Niche Records Management System in 2003 via a re-seller on the Office of Government Commerce (OGC) GCat Framework.
- 1.2 The original contract was for a five year term. The Authority's license is based on the Home Office figures for warranted officers serving Cleveland. Each year thereafter adjustments were made and an annual contract price agreed.
- 1.3 The current contract expires on the 31st March 2010. During review and re-negotiation of the contract, the Force was advised that licences and maintenance would no longer be supplied through a re-seller network via OGC therefore a contract must be established direct with the copyright and Intellectual Property Right (IPR) owners.
- 1.4 Consultation has been taken with Project I who have agreed with the award of this contract.

2 Recommendations

Members are asked to:

- 2.1 Note the procurement method used.
- 2.2 Approve the award of the contract to Tender 1.

2.3 Approve the contract term of five years.

3 Reasons

3.1 The Negotiated Procedure without prior Publication of a Contract Notice (Direct Negotiation) was the chosen EU procedure for this procurement. This procedure allows public bodies to contract directly with a provider in exceptional circumstances without advertising the contract for expressions of interest.

3.2 This method was chosen, as Tender 1 is sole the sole provider of licences and maintenance for the Records Management System which Cleveland Police currently employ. Niche, has refused to deal with any participating OGC resellers and are managing their own maintenance capability.

3.3 Only one supplier (Tenderer 1) was invited to submit a proposal for the provision of licences and maintenance for the Niche Records Management System as they are the sole provider.

3.4 Tender 1 provided a number of proposals based on different contract terms; however a five year contract offered the greatest value for money to the Authority.

3.5 A Contract award notice will be posted in the Official Journal of the European Union and the legislative 10 day standstill period will be applied prior to contract award.

4 Implications

4.1 Finance

The current contract price and the proposed new contract price are shown in the table below:

	Current Contract	Proposed New Contract
Number of warranted Officers (subject to change)	1687	1701
Price per Licence (Subject to RPI)	£100	£98
Total Annual Price	£168,700	£166,698
Approximate total spend for 5 year contract	£843,500	£833,490

4.2 The new contract provides a saving of £2,002 per annum, £10,010 over the five years of the contract.

4.3 Diversity & Equal Opportunities

There are no diversity or equal opportunities implications arising from this report.

4.4 Human Rights Act

There are no Human Rights Act implications arising from this report.

4.5 Sustainability

There are no sustainability implications arising from this report.

4.6 Risk

In the extremely unlikely event that a challenge is received for the use of the Negotiated Procedure without prior Publication of a Contract Notice (Direct Negotiation) the Authority would be required to provide supporting evidence for this decision.

5. Conclusions

5.1 The procurement process has been completed in line with European Legislation.

5.2 The recommendation is to award the contract for five years to Tender 1, based on the details provided.

Sean Price
Chief Constable