

DMPC Decision – PCD 1325

Title: Re-procurement of Lift Maintenance, Lift Inspections and Roller Shutter Maintenance Service Contracts

Executive Summary:

This paper seeks the approval for the re-procurement via restricted tender procedure of contracts to provide for the maintenance and inspections of lifts and roller shutter doors. The proposal is for a up to seven year contract term, an initial three term with two 2-year optional extensions. The estimated 7 year contract value is £13,934,142. The cost will be funded from within the existing MPS budget.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve to re-procure the Lift Supply & Maintenance contract through a restricted tender procedure with a proposed new total contract value of £8,681,788.52, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.
2. Approve to re-procure the Lift Inspections contract through a restricted tender procedure with a proposed new total contract value of £1,421,298.11, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.
3. Approve to re-procure the Roller Shutter Contract through a restricted tender procedure with a proposed new total contract value of £3,831,055.23, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.
4. Approve to award the Lift Maintenance, Lift Inspection and Roller Shutter contracts to the successful bidder following the compliant competitive procedure within a 10% tolerance of the values outlined in this paper to be signed off by the MPS Commercial Director under delegated authority

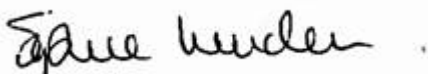
Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Date 20/12/2022



PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. The existing contracts for the provision of the inspection and maintenance of lifts and roller shutter doors expires in April 2024.

2. Issues for consideration

- 2.1. The re-procurement of these services is necessary to ensure that statutory inspections complying with Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) are undertaken, and that the planned and reactive maintenance of lifts and roller shutter doors are provided for.
- 2.2. This service ensures that property occupied by MPS officers, staff and visitors is secured by roller shutters as required and that lifts are maintained and inspected in a legally compliant order. This roller shutter security and lift inspections, supply and maintenance is paramount to supporting operational requirements.

3. Financial Comments

- 3.1. The estimated annual contract value for the supply of these services is £1,990,592 which over a potential of seven years is £13,934,142. The MPS assure that the estimated contract value can be met from within the existing MPS budgets.

4. Legal Comments

- 4.1. The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contracts exceed this threshold.
- 4.2. The MPS assure that the route to market is compliant with the Regulations.
- 4.3. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
 - Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).
- 4.4. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

5. Commercial Issues

- 5.1. The services to be procured are the inspection and maintenance (planned and reactive) for lifts and roller shutter doors in the MPS estate. The MPS engagement with the GLA to collaborate on the procurement did not identify any opportunities.
- 5.2. The MPS recommend that the proposed procurement route is to procure the services as one lot, via a restricted tender procedure as there are no existing frameworks which meet the specialist nature of the service required.
- 5.3. MPS assure that Responsible Procurement and London Anchor Institution charter objectives will be included in the tender process and bidders assessed on their responses.

6. GDPR and Data Privacy

- 6.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 6.2. The MPS assure that the procurement process does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

7. Equality Comments

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. The MPS assure that any approved suppliers will be evaluated for acceptable equality and diversity statements, as well as their ability to meet the MPS requirements under the Equality Act 2010 as suppliers to MOPAC.

8. Background/supporting papers

- Appendix 1 MPS Report - Re-procurement Lift Maintenance, Lift Inspections and Roller Shutter Maintenance Service Contracts

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date:

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of the report.	✓
GDPR/Data Privacy GDPR compliance issues are covered in the body of the report .	✓
Drafting Officer Alex Anderson has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The interim MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

Date 20/12/2022

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Re-procurement Lift Maintenance, Lift Inspections and Roller Shutter Maintenance Service Contracts

MOPAC Investment Advisory & Monitoring meeting 3rd November 2022

Report by Roy Bean on behalf of the Chief of Corporate Services

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

Each of the current contracts for Lift Maintenance, Lift inspections and Roller Shutter maintenance were all awarded on a 5-year contract with a 2 year optional extension period. The Authority have extended each of these contracts by 2 years, expiring in April 2024. There are no further extension routes available.

This paper sets out the detail and requests approval for the re-procurement of each of these (Lift Maintenance, Lift Inspections and Roller Shutter maintenance) contracts so that tendering can be carried out with sufficient time to ensure continuation of service and in full compliance with PCR 2015 regulation.

Recommendations

- 1. Approve to re-procure the Lift Supply & Maintenance contract through a restricted tender procedure with a proposed new total contract value of £8,681,788.52, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.**
- 2. Approve to re-procure the Lift Inspections contract through a restricted tender procedure with a proposed new total contract value of £1,421,298.11, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.**
- 3. Approve to re-procure the Roller Shutter Contract through a restricted tender procedure with a proposed new total contract value of £3,831,055.23, all within existing budgets. This is based on a proposed contract length of 3 + 2 + 2 years.**
- 4. Approve to award the Lift Maintenance, Lift Inspection and Roller Shutter contracts to the successful bidder following the compliant competitive procedure within a 10% tolerance of the values outlined in this paper to be signed off by the MPS Commercial Director under delegated authority.**

Time sensitivity

A decision is required from the Deputy Mayor by 14/11/2022. This is because the Authority have extended each of these contracts by 2 years, expiring in April 2024. There are no further extension routes available and tender release is currently scheduled to take place in January.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

1. Introduction and background

This Service line requires the provision Lift Maintenance, Lift Inspections and Roller Shutter Maintenance Services to the MOPAC estate. The Estate covers 32 boroughs within the Greater London area, and a number of other locations on the outskirts.

The scope of requirements for each contract is summarised in the table below

Contract	Scope of Requirements
Statutory inspections for lifts and lifting equipment	Statutory inspections to ensure compliance with Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
The supply of lifts and Lifting equipment including services	Planned and reactive lift supply and maintenance services
Supply of Roller shutters & Security Windows Maint Services	Planned and reactive roller shutter and maintenance services

2. Issues for consideration

Roller shutters Maintenance Contract

The contract for the Supply of Roller shutters & Security Windows Maintenance Services was awarded on 30th April 2017 to Industrial Security Doors Ltd on a 5-year contract with a 2 year optional extension periods. The Authority has extended this contract by two years under delegated authority, expiring 29th April 2024.

The spend for this service line was awarded at £ 2,513,600.69 (full term value). A benchmarking of the 2021/22 base annual spend equated to a value of £361,239.50 per annum

Lift Supply & Maintenance Contract

The contract for the supply and maintenance of lifts and lifting equipment Services was awarded on 30th April 2017 to Guideline Lift Services Ltd on a 5-year contract with a 2 year optional extension periods. The Authority has extended this contract by two years under delegated authority, expiring 29th April 2024.

The spend for this service line was awarded at £11,624,203.13 (full term value including headroom). A benchmarking of the 2021/22 base annual spend equated to a value of £818,626.92 per annum.

Lift Inspections Contract

The contract for the supply of lifts and Lifting equipment including services was awarded on 30th April 2017 to TSL Inspections Ltd on a 5-year contract with a 2 year optional extension periods. The Authority has extended this contract by two years under delegated authority, expiring 30th April 2024.

The spend for this service line was awarded at £1,461,105.86 (full term value). A benchmarking of the 2021/22 base annual spend equated to a value of £134,017.65 per annum

Procurement Strategy

Service Line Lotting

The FM Integrator and MPS have reviewed and considered options in relation to the Lotting of the MPS Estate and as the current service runs well as 1 Lot, this paper recommends maintaining procurement as 1 Lot.

Route to Market

A review of the available Framework Agreements implemented by providers such as ESPO and Crown commercial services has been completed for the Lift Maintenance, Lift Inspections and Roller Shutter Maintenance Service Contracts and it has been determined that a restricted tender procedure is the most suitable route to supplier selection for each of these contracts due to the specialist nature of the services required from the appointed suppliers. The frameworks we identified had works of this nature incorporated into larger M&E packages as opposed to a standalone offering.

Previously, we included the specialist elements in larger M&E contracts but have found the larger suppliers subcontract this type of specialist work. We therefore opted to go direct to SME suppliers that would otherwise form part of a larger supplier chain which enabled us to avoid the oncosts associated with main supplier subcontracting.

The Restricted Procedure will include a two-stage process that presents an opportunity for SME organisations to participate in the tender exercise. The first stage will be a [selection process](#), where the bidders' capability, capacity and experience to perform the contract is assessed to shortlist bidders. This means the number of bidders can be reduced at the selection stage.

The second stage will be when the [Invitation to Tender](#) is issued and the bids are assessed to determine the most economically advantageous tender, the basis of contract award. Only the shortlisted bidders are then invited to submit a tender. This will minimise the cost for the bidders.

Contributes to the MOPAC Police & Crime Plan 2022-251

This service ensures that property occupied by MPS officers, staff and visitors is secured by roller shutters as required and that lifts are maintained and inspected in a legally compliant order. This roller shutter security and lift inspections, supply and maintenance is paramount to supporting operational requirements. The provision relates to contracts that cover the 32 boroughs of the Greater London area, and a number of other locations outside the geographical area of the MPS.

Financial, Commercial and Procurement Comments

Each of the contract for Provision of, Lift Maintenance, Lift Inspections and Roller Shutter Maintenance services are managed within the Planned/Reactive Maintenance budgets within Property Services and does not require additional funding. The contracts for each of these services is managed within the current annual Building Maintenance budgets of £69m. Property Services will not require additional funding for the new contracts.

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

Corporate and Social Responsibility

Corporate and Social Responsibility and achieving Social Value will be of focus on this requirement; to name a few activities of CSR:

- Contractual obligations and close audit of full compliance with statutory and social obligations as at Modern Slavery Act 2015
- Building into the contract payable hourly rates of minimum London Living Wage (for the maintenance element of the contract)
- Utilising the social value objectives set out in the government guidance documents
- Build into the contract a requirement to align with MPS environmental strategy and support Net Zero 2030 objectives
- Include in tender questions requirements for vehicle omissions being in line with ULEZ requirements.

1. Anchor Institution Charter

The following five key objectives agreed by the London Recovery Board:

- To reverse the pattern of rising unemployment and lost economic growth caused by the economic scarring of Covid-19
- Narrow social, economic and health inequalities
- Help young people to flourish with access to support and opportunities
- Support our communities, including those most impacted by the virus
- Accelerate delivery of a cleaner, greener London

Will be achieved through ensuring that the bidders compete for this contract based on obligations to:

- deliver local employment and their innovation in doing so;
- have inclusion and diversity values that are reflected within their workforce;
- have apprenticeship schemes in place; and
- bring innovations into reducing their carbon footprint whilst working towards carbon net-zero
- demonstrate innovation and sustainability in their supply chain
- Innovations in the operations and product delivery (use of AI/ integration with BMS systems)

The bidders responses will be evaluated on above criteria which will form an integral part of MOPAC's intended contract obligations on the supplier.

The CSR and Social Value elements (including the anchor institution charter) will be worked through to be built into the scope of service.

Within the procurement exercise the bidders responses will be evaluated on above criteria which will form an integral part of MOPAC's intended contract obligations on the supplier with a minimum weighing of 10% in line with Procurement Policy Note –Taking Account of Social Value PPN 06/20 and Carbon Reduction Plan PPN 06/21.

Legal Implications

The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contracts exceed this threshold.

This report confirms the MOPAC's routes to market is compliant with the Regulations.

The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:

1. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
2. All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).

Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

Equality Comments

There are considered to be no negative equality or diversity implications arising from this process negating the requirement to present any mitigation. Any approved suppliers will be evaluated for acceptable equality and diversity statements, as well as their ability to meet the MPS requirements under the Equality Act 2010 as suppliers to MOPAC. The evaluation exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.

In addition, it should be noted that the MPS support the Mayor's Responsible Procurement Policy including: Enhancing Social Value, Encouraging Inclusion, Diversity and Equality, Embedding fair employment practices, Enabling skills, training and employment opportunities, promoting ethical sourcing practices and improving environmental sustainability.

Each of the re-procured contracts will continue in the delivery of the key principals to the London Anchor Institutions' Charter through the following:

1. Continue to deliver local employment and their innovation in doing so;
2. have inclusion and diversity values that are reflected within their workforce;
3. work towards achieving 80% recycling;
4. have apprenticeship schemes in place; and
5. bring innovations into reducing their carbon footprint whilst working towards carbon net-zero

Privacy Comments

The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the procurement process meets its compliance requirements.

The programme/project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

Real Estate Implications

These contracts are critical to maintain legal compliance and security of the MOPAC estate and therefore supports delivery of operational policing from an estate point of view ensuring the safety and health of staff and officers but also complying with statutory obligations for the health safety and welfare of MPS Officers, Staff, Detainees and Visitors as well as others effected by our actions or omissions in this area.

Background/supporting papers

There are no supporting papers included in part 1

Report author: Roy Bean – MPS Property Services

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

Classification of information at Part Two:

All information that is necessary for publication and in the interest of public is specified in Part One. Part two in general includes information that are exempt from publication under FOI per below:

29. The economy – (the budgetary information which are the financial interests of The Metropolitan Police Service)

40. Personal Information – (details of individuals employed by MOPAC who have worked on the business case)

43. Commercial Interest – (the information on spending which would prejudice the commercial interests of the Metropolitan Police Service)

The paper will cease to be exempt until 26/04/2031