

To: The Finance, Resources and Customer Services Policy Board

On: Wednesday 10 November 2021

Report by: Chief Executive and the Director of Finance and Resources

Heading: The Provision of Datacentre Services (RC-CPU-21-143)

1. Summary

- 1.1 The purpose of this report is to seek approval of the Finance, Resources and Customer Services Policy Board to award a Call-Off Contract for the Provision of Datacentre Services.
 - 1.2 The procurement exercise was conducted in accordance with the mini-competition and Buyer's Guide of the Scottish Procurement Cloud Services Framework (SP-18-027) and the Council's Standing Orders Relating to Contracts.
 - 1.3 A contract strategy document was approved by the Head of ICT and the Strategic Commercial and Procurement Manager on 25 August 2021.
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2. Recommendations

- It is recommended that the Finance, Resources and Customer Services Policy Board authorise the Head of Corporate Governance to:
- 2.1 Award a Call-Off Contract for the Provision of Datacentre Services (RC-CPU-21-143) to HFD Datavita Limited following a mini-competition

under the Scottish Government National Framework Cloud Services Framework (SP-18-027).

- 2.2 For an anticipated Call-Off Contract Period of 6 years and 4 months. It is envisaged that the Contract will commence on the 1 December 2021 and will expire on 31 March 2028 however, the actual commencement date will be confirmed within the Council's Letter of Acceptance;
- 2.3 At a contract value of £4,438,632.00 excluding VAT.

3. **Background**

- 3.1 The Council requires a suitably experienced Service Provider for the provision of datacentre services – including Infrastructure as a Service (IaaS); colocation of physical servers; data storage; Backup-as-a-Service; and disaster recovery solutions. The Council's current contract for this range of services is due to expire on 15th October 2022, therefore a new contract must be awarded by December 2021 to enable time for the migration of the current data centre services to this new Service Provider.
- 3.2 The procurement exercise for this contract was conducted as a mini-competition made under the Scottish Government National Framework Cloud Services Framework (SP-18-027) ("the Framework") and in accordance with the procedures for use of frameworks under the Council's Standing Orders Relating to Contracts. The mini-competition was issued via the Public Contracts Scotland – Tender portal on 25 August 2021 with the tender deadline of 22 September 2021.
- 3.3 All thirteen (13) Service Providers on the Framework were invited to tender and by the tender deadline, three (3) responses were received.
- 3.4 All three (3) Service Providers completed an ESPD as part of the tendering process for the Framework.
- 3.5 One (1) of the three (3) tender submissions was deemed non-compliant and was excluded from the evaluation process.
- 3.6 The remaining two (2) tender submissions were evaluated against the Award Criteria of 70% Quality and 30% Price.
- 3.7 The scores relative to the Award Criteria for the tender submissions are noted below:

Tenderers Name	Quality Score (70%)	Price Score (30%)	Total Score (100%)
HFD Datavita Limited	66.00%	30.00%	96.00%
Pulsant Limited	63.75%	24.18%	87.93%

HFD Datavita Limited tender submission was identified as the most economically advantageous tender.

3.8 Costs under this Call-Off Contract will be funded by both the ICT revenue budget and ICT capital budget.

3.9 HFD Datavita Limited have committed to deliver the following community benefits as part of this Call-Off Contract:

Community Benefit	No of People/ Activity
Job for an unemployed individual	1
Modern Apprenticeship	1
Graduate	1
S/NVQ (or equivalent) for <ul style="list-style-type: none"> • New Employee • Existing Employee • Supply Chain Employee 	3
Business advice/support to an SME /Social Enterprise/ Voluntary organisation	5
Event to promote supply chain opportunities	1
Financial Support for a Community Project	4
Non financial support for a Community Project	4

Implications of the Report

1. **Financial** – costs under this Call Off Contract will be funded by both the ICT revenue budget and ICT capital budget.
2. **HR & Organisational Development** - No TUPE implications for the Council have arisen or are anticipated.

3. **Community/Council Planning –**
 - Working together to improve outcomes – this Call Off Contract will ensure the Council takes advantage of new technologies to deliver better and more efficient services.
4. **Legal** - The procurement exercise was conducted as a mini-competition made under the Scottish Government National Framework Cloud Services Framework (SP-18-027) and the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** - Data will be transferred from the incumbent supplier to the new supplier during the implementation phase of this Contract. The Council has determined upon evaluation of the new data hosting solution that the level of risk regarding the transfer of data is low, and that the new environment will not present any risk to our data once transferred.
6. **Information Technology** - This contract will provide a data centre services hosting solution including core infrastructure requirements, back-up services, disaster recovery solutions and connectivity requirements.
7. **Equality & Human Rights -**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - health and safety credentials were evaluated by Corporate Health and Safety and met the Council's minimum requirements regarding health and safety.
9. **Procurement** – The procurement procedures outlined within this report ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government

10. **Risk** – HFD Datavita Limited's insurance documents were evaluated by Corporate Risk and met the Council's minimum requirements regarding insurable risk.
11. **Privacy Impact** – A Data Protection Impact Assessment was completed, and a data processing provisions will be agreed with HFD Datavita Limited upon awarding the contract.
12. **Cosla Policy Position** – No Cosla policy position implications have arisen or are anticipated.
13. **Climate Risk** – The level of impact associated with provision of this service has been assessed using the Scottish Government Sustainability Test and is considered to be low risk.

List of Background Papers

None

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