

GREATER LONDON AUTHORITY

REQUEST FOR DEPUTY MAYOR FOR FIRE & RESILIENCE DECISION – DMFD12

Title: Foundation Software – Acceptance of Tender

Executive Summary:

The London Fire Brigade has completed a tender exercise under a Crown Commercial Services framework and is ready to put in place a call-off contract with a service provider for the supply of a range of software licenses and software from different manufacturers.

Report LFC-0058 to the London Fire Commissioner seeks a decision to accept the tender and give a delegated authority to the Chief Information Officer to make software purchases and renewals under the contract. The target software for the service provider to procure under the new contract is predominantly software which has a low user base and/or is highly specialised. The new contract will cover various desktop software products, and including service management (helpdesk) software, as well as various network software tools.

A key part of this new contract will require the service provider to put in place a software asset management (SAM) tool, to be managed by the service provider, which will hold a complete record of the Brigade's software licensing so that valid licenses are in place for all Brigade software in use.

Decision:

The Deputy Mayor for Fire and Resilience consents to the London Fire Commissioner's decision to:

Accept the successful tender and enter into a contract with Phoenix Software Limited for the purchase and renewal of a range of lower user base and specialised software licenses for the value set out in the confidential appendices to report LFC-0058 to the Commissioner.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

31/10/18

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The London Fire Brigade (LFB) has completed a tender exercise (under a Crown Commercial Services (CCS) framework) and is ready to put in place a call-off contract with a service provider for the supply of a range of software licences and software from different manufacturers. Report LFC-0058 to the London Fire Commissioner seeks a decision to accept the tender and give a delegated authority to the Chief Information Officer, to make software purchases and renewals under the contract.
- 1.2. The target software for the new contract is predominantly software which has a low user base and/or is highly specialised. The new contract will cover various desktop software products, and including service management (helpdesk) software, as well as various network software tools.
- 1.3. A key part of this new contract will put in place a Software Asset Management (SAM) tool, to be managed by the successful supplier, which will hold a complete record of the Brigade's software licensing so that valid licences are in place for all Brigade software in use.
- 1.4. The Commissioner's Decision recognises the intention to work collaboratively with the London Ambulance Service (LAS) on the joint procurement of an IT Service Management tool (the cost of which is included in the overall budget provision set out in confidential appendix A to the report to the Commissioner, although LAS would reimburse their share of the cost).

2. Objectives and expected outcomes

- 2.1. The contract will provide the London Fire Brigade with efficient and value for money access to low user base and highly specialised software, including:
 - **Data management and administration tools** – such as ConceptClassifier (taxonomy classifying software), Scinaptic OnePlaceMail (tool to transfer email in SharePoint), Metalogix ControlPoint (administration tool to manage Microsoft SharePoint).
 - **Network software tools** – such as SolarWinds (network/sysadmin management tool), VMware vSphere (server virtualisation software), AppSense (user virtualization technology).
 - **Desktop software** – such as Adobe products.
 - **Software development tools** – such as Sparx Enterprise Architect (visual modelling and software design tool, Infragistics Controls (tool to create user interfaces).
 - **Server tools** – such as Veeam (backup, disaster recovery and intelligent data management software), Trend Scanmail/control manager (virus/malware protection), Symantec Windows DigiCert (website security), Trend Server (virus protection).
 - **Service management (helpdesk) software.**
- 2.2. The contract provides, in the first year, for the implementation of a SAM tool to be used by the supplier to automate many of the tasks required to maintain compliance with software licences, thereby controlling software spending. The tool will manage entitlements from enterprise licence agreements, purchases and other records to automatically determine and optimize licence position against discovered software.

- 2.3. The tool will also be able to directly assist with any potential shift in software providers for 2019/20 and beyond. Under the terms of the tender, the chosen supplier was required to submit an implementation plan and costs for the SAM product for approval. This has now been received and the recommended product is for a managed service, which includes configuration and implementation; a telephone/online licence advisory service; a reporting tool; quarterly onsite management presentations; and a licence dashboard solution.
- 2.4. LFB has been in discussion with the LAS about a proposed collaborative procurement and implementation of a common IT Service Management (ITSM) product, to support the ServiceDesk and other problem resolution operations. Currently, LFB and LAS use different products and the intention would be to use the same software. As the LAS service provider is Phoenix Software Limited, the LFB's proposed successful tenderer, this collaboration opportunity arises if the Commissioner awards Phoenix the contract. Subject to the Deputy Mayor's and Commissioner's decisions, and concluding satisfactory arrangements with LAS and consultation with General Counsel to the Commissioner, it is proposed to pursue this collaboration.

3. Equality comments

- 3.1. Under Section 149 of the Equality Act 2010, the London Fire Commissioner must have 'due regard' of the need to:
- Eliminate unlawful discrimination, harassment and victimisation; and
 - Advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not.
- 3.2. The Public Sector Equality Duty – and the potential impacts of this decision on those with protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation) – has been considered by the London Fire Commissioner and the Deputy Mayor for Fire and Resilience. The contract documentation includes an Equalities protocol which sets out how the supplier must meet their statutory equality requirements, and how this will be managed. There are no specific impacts arising from the recommendations to the Deputy Mayor and the Commissioner.

4. Other considerations

Procurement

- 4.1. A competitive process under a CCS framework (Technology Products 2 Agreement RM3733 Framework Schedule 4 – Annex 1) has been concluded. Four companies submitted a tender (as set out in the confidential appendices A and B to the Commissioner in report LFC-0058). Appendix A outlines how the tenders were evaluated, and Appendix B shows the scoring outcomes. The service provider to be appointed will act as a reseller for the majority of the Brigade's low user base/specialised software requirements. Phoenix Software Limited are the preferred bidder having submitted the most economically advantageous tender.

Collaboration

- 4.2. The Policing and Crime Act 2017 created a statutory duty on fire and rescue authorities, police forces and ambulance trusts to keep collaboration opportunities under review, notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness, and to give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety. The National Framework for the Fire and Rescue Service in England published

in May 2018 supports that duty, noting that *'ambulance trusts are required to consider the impact of the proposed collaboration on their wider non- emergency functions and the NHS when determining if it would be in the interests of their efficiency or effectiveness'*.

- 4.3. This collaboration pursuit with the LAS is in keeping with the Act and the Framework, and is supported by the London Safety Plan's joint statement of strategic intent between the three emergency services (page 19) in London to *'[ensure] collaboration is at the heart of everything we do'*. The strategic intent includes *'Support Functions...[maximising] opportunities to drive better value from existing arrangements and to explore commercial options [by developing collaborative procurements]'* and *'Infrastructure...[aligning] ICT strategies and sharing ICT solutions where possible'*.

London Safety Plan

- 4.4. The proposals within LFC-0058 support the London Safety Plan 2017 aim: *'Valuing staff and using resources wisely'* and its Digital First priorities (page 55), notably: *'The Brigade wants to work with the wider fire and rescue services, and blue light service partners, to exploit digital technologies for the benefit of all in order to get the best deals from its suppliers.'*

5. Financial comments

- 5.1. The estimated value of software licences, including the one per cent associated fee to Phoenix Software Limited, to be purchased/renewed under this three-year contract is set out in confidential Appendix A of report LFC-0058 to the Commissioner. There is provision in the Commissioner's budget to cover the cost of licences for the software to be purchased under this contract. No additional funds from the GLA are sought or required; there are no direct financial implications for the GLA.

6. Legal comments

- 6.1. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.2. By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor").
- 6.3. Paragraph (b) of Part 2 of the said direction requires the Commissioner to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...".
- 6.4. The Commissioner proposes to procure a service for the provision of software and software licenses for low user base and specialised software. The value of the procurement detailed in the commercially sensitive Appendix B of the report to the Commissioner and Part 2 of this decision exceeds £150,000, requiring the prior approval of the Deputy Mayor for Fire and Resilience.
- 6.5. Officers must ensure that appropriate contract documentation is put in place and executed by the London Fire Commissioner and the successful bidder before the commencement of the services.

Appendices and supporting papers:

Appendix A: Report LFC-0058 – 'Foundation software licensing: acceptance of tender'

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – YES

ORIGINATING OFFICER DECLARATION:

Drafting officer to
confirm the
following (✓)

Drafting officer

Andrew Nathan has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Tom Middleton has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 22 October 2018.

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

M. J. Allen

Date

23.10.18