

**ARUN DISTRICT COUNCIL**

**DECISION NOTICE FROM THE SPECIAL CABINET MEETING HELD ON  
22 JUNE 2018**

<b>REF NO.</b>	<b>DECISION</b>
C/007/220618	Procurement of Three Years Microsoft Licence Agreement Via The Kent County Council Framework Agreement

**PLEASE NOTE THAT AS THIS IS AN URGENT DECISION IT IS EFFECTIVE IMMEDIATELY AND IS NOT SUBJECT TO CALL-IN [PART 3 – RESPONSIBILITY FOR FUNCTIONS, RULE 2.3 AND PART 5 – CABINET MEETING PROCEDURE RULES, RULE 3.2 OF THE CONSTITUTION]**

**REFERENCE NO: C/007/220618**

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>YES</b>
<b>SUBJECT:</b> Procurement of Three Years Microsoft Licence Agreement via the Kent County Council Framework Agreement	
<b>OFFICER CONTACT: Paul Symes – ICT &amp; Service Improvement Manager</b> <b>EXTN: 37585</b> <b>EMAIL: <a href="mailto:paul.symes@arun.gov.uk">paul.symes@arun.gov.uk</a></b> <b>PORTFOLIO AREA: Corporate Support</b>	

**EXECUTIVE SUMMARY:** The Council uses Microsoft products to provide services to the desktop and also for its back-office databases/servers. The products are licenced on a three year agreement and the current agreement expires at the end of June 2018.

The Council wishes to let the contract as a direct award with one supplier through the Kent County Council Framework Agreement. The Council is in the process of renewing its Microsoft Licences and this had been made complicated by Microsoft changing its licensing model mid-term. Negotiations have been taking place since January 2018 to achieve the best price outcome for the Council.

This is the reason for this item being presented as urgent because the contract needs to be awarded by the end of June 2018 and as the contract sum has increased beyond the EU Threshold. Cabinet authority is needed to award this framework contract. As such, the usual arrangements requiring the agenda to be published with 'five clear days' notice and the call-in arrangements will not apply [See Part 3 – Responsibility for Functions, Rule 2.3 and Part 5 – Cabinet Meeting Procedure Rules, Rule 3.2 of the Constitution].

Whilst negotiations have been ongoing since January to review and enter into a new contract, the issue has been that there have been a number of changes to Microsoft products which have impacted on the ability to identify the full contract costs, making an award up till now difficult to achieve.

As part of this ongoing work the Council has looked at the Government Digital Marketplace Framework which allows direct award and is a simpler and quicker process. The approach taken has meant that it has not been possible to present the actual costs until now. The negotiation approach explained earlier using the Kent County Council Framework Agreement has achieved an overall saving of £160,000 compared to the direct government framework route and so this was the recommended route forward.

**DECISION:**

As recommended in the report, Cabinet,

**RESOLVED**

That approval is given to purchase a three year Microsoft Licence Agreement via the Kent County Council Framework Agreement.

<b>REASON FOR THE DECISION:</b> To enter into a new Microsoft Licence Agreement so that the Council can continue to provide IT services using Microsoft products.	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> Not to consider entering into this new Licence Agreement was not an option for the Council to consider as this would mean that use of Microsoft products would cease.	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> None	