

REPORT TO: CABINET

DATE: 27 JANUARY 2022

TITLE: AWARD OF FRAMEWORK AGREEMENT ON-LINE
LAW LIBRARY SERVICES

PORTFOLIO HOLDER: COUNCILLOR ALASTAIR GUNN, PORTFOLIO
HOLDER FOR GOVERNANCE

LEAD OFFICER: SIMON HILL, DIRECTOR OF GOVERNANCE AND
SUPPORT (01279) 446099

CONTRIBUTING OFFICER: JULIE GALVIN, LEGAL SERVICES MANAGER
(01279) 446045

This is not a Key Decision
It is on the Forward Plan as Decision Number I013478
Call-in Procedures may apply
This decision will affect no ward specifically.

RECOMMENDED that:

- A** A Framework Agreement is entered into with to Supplier A for the provision of on line legal library services and hard print encyclopaedias.
- B** Officers provide processes to support ease of access to the framework and implement procedures to check and report on use and value.

REASON FOR DECISION

- A** To secure continued support and access to timely and accurate legal library services.
- B** To drive efficiencies and best value across 28 partner authorities in Essex, Hertfordshire, Cambridgeshire and Suffolk.

BACKGROUND

1. The Public Law Partnership (“PLP”) started in 2008 as a group of in house legal teams serving Essex based Local Authorities. There are 28 current members, comprising of various size legal teams serving County, Unitary, Borough and District Councils situated across Essex, Hertfordshire, Cambridgeshire and Suffolk.

2. PLP provides its members with free training opportunities, an internal market for trading services at agreed rates, which is supported by PLP commissioning services. In addition members (who pay a sliding scale annual membership fees based on size of legal teams supporting the Authority in question) may join special interest groups to share best practice and experience on topics including licensing, junior lawyers and housing. The 450 legal and support staff have access to an intranet website providing articles, newsletters, precedent banks and a forum for members to collaborate. Members produce articles for newsletters each month and there is a rolling free of charge training programme, which includes an annual one day seminar with a host of discussion topics held each November.
3. The gains to teams involved in PLP activities and trading arrangements during 2020/21 were £134,000 income, and £420,000 savings.
4. Harlow Council's legal team has been actively involved with PLP since its inception, at times acting as Chair, Vice Chair and leading on many training events and special interest groups. For the period 2021/22 Harlow Council holds Vice Chair, and is leading on two core projects, one of which is managing the procurement of law library services (taking over from colleagues at Tendring who have successfully managed this process previously) for the 28 PLP members.
5. Legal teams require access to up to date legal precedents and research tools when working in house, and when attending Court. By their very nature, law libraries can be expensive and labour intensive to manage. For several years now on line legal research and access to encyclopaedias have been made available to PLP members to order, using collective purchasing power to drive value.
6. As a result of this collective leverage, the PLP members can take advantage of up to date easily accessed and wide ranging law library products at discounted rates. The total savings as a result of collective market engagement by PLP members on legal library services over the last 9 years is £2,043,000.
7. The current three year deal (resulting in total savings of £950,000) will end 31 March 2022, and on behalf of the PLP members and Board, Harlow Council initiated an open competition to seek new arrangements from 1 April 2022. In recognition of the skill and time required to run such a process, the PLP Board allocated £5,000 to cover costs of the process, being direct income for the Council's legal and procurement team.

THE PROCESS

8. Harlow Council and PLP appointed a small project team, which included support from a professional law librarian, who helped us shape PLP requirements from the market, and supported us with evaluating tender responses and service offerings.

9. A full set of the tender documents were made available for comment to the PLP Management team and PLP Board members prior to publishing.
10. On 4 October 2021 notice was placed on the find a tender service using the open procedure for a 48 month Framework for suppliers of on line legal library services and hard print encyclopaedias. The brief sought access to specialist legal library services for a wide range of public sector specialisms, accessible using a variety of devices. The tender included requirements for added and social value, and made allowances for a multitude of suppliers to be appointed to allow PLP members opportunity to select the best service offering for their teams.
11. Part of the process required Tenderers to complete a comprehensive selection questionnaire to confirm adherence to modern slavery requirements, anti-bribery processes and data privacy processes.
12. During the tender period, 6 expressions of interest were received. 2 withdrew and 1 bid was submitted by 12 November 2021, being the closing date.
13. The Tender was evaluated on a 40% quality 60% price basis, being the agreed weighting from the PLP Board. The final scoring is set out below:

	Quality Weighting %	Weighted Quality Score	Adjusted Price Score	Price Weighting %	Weighted Price Score	Total Weighted Score	Ranking
	40			60			
Bidder A	40	4000	100	60	6000	10000	1

THE OFFER

14. A four year term has been offered, commencing 1 April 2022. Contract terms settled included coverage of GDPR, Anti-bribery, Modern Slavery provisions and prompt payment clauses.
15. Importantly the new pricing structure will not impose any penalty for decreasing of sites and or licences. Notably, the new pricing structure does not require all parties to sign up to enjoy the discounted prices. Non fee-earning staff residing in legal teams will enjoy free licences, and professional clients (e.g. planners or environmental health teams) will benefit from the discounted prices secured. Free bespoke training has been offered for the full term.
16. Social value is central to the suppliers offer. The Supplier is open to arranging talks and discussions with local schools, trainee lawyers, and newly qualified/paralegals and trainee journalists. The offer of support for environmental projects, ethnic minority groups and social equality projects will be explored and utilised during the contract term.

NEXT STEPS

17. Subject to Members agreeing the recommendations above, Officers will enter into the umbrella Framework agreement, which in turn, will allow both Harlow Council, and its 27 PLP colleagues to enter into their own separate enforceable service contracts with the supplier for the law library services they require.
18. Officers will secure receipt of the suppliers anti-bribery policy as per the submitted Tender.
19. In addition, the administrator for PLP will support Harlow Council who act as the appointed Contract Administrator to work with the supplier to fully realise the added value offering provided in the Tender submission including training sessions and briefing papers for legal teams. The supplier and the PLP Board will meet to identify value add and social value offerings across Essex and beyond.
20. Officers anticipate that over the proposed four year period (2022/26) savings of £1.26 million could be realised by PLP Members as a result of this volume purchasing process.

IMPLICATIONS

Strategic Growth and Regeneration

None specific.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance

As set out in the report.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Housing

As outlined in the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

None specific.

Author: Jane Greer, Director of Communities and Environment

Governance and Corporate Services

As set out in the report.

Author: Simon Hill, Director of Governance and Corporate Services

Appendices

None.

Background Papers

None.

Glossary of terms/abbreviations used

Framework - An agreement put in place with a single supplier or range of suppliers that enables buyers to place orders for services without running lengthy full tendering exercises. Frameworks are based on large volume buying.

The Open procedure – A one-stage procurement process which covers exclusion grounds, selection criteria and award criteria. An Open procedure means that any organisation can respond to the advertised Contract Notice, request/download the procurement documents and submit a tender.