



ADUR & WORTHING
COUNCILS

Adur Executive Member for Resources
& Worthing Executive Member for
Digital & Environmental Services

19 May 2021

Decision to be taken on or after
27 May 2021

Key Decision: Yes

Award of Microsoft Enterprise Licence Agreement for Desktop Operating System

Report by the Director for Digital Sustainability & Resources

1. Purpose

- 1.1. To renew the desktop and server operating system licences that enable the Councils to run Windows 10 and Windows Server.

2. Recommendations

- 2.1 The Executive Members are recommended to approve the award of the contract for the renewal of the Microsoft Enterprise Agreement on the terms set out in this Report.

3. Context

The Councils use Microsoft Windows 10 software as the operating system for the 800+ laptops and PCs used by staff across the Councils. Windows Server Licences are used as the operating system on the data and processing servers that host the Councils systems and applications. In this context the term “operating system” means the low-level software that supports a computer’s basic functions, such as scheduling tasks, processing and controlling peripherals such as printers. The licences provide the Councils the rights to run the software as well as regular security patches and updates.

The licences have to be purchased through a Microsoft Certified Partner for a 3 year agreement. The current agreement will expire at the end of June.

The Microsoft Enterprise Agreement offers the best value to public sector organisations and provides a manageable volume licensing program with 24x7 technical support, planning services, end-user and technical training.

This agreement will minimise up-front costs and budget more effectively by locking in pricing and spreading payments over three years.

Trustmarque PLC is a Microsoft Certified Partner that will work with Digital to manage licensing throughout the life of the agreement.

4. Issues for consideration

- 4.1. It is proposed to procure the service by accessing the KCS Professional Services Framework. A direct award will be made to Trustmarque Solutions Limited via Software Products and Associated Services 2 Framework Y20011, which is a compliant procurement route to market.
- 4.2. This is the recommended route which would see the service stay with the existing supplier for the next contract period. We have obtained three quotes from suppliers on the framework and Trustmarque was the most competitive. Trustmarque Solutions Limited will supply Worthing Borough Council with Microsoft Enterprise Agreement Licences for a term period of 3 years from 30 June 2021 to 29 June 2024. The value of the contract is £154,276.14 over the 3 years term of the contract (at £51,425.38 per year) and so it is a key decision.

5. Financial Implications

The total contract value is £154,276.14, £51,425.38 per year for the 3 years term period. The costs are covered in the Digital Revenue Budget for the life of the contract.

6. Legal Implications

- 6.1. The Council has an obligation to ensure that all software products and services are licensed correctly and that it is compliant with Microsoft Enterprise Agreement licence requirements.

- 6.2. Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.
- 6.2 Section 1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation
- 6.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 6.4 Section 1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available assets or services for the purposes of, or in connection with, the discharge of the function by the local authority.
- 6.6 For the procurement of the Microsoft Enterprise Agreement, a direct award will be done for the Microsoft Enterprise Agreement to the Council's current supplier, Trustmarque Solutions Limited, through KCS Professional Services, Software Products and Associated Services 2. Quotes were obtained from 3 suppliers on that Framework and it was identified that the incumbent supplier represents the best value for money.

Background Papers

None

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Sustainability & Risk Assessment

1. Economic

- Having effective operating software licences is critical to the overall operation of the Councils.

2. Social

2.1 Social Value

- Having effective operating software licences is critical to the overall operation of the Councils for all systems - such as Revs and Bens, Housing.

2.2 Equality Issues

- The Councils are working towards a Good Service standard which includes a commitment to ensuring services are accessible to all customers. The licencing of the desktop and server operating systems underpins the development of customer centric solutions.

2.3 Community Safety Issues (Section 17)

- The licencing of the desktop and server operating systems underpins the ability to provide CCTV.

2.4 Human Rights Issues

- Matter considered and no issues identified.

3. Environmental

- The licencing of the desktop and server operating systems underpins the ability for staff to work remotely and reduces the environmental impact of travel.

4. Governance

- It will improve resilience and reduce cyber security risks by ensuring our platforms receive regular security patches.