



## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Clare James, Corporate Director Resources	Councillor David Henderson, Resources Portfolio Holder	6 April 2023

### Civica Modern.Gov – Contract Award

#### 1. Purpose of report

- 1.1 To note the procurement of cloud based software (Civica Modern.Gov) and to seek approval for an exemption from the Financial Procedure Rules - Contract Procedures.

#### 2. Outcomes

- 2.1 To continue the use of cloud based software to support the function of the council's Democratic Services Team.

#### 3. Recommendation

- 3.1 That approval is given by the Resources Portfolio Holder to allow the procurement under exemptions to contract procedures, contained within the Financial Regulations and Financial Procedure Rules on the grounds that "the goods, works or services are of a specialist nature carried out by only one or a limited number of firms with no satisfactory alternatives available".

#### 4. Background

- 4.1 The council has used the software system known as Modern.Gov to run communications between Democratic Services, Councillors and the general public since 2018.
- 4.2 Modern.Gov is the market leading software solution in this category and is used by 90% of Local Authorities.
- 4.3 There is only one alternative software solution currently available to the council to consider.

- 4.4 The annual costs of the alternative solution are approximately 6% lower than those offered by Civica Modern.Gov. However there would be a £10,000 implementation cost to introduce this solution to the council and there would be subsequent (unquantifiable) costs created for the council in training staff and councillors in the use of a new system.
- 4.5 A three year contract has been discussed with Modern.Gov to replace the twelve month rolling contract arrangement that is currently in place. This new contract would give certainty to the council regarding the costs of the system over the medium term and allows for concise budgeting to be undertaken.
- 4.6 As part of the three-year contract, two days of virtual system training for Wyre staff is included.

**5. Key issues and proposals**

- 5.1 The proposed cost of the three-year contract would be £46,837 plus VAT.
- 5.2 The breakdown of the contract pricing across the three year term is as follows:

Year 1 = £14,569 + VAT  
 Year 2 = £15,588 + VAT  
 Year 3 = £16,680 + VAT

**6. Delegated functions**

- 6.1 The matters referred to in this report are considered under the following Executive Function delegated to the Resources Portfolio Holder (as set out in Part 3.03 of the Council’s Constitution): “To consider departures from the Rules relating to financial and contractual matter if appropriate”.

<b>Financial and legal implications</b>	
Finance	The 2023/24 Original Estimate for the Modern.gov system is £12,710. A three year contract with a total value of £46,837 means that there is a gap of up to £8,706 over the three years which will be met from general balances.
Legal	Civica UK Ltd Modern.Gov Standard Agreement Terms would apply to this contract.

**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	✓
data protection	✓

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

### List of appendices

None