

WEST NORTHAMPTONSHIRE COUNCIL CABINET

11 October 2022

CABINET MEMBER WITH RESPONSIBILITY FOR HR & CORPORATE SERVICES: COUNCILLOR MIKE HALLAM

Report Title	Procurement of Elections Stationery and Printing Services Contract
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List of Appendices

None

1. Purpose of Report

- 1.1. The purpose of this report is to seek Cabinet's approval to proceed with the procurement and award of contract of the Election Stationery and Printing services. The value of the contract over the full period of will exceed the £500k delegation and therefore the decision is a key decision.
- 1.2. In order to proceed with the award of the contract in accordance with procurement procedures the report seeks a delegation to the Director of Legal & Democratic in consultation with Cabinet Member for HR & Corporate Services to award the contract to the successful bidder.

2. Executive Summary

- 2.1 A contract must be in place for the provision of Electoral Services print requirements, which requires specialist technical printing that is not available in-house nor within other print and post contracts that the council has.
- 2.2 West Northamptonshire Council's contract for electoral printing expires on the 30 April 2023 and we need to arrange a new contract from 1 May 2023.
- 2.3 This printing includes all election materials (i.e. ballot papers, postal votes, poll cards) and the provision of printing for the conduct of the annual canvass.
- 2.4 The value for the life of the contract is £1,000,000 and is within existing service budgets or reclaimable from the Cabinet Office for the Police Fire and Crime Commissioner elections and the Parliamentary Elections.
- 2.5 Print costs relating to registration materials and local elections are met wholly by the local authority. This includes printed materials for elections for West Northamptonshire ward councillor elections, Neighbourhood Planning Referenda and Council Tax referenda. Printing costs for parish elections are recharged to the parish as part of their election costs.
- 2.6 The current contract expires on 1 May 2023 without the ability to extend the contract further. A competitive process needs to be followed to ensure continuity of successfully run elections.
- 2.7 Electoral printing is a highly specialist service with a limited pool of print providers that necessitates the need for a dedicated tender. They would need to specialise in Electoral legislation compliance and extracting and manipulating data from bespoke Election Management software. Materials include legally compliant items such as ballot papers, multi-part postal voting packs and envelopes and the annual canvass forms and notices. This is a request to meet a statutory duty, of the council and the Returning Officer/Electoral Registration Officer.
- 2.8 This includes but is not limited to, the requirement to conduct an annual canvass (Sec 10(1) Representation of the People Act 1983) to appoint a Returning Officer (Sec 36 Representation of the People Act 1983); to print ballot papers (Rule 16 Local Elections (Principal Areas) (England and Wales) Rules 2006); to print postal vote packs (Rule 22 Local Elections (Principal Areas) (England and Wales) Rules 2006). Alternatives to procuring this service via a contract do not exist, due to the specialist nature of the product required and the scale of West Northamptonshire Council Operations.

3. Recommendations

- 3.1 It is recommended that the Cabinet;
 - Agree that the Council proceeds with the procurement of a maximum five-year year contract for the supply of elections stationery and printing services; and
 - Delegate to the Director for Legal and Democratic Services authority to conduct the procurement in accordance with paragraph 6 of this report and award to the successful bidder

4. Reason for Recommendations

- 4.1 To ensure that the Council can comply with its statutory duties in relation to the conduct of elections.
- 4.2 To ensure compliance with the Council's contract procedure rules and national procurement legislation in relation to the procurement of public contracts.

- 4.3 To ensure that the procurement takes place before the expiry of the current contract.
- 4.4 To ensure that the Council's printers are able to meet the very specific requirements relating to the printing of election materials.

5. Report Background

5.1 In May 2019 and following a competitive tendering exercise, the Council entered into Framework agreement for electoral print with Adare SEC Limited for the provision of elections stationery and printing services for a four-year period commencing 1 May 2019. This contract is now due to expire on 30 April 2023 without the ability to extend further. The other parties to the framework have negotiated new contracts independently. So, we are looking to have a new contract just for West Northamptonshire Council. The register of electors currently comprises of around 275,000 electors and around 185,000 properties. We also have around 52000 electors who will vote by post.

5.2 Electoral printing is a highly specialist service with a limited pool of print providers that necessitates the need for a dedicated tender. They would need to specialise in Electoral legislation compliance and extracting and manipulating data from bespoke Election Management software. Materials include legally compliant items such as ballot papers, multi-part postal voting packs and envelopes and the annual canvass forms and notices. This is a request to meet a statutory duty, and thus spend, of the council and the Returning Officer/Electoral Registration Officer. This includes but is not limited to, the requirement:-

- to conduct an annual canvass (Sec 10(1) Representation of the People Act 1983)
- to appoint a Returning Officer (Sec 36 Representation of the People Act 1983)
- to print ballot papers (Rule 16 Local Elections (Principal Areas) (England and Wales) Rules 2006)
- to print postal vote packs (Rule 22 Local Elections (Principal Areas) (England and Wales) Rules 2006)

Election print customers ie local authorities will require production of print materials at the same time as each other and this puts high pressure on the print companies. Following the pandemic when several elections took place on the same day, there was a significant strain on the print companies nationally to deliver materials to all its customers. There were some issues as a result and it is therefore, a significant risk to the delivery of a safe election if the print provider does not meet its contractual obligations. For this reason the procurement of this contract will place significant weight on the ability of the supplier to be able to meet the statutory print standards and volume requirements.

5.3 Alternatives to procuring this service via a contract do not exist, due to the specialist nature of the product required and the scale of West Northamptonshire Council Operations. Without a procured contract West Northamptonshire Council would not be able to meet its statutory duties. It is a highly specialised service with a limited pool of companies able to meet tight deadlines and also maintain on-going awareness of the changing legislative requirements that are necessary to meet our liabilities.

5.4 The new contract would cover the following scheduled elections;

Year	Election(s)
2023	
2024	Parliamentary, PFCC Election
2025	WNC Ward Elections & Parish Elections
2026	
2027	

6 Issues and Choices

- 6.1 Due to the specialised printing of statutory documents the contract will be awarded to one supplier only with the requirements that the supplier has employees who are members of the professional body (The Association of Electoral Administrators). To provide printing for both registration and election material.
- 6.2 The value of the contract is an approximate spend based on previous years spend, although does depend on the number of elections/referendums to be held during the financial year.
- 6.3 Bids would be assessed using a combined price / quality scoring system to ensure that as well as obtaining a competitive market price, bids also meet the Council's requirements in terms of financial standing, capacity, and ability to complete the work, quality of performance and approach to managing the work. The Council can be assured of obtaining the best value for the requirements and reduce as far as possible the risk of selecting a provider whose performance may be unsatisfactory.
- 6.4 The tender evaluation will comprise of:
- Selection questions – first stage.
 - Written tender questions – second stage.
 - Interview & Presentation – final stage.
- 6.5 Other options that have been ruled out are.
- Framework agreements such as CCS RM6170-Lot 2- Print Management Services – these agreements limit the options of printers with the relevant election experiences.
 - In-house printing - due to the specialist nature of this printing the in-house department are not able to provide the service required.

7 Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1** This report seeks approval to proceed with the procurement of a 4 + 1 year contract for the Supply of Elections Stationery and Printing Services, in accordance with the strategy set out in the report.
- 7.1.2** The estimated cost of this proposal over the full 5-year period is £1,000,000. This will be met from a combination of budget provisions from the grant funding from the Cabinet Office, General Fund budget and drawdown from Election Reserve if necessary.
- 7.1.3** The expenditure will be monitored as part of the budget monitoring arrangement for the service area

7.2 Legal

- 7.2.1** The procurement process must be conducted in line with the Public Contracts Regulations 2015 (PCRs) and the Councils own procurement rules as set out in the Constitution's Contract Procedure Rules
- 7.2.2** Section 1.1 of this report correctly states that this is a key decision due to its financial value and thus, under section 10.2 of the Constitution's Financial Procedure Rules, must be approved by Cabinet.
- 7.2.3** This proposed procurement is in excess of the financial thresholds set in accordance with the PCRs and thus a competitive tender exercise is required.

7.2.4 WNC Legal Services will advise and assist officers about the conduct of the procurement process and the resulting contractual arrangements

7.2.5 Under the Representation of the People Act 1983, the Council must provide the Electoral Registration Officer with sufficient resources to conduct the annual canvass of the electoral register and the Returning Officer with sufficient resources to conduct elections.

7.3 Risk

7.3.1 Key risks during the course of the contract are:-

1. Not having a contract in place at the time of the anticipated commencement date.
2. Sudden and unexpected demise of one the successful bidders.
3. Deterioration of contract relationship between the Council and the successful bidders.
4. Printers not having the relevant experience to meet the statutory requirement.
5. Printers do not have the relevant capacity to be able to fulfil the requirement of the contract.

7.3.2 These risks are being managed and the contract will include robust contract performance management processes to ensure that potential problems are picked up early. We intend to select printers with experience and those with a proven track record.

7.4 Consultation

7.4.1 Consultation has taken place with the Returning Officer and Electoral Registration Officer regarding the delivery of elections. There is no direct legal obligation to consult in respect of the procurement of the election tender.

7.5 Consideration by Overview and Scrutiny

7.5.1 It is not proposed to refer this decision to Overview and Scrutiny Committee as this is a statutory service with no alternative than to procure a print contract.

7.6 Climate Impact

7.6.1 There are impacts to the climate in relation to the production, delivery and transportation of printed materials. The criteria in relation to the printing will take into consideration distance, however there are a very limited number of providers who can deliver in this market and the Council needs to ensure that the contract can deliver its statutory duties.

7.7 Community Impact

7.7.1 None have been identified

7.8 Communications

7.8.1 The Communications Team has assessed this document for accessibility

8 Background Papers

8.1 N/A