

GREATER LONDON AUTHORITY

Request for Greater London Returning Officer (GLRO) Decision – GLRO20 05

Title: Contract for electronic counting system and related services – 2020 Mayor of London & London Assembly Elections

Executive Summary:

Officers recommend the award of the contract to CGI IT UK in partnership with Smartmatic to provide:

- an electronic ballot paper counting system;
- supply of ballot papers and ballot boxes and associated supplies/services;

for the 2020 Mayor of London & London Assembly elections.

Decision:

That the GLRO approves the award of the contract to CGI IT UK in partnership with Smartmatic for the supply of:

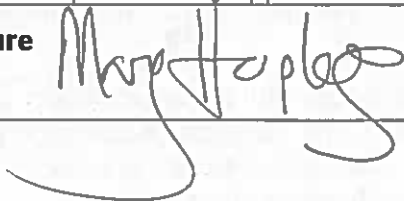
- an electronic ballot paper counting system;
- ballot papers and boxes; and
- associated supplies/services,

in respect of the 2020 (and, at the option of the GLRO at a later stage, the 2024) Mayor of London & London Assembly elections with a contract value (for 2020 provision) of £8,991,132.

Greater London Returning Officer

The above request has my approval.

Signature



Date

14/11/2018

PART 1 - NON-CONFIDENTIAL FACTS AND ADVICE TO THE GLRO

1. Introduction and background

Procurement Process

- 1.1 A prior information notice was published in the Official Journal of the European Union (OJEU) notifying potential suppliers of a briefing session to commence the process to procure an electronic ballot paper counting system; supply of ballot papers and ballot boxes and associated supplies/services for the 2020 Mayoral and London Assembly Elections. The briefing session was held at City Hall on 5 October 2017, and provided an early opportunity for interested suppliers to get a better idea of the Greater London Returning Officer's (GLRO's) requirements to facilitate the receipt of high quality tenders.
- 1.2 The contracting opportunity was then advertised in the OJEU on 9 June 2018 (reference number 2018/109-248340) on behalf of the GLRO, with a Standard Selection Questionnaire (SSQ) and draft ITT documents and contract terms and conditions asking for expressions of interest for the development, supply, installation and provision of an electronic vote counting system and related services for the electronic count of votes in the May 2020 election with the option to also cover the 2024 elections.
- 1.3 As part of the call for competition suppliers were provided with a clarification period prior to SSQ submissions. Nine suppliers registered an interest. An EU compliant procurement was then undertaken for the SSQ stage and an evaluation team was established ensuring representation from all relevant stakeholders.

The selection criteria comprised:

1. Financial Stability
2. Business Activities
3. References
4. Insurance
5. Quality Assurance
6. Health and Safety
7. Equal Opportunities
8. Environmental Management
9. Mandatory grounds for exclusion
10. Professional & business standing
11. Requirement-specific Questions

Three SSQ responses were received by the deadline of 9 July 2018.

- 1.4 The three suppliers were then provided with Invitation to Tender (ITT) documents on 3 August 2018 for completion and return by 19 September 2018. During the ITT clarification period one supplier withdrew and notified the Deputy Greater London Returning Officer (DGLRO) accordingly.
- 1.5 Both remaining contractors were required to complete a pricing schedule as part of their tender submission with an instruction to price all aspects of the delivery of the e-counting service as detailed in the Specification, set out in Volume 2 of the ITT.
- 1.6 It was further specified that the contractor meet all costs associated with the organisation, delivery and management of the project as outlined in the specification. The contractor would be expected to keep costs to a minimum and provide the most cost-effective solution to ensure value for money, without compromising on quality, accuracy and compliance with standards and security.

- 1.7 In addition each contractor was requested to provide pricing proposals that delivered and reflected the specified requirements, providing a detailed price breakdown of the elements involved and, where applicable, unit costs. Prices were to remain fixed throughout the contract. Any enhancement or amendments to the requirements were to be agreed in accordance with the Change Control Procedure contained within the Conditions of Contract, set out in Volume 3 of the ITT. It was made clear all prices quoted were to be inclusive of all expenses.
- 1.8 The evaluation of the two remaining bids took place from 20 September to 8 October 2018 and each supplier gave demonstrations of their respective E-Counting systems at City Hall on 2 October 2018.
- 1.9 Consensus evaluation meetings chaired by TfL took place on Monday 8 and Friday 12 October when the scores from the evaluators were checked to ensure compliance with the published evaluation criteria, weightings and scoring methodology. Both tenders were of a high standard, but CGI demonstrated an overall higher technical ability to deliver the requirement. The price tendered for the contract to deliver an electronic count in 2020 is £8,991,132. The contract also contains an option exercisable at the discretion of the GLRO, for CGI's provision of supplies and services for the 2024 elections.
- 1.10 Both tenderers were issued with letters on 1 November 2018 notifying them of the outcome of the evaluation, the GLA's intention to award a contract to CGI on or after 13 November 2018 and, in the unsuccessful tenderer's case details of the relative merits and advantages of CGI's tender (in accordance with the requirements of the Public Contracts Regulations 2015). The mandatory "standstill" period expired on 12 November 2018 without legal proceedings having been commenced to challenge the proposed award. Authority is sought therefore, to enter into contract with CGI, the party having submitted the most economically advantageous tender, with a split of 70% towards the technical criteria and 30% towards the commercial criteria.

2 Other considerations

a) Links to strategies and Corporate Plan

The conduct of Mayor of London and London Assembly elections is a statutory function of the Greater London Returning Officer (GLRO), funded and supported by the Authority.

b) Impact assessments and Consultation

Tenderers were asked to indicate compliance with the GLA's equalities and environmental policies.

The equalities implications of the proposed contract will be addressed in the contract conditions and specification through the design of the ballot papers and the accessibility of adjudication and progress screens to be used at the counts.

Sustainability will be addressed in the specification through the design of the single-use ballot boxes and the requirement for GLRO approval of the transport plan for the delivery of the ballot papers and ballot boxes.

Contractors will be required to comply with all appropriate health and safety regulations in force at the site where their activity is undertaken, whether in the UK or overseas.

All appropriate stakeholders (including the government, Electoral Commission, London Boroughs and political parties) will be consulted regularly on relevant aspects of the project plan and the delivery of statutorily compliant and accessible elections.

Constituency and Borough Returning Officers together with the London Branch of the Association of Electoral Administrators have already expressed their support for the continuation of e-counting at GLA Elections.

3. Financial Comments

- 3.1 Approval is sought for the award to CGI IT UK of the contract for the provision of an electronic ballot paper counting system, supply of ballot papers and ballot boxes and associated supplies and services for the 2020 GLA elections at the quoted price of £ 8,991,132 which will be met from within the existing Elections budget.
- 3.2 The contract price includes all costs associated with the organisation, delivery and management of the project as outlined in the specification.
- 3.3 There is an option to extend to the 2024 Elections. The budget allocation for this Election has not yet been determined but will call upon the GLA's Elections Reserve and be subject to future years' strategic planning and budget process.
- 3.4 All appropriate budget adjustments will be made.
- 3.5 The London Elects team, in liaison with the Finance and Governance Team, will be responsible for monitoring the contract to ensure that milestones are met, and payments are made in line with agreed milestones.

4. Legal Comments

- 4.1 Section 2(6) of the Greater London Authority Act 1999 (the Act) provides that the Mayor and Assembly members shall be returned in accordance with the provisions made in the Act for the holding of ordinary elections of the Mayor, the constituency members and the London members.
- 4.2 By s29 of the Act, the Greater London Returning Officer (GLRO) is the person appointed as the proper officer for the purposes of section 35(2C) of the Representation of the People Act 1983 (returning officer at elections of Mayor and London Members). The London Assembly has made the Head of the Paid Service the GLRO as part of her terms and conditions of employment under s70 (2) GLA Act.
- 4.3 Section 7 of the Mayoral Decision Making in the GLA document provides as follows:

"...to preserve impartiality and independence, normally only the GLRO may exercise Mayoral powers under the General Delegation in support of their functions as GLRO under the GLA Act and/or as Proper Officer under the Representation of the People Acts and elections law generally (ie to prepare and conduct Mayor of London and London Assembly elections. If the GLRO is unavailable to act then the Deputy GLRO (DGLRO) may act in place of them".
- 4.4 In the event that the GLRO is minded to make the decision sought officers must ensure that appropriate contract documentation is put in place and executed by the successful bidder(s) and the Authority before the commencement of the contract.

5. Next Steps

- 5.1 Officers to prepare contract for execution and have executed by the GLA and CGI.

Although the GLRO is not subject to the Freedom of Information Act 2000 (FOI Act), the information in part 1 of this form will be disclosed upon request and may be made available to the Mayor of London and the London Assembly. Any facts and advice that should not be made available upon request should not be included in Part 1 but instead on the separate Part 2 form.

Is the publication of Part 1 of this approval to be deferred? YES

Publication of the decision at this point would prejudice the commercial interest of the GLA in that it may impede the efficiency with which the GLA is able make arrangements for its entry into and execution of the contract with the successful bidder which is not in the public interest.

Is there a part 2 form? No. NB: Part 2 information shall not be published following the deferral date and further advice should be sought if any request is received for disclosure of such information

	Tick to indicate approval (✓)
<p>Deputy GLRO</p> <p>Alex Conway has reviewed the request and is satisfied that:</p> <ul style="list-style-type: none"> • The details are correct • The proposal is consistent with the strategic plan • The equalities issues/impact have been considered • Freedom of Information, Data Protection and other information access issues have been considered and the information contained in Part 1 of this form is suitable for publication • Where release of Part 1 has been deferred I confirm that the reason given and the date stated for release are appropriate. 	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>Legal Advice</p> <p>Legal teams have commented on this proposal, and this decision reflects their comments.</p>	<p>✓</p>
<p>Financial Advice</p> <p>The GLRO finance team has commented on this proposal on behalf of the Assistant Director of GLA Finance.</p>	<p>✓</p>

Signature

Date _____

14-11-18

