

Authority to directly award a new contract to Bytes Software Services Limited, by way of a call-off under the Crown Commercial Services (CCS) on the Technology Products & Associated Services 2 (RM6098 for the purchase of a 3 year license for AutoCAD software.

Date: 21st June 2024

Report of: Senior Product Manager

Report to: Interim Chief Digital and Information Officer

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

AutoCAD software licences have previously been purchased through the Council's Software Framework (ITS190020). The licences are due to expire on the 23 June 2024. The purpose of this report is to seek approval for a 3-year contract to Bytes Software Services Limited through the CCS framework (RM6098 – Technology Products & Associated Services 2 to ensure Highways and Transport Services (“HTS”) are able to access and use the software, to deliver on key programmes whilst meeting legislation requirements. Lot 3 Software allows for the purchase of a range of software including commercial off the shelf software (COTS software).

AutoCAD is predominantly used within HTS and other teams in Housing Management, Children and Families and Asset Management, as a drafting and design application by architects, project managers, engineers, graphic designers, city planners and other professionals to prepare technical drawings. AutoCAD is the leading industry standard used by many external companies and partners, compatibility allows HTS to work collaboratively to ensure projects are delivered successfully whilst meeting legislative requirements.

AutoCAD and its associated applications are fundamental in the delivery of HTS. The software is highly embedded within the Council's software systems, including multiple associated applications, customisations, and plug-ins, meaning moving away from AutoCAD would incur significant change costs and mean extensive work would be required to overhaul the Council's software applications. In addition, there are limited products in the market that can replicate its functionality and meet the service requirements, thus making the 3-year option more financially advantageous.

Renewing the licences through the CCS Framework (RM6098) ensures business continuity and income generation for HTS and the wider Council.

Recommendations

The Interim Chief Digital and Information Officer is recommended to:

- a) Approve the award of a call-off contract to Bytes Software Services Limited under the Framework (RM6098) – Lot 3 Software for a term of 3 years from 24 June 2024 to 23 June 2027 for provision of an AutoCAD license.
- b) Note that the award of the call-off contract has been processed as a direct award under the framework due to being an option under the Crown Commercial Services terms.
- c) The value of the agreement is £350,606.06.

What is this report about?

- 1 This report seeks approval to enter a 3-year contract from 24 June 2024 to 23 June 2027 under the CCS Framework (RM6098) for the purchase of AutoCAD software licences.

What impact will this proposal have?

- 2 Entering a 3-year contract will ensure business continuity. HTS have utilised AutoCAD since the late 1980s. The software has significantly evolved since that time and has become heavily embedded within the Council's systems, processes and procedures, making it vital to the delivery of key programmes for the city of Leeds.
- 3 If the licences are not renewed, there will be a huge impact on services (as stated in summary), resulting in loss of income for the Council and put the Council at risk of not meeting its legal requirements. The software supports multi-million-pound design and live construction projects within Leeds and surrounding areas.

How does this proposal impact the three pillars of the Best City Ambition?

- Health and Wellbeing Inclusive Growth Zero Carbon

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What consultation and engagement has taken place?

Wards affected: n/a

Have ward members been consulted? Yes No

- 5 Consultations have been held with:
 - a) Interim Chief Digital Information Officer Andrew Byrom
 - b) Integrated Digital Service Procurement Team
 - c) Procurement and Commercial Services Legal Team

What are the resource implications?

- 6 If we do not renew the licences, the workload for HTS and IDS resources will immediately become unmanageable, as HTS cannot function without AutoCAD. This will have an unprecedented impact on City Development and HTS.

What are the key risks and how are they being managed?

- 7 As previously stated, if the licences are not renewed, the impact to HTS is enormous, the services simply cannot operate and deliver on key city programmes. Other embedded systems/applications will stop working, such as MAP 3D, Vehicle Tracking, Civil 3D, Infracore, TrueView, Structural Bridge Design, Revit, and ReCap. All are used extensively in HTS for 2D and 3D computer-aided design (CAD) and drafting. These software packages are business critical to the users and teams who have access to them and they will not be able to carry out their daily duties. Loss of AutoCAD and the above embedded applications will result in additional costs to the Council.

What are the legal implications?

- 8 This is a publishable administrative decision and is not eligible for Call In. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
- 9 The CCS Framework is a third-party framework and has been set up in accordance with the Public Contracts Regulations 2015 and is on the Council's pre-approved list of third-party frameworks that can be used, therefore a fully compliant procurement process has been carried out in accordance with procurement regulations and any subsequent call-off from the framework will be compliant.
- 10 AutoCAD is used for technical drawings of roads, buildings and large complex projects. Some of the most recent projects are Armley Gyratory, Regency Street Bridge, City Square and the East Leeds Orbital Route ("ELOR"). If the Council need to deliver more schemes and meet the Council's vision for growth, this software plays an important part.
- 11 Construction drawings and designs need to be reviewed appropriately using the AutoCAD software to ensure they are consistent with current legislation. The Council could be liable if an incident arose where the designs had not been evaluated properly.

Options, timescales and measuring success.

What other options were considered?

- 12 The following options were considered as part of the renewal:

1. Do nothing - this is not a viable option for the Council as AutoCAD is crucial software for HTS and by doing nothing, the risks identified in (6) would not be mitigated.
2. Use of an Internal Service Provider (ISP) - in line with the obligations set out at CPR 3.1.4, the use of an ISP was considered however, there is no suitable ISP that exists for the provision of the service sought.
3. Call-off from Crown Commercial Services Framework (RM6098) for a 36 month period at a total cost of £350,606.06. This represents the best option for the Council and the most value for money.
4. Undertake a new procurement exercise. Undertaking a new procurement exercise where the required service can instead be procured by way of a call-off from an existing Framework could be deemed to be a waste of resource and was therefore not appropriate in this case.

It is clear from looking at the specialised software market that there are very few options that can offer equivalent functionality. The software is highly embedded and heavily used by the Council, which contributes to income generation. HTS is reliant on the industry standard AutoCAD and its suite of integrated design tools to assist in the delivery of an annual programme of approximately £200m.

How will success be measured?

13 Success will be measured through business continuity, allowing services to conduct business as usual, deliver key legislative and city initiatives and programmes. HTS gain funding for programmes and projects such as the ones mentioned above, resulting in income generation..

What is the timetable and who will be responsible for implementation?

14 The current licence agreement expires 23 June 2024, thus an approval to renew the licences is required by 19 June 2024.

Appendices

- None

Background papers

- None