

DMPC Decision – PCD 1523

Title: MPS Fleet – Goods and Services Support Contracts

Executive Summary:

This paper seeks approval for a range of procurement actions over the period from 2024 to 2028 in relation to fleet services. There is no request for additional funding. The paper includes approval to re-procure a range of goods and services with various contract lengths, the re-procurements do not commit the MPS to spending the contract value, and the values include a significant element of headroom to provide for uncertainty in respect of both prices and volume. There is a maximum multi-year value of £258,020,000, - the maximum annual value would be c£50m. The paper also seeks approval for three current contract uplifts due to unexpected volume usage related to the late Queen's funeral and the Kings coronation, and a single tender action in relation to the King's coronation.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the procurement initiation for multiple business as usual Fleet Support contracts for goods and services, the total value of all contracts is estimated at £258,020,000, see Appendix 1 (Procurement Pipeline) with details of individual requirement breakdown.

Funding to be met from existing MPS capital & revenue budgets and recovered externally where applicable. Any shortfall identified prior to contract award will be require MPS Corporate Finance review and approval.

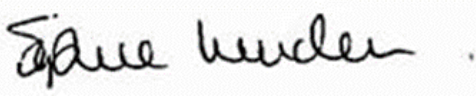
2. Approve uplift of original contract award value £8,300,000 by 50% (£4,150,000) for the Provision of Vehicle Hire with Enterprise Rent A Car Ltd & Flex E Rent Ltd with immediate effect. Funding to be met from existing MPS revenue budgets and recovered externally where applicable.
3. Approve uplift of original contract award value £1,710,000 by 50% (£855,000) for the Provision of Coach & Driver Hire Services with Kings Ferry Ltd with immediate effect. Funding to be met from existing MPS revenue budgets and recovered externally where applicable.
4. Approve uplift of original contract award value £450,000 by 50% (£225,000) for the Provision of Calibration of Workshop Equipment with Calibration Engineering Services with immediate effect. Funding to be met from existing MPS revenue budgets.
5. Approve a retrospective Single Tender Action contract to the value of £350,000 for Vehicle Hire to support Kings Coronation to Global Autocare Ltd, the duration of this arrangement was from 1st May until 31st May 2023. The event was externally funded by the Home Office.

6. Delegate authority to award contracts to the Director of Commercial Services for all contracts listed in Appendix 1 (Procurement Pipeline).

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 14/11/2023

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

1. Introduction and background

- 1.1. In addition to the out-sourced vehicle maintenance function the MPS operate the fleet function for the retained vehicles which include covert, specialist and marine fleet, and a series of functions in support of wider transport functions such as vehicle hire, coach and driver hire, agency fuel cards. This decision seeking approval to initiate procurement and award contracts relates to the latter two elements.

2. Issues for consideration

- 2.1. The retained fleet goods and services requests in this decision cover the provision of such services/goods as car parts, tyres, glass repair and replacement, and commissioning and decommissioning vehicles. The functions not specific to MPS vehicles but part of the transport function include such activities as vehicle hire, coach and driver hire, and agency fuel cards.
- 2.2. These reprocurements are captured into a single decision for approval to enable a more efficient and effective process that supports the delivery of standard core goods and services that are aligned to the MPS procurement pipeline activity. This approach reduces duplication of multiple decisions for individual procurements and awards, and the MPS also benefit from forward planning of procurements and mobilisation of contracts.
- 2.3. The Met's vehicle fleet is a critical enabler of the MPS mission of 'more trust, less crime, high standards', and effective management of the fleet ensures our officers are equipped and set up to succeed to deliver on core policing activities.
- 2.4. The full list of the 25 goods and services for re-procurement are set out in the attached Appendix 1 with details of the estimated contract start date, contract term, and contract value. The current anticipated route to market is also set out.
- 2.5. The contract values proposed for the re-procurements include significant headroom of 20% each for price and volume uncertainty – there is no commitment to suppliers to spend up to the contract values.
- 2.6. The decision seeks approval for 50% contract uplifts for 3 existing services
 - Vehicle Hire (£4,150,000) and Coach & Driver Hire (£855,000) – both of these existing contracts were severely impacted by the significantly higher than expected demand for operations Bridges (the late Queens funeral) and Golden Orb (the coronation of Charles III)
 - Calibration of Workshop Equipment (£225,000) – this services fleet and wider MPS equipment and spend has been higher than anticipated.

The re-procurement programme includes the re-tendering for each of the above three.

- 2.7. Finally, this decision seeks approval for a retrospective single tender action in the value of £350,000 for the provision of vehicle hire during and after the king's coronation. The existing supplier was unable to meet the demand and so a alternative supplier was contracted.

3. Financial Comments

- 3.1. The estimated multi-year contract value of the re-procurement programme for business as usual goods and services is £258,020,000. This value includes provision for the expected MPS and other third party volumes e.g. counter terror policing. There is also headroom to provide for potential growth and price increases. Where growth occurs the relevant function will need to obtain MPS and MOPAC approvals for funding. Inflation pressures will be addressed by the annual MPS budget review.
- 3.2. The estimated value of the three contract uplifts is upto £5,230,000. Funding for this will be from existing MPS revenue budgets and recovered externally where applicable.
- 3.3. The value of the retrospective single tender action is £350,000. This cost was funded from Home Office grant.

4. Legal Comments

- 4.1. The MPS Directorate of Legal Services confirm that each of the proposed recommendations can be legally approved.
- 4.2. The Mayor's Office for Policing Crime 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 will be procured in accordance with the Regulations.
- 4.3. In respect of recommendation 1 the MPS report confirms that the proposed routes of market are compliant with regulations.
- paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above.
 - paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.
 - paragraph 7.23 of the Scheme provides that the Director of Commercial Services 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.

4.4. In respect of recommendations 2, 3 and 4

- Regulation 72 permits MOPAC to modify a contract in limited circumstances. Specifically, regulation 72(1)(b) provides MOPAC may modify a contract where:
 - It is not possible to change contractor due to technical or economic reasons; and
 - To change contractor would cause MOPAC to suffer significant inconvenience or substantial costs duplication

provided the value of the modification does not exceed 50% of the value of the original contract.

- The MPS report confirms the basis for the above recommendations is to avoid having to procure interim contracts now and longer term contracts within a short period of each other, thus duplicating cost and effort of MOPAC and for tenderers
- paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months.

4.5. In respect of recommendation 5

- Regulation 32 provides MOPAC may award directly a contract without prior publication of a contract notice in limited circumstances. Specifically, regulation 32(1)(c) provides MOPAC may award directly when it is permitted where the works, supplies or services can be supplied only by a particular economic operator insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority
- paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all contract exemptions for £100,000 or above.

5. Commercial Issues

- 5.1. The range of goods and services subject to reprocurement are set out in the attached Appendix 1. Successful re-procurement of these business as usual requirements averts service failure, provides business continuity and ensures compliance with Public Contracts Regulation 2015 and ensure we are able to provide and maintain a fit for purpose and operationally effective fleet of assets.
- 5.2. Various routes to market will be considered for each procurement with MPS Commercial Services, this will provide the MPS with the opportunity to achieve compliance to public contract regulations, value for money via aggregated

volume/requirement where procured via joint procurement exercise that could drive economies of scale.

- 5.3. Routes to market that will be considered individually for each requirement include:
- Call-off via an existing framework (Crown Commercial Services, Yorkshire Purchasing Organisation, BlueLight Commercial, other local authority frameworks). Call-Offs shall be a mixture of mini-competitions and direct awards.
 - MPS lead on joint collaborative procurement with other authorities either by an existing framework or a competitive procedure.
 - MPS lead own procurement
 - A negotiated procedure without competition in line with PCR 2015 and or regulation that supersedes and in line with appropriate MPS governance applicable at the time.
- 5.4. The MPS will establish synergies with BlueLight Commercial (BLC) and the General London Authority (GLA) family of functional bodies (including London Fire Brigade and Transport for London) in relation to its commercial pipeline activity to establish opportunities and interest to collaborate on procurements.
- 5.5. The contract values are calculated by considering the expected volume and price requirements based on anticipated need, and then uplifting these to provide headroom to take account of unforeseen growth in volume or unforeseen price increases. The MPS does not provide any commitment to suppliers to spend up to the contract values.
- 5.6. The MPS is committed to pioneering socially, environmentally and economically sustainable procurement to deliver improved quality of life and better value for money. Where applicable bidders will be assessed on how they deliver Social Value outcomes including how they will support in the delivery of the 5 key objectives of London Anchor Institution's Charter and how this contract will contribute to the Authority's commitment to support those groups most impacted by the pandemic (COVID).

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 various fleet support goods and services contracts do not use personally identifiable data of members of the public or Met personnel, aside from essential basic contact details necessary to ensure the discharge of the contract, 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 this proposal has undergone initial equality screening with due regard taken of the Equality Act's Public Sector Equality Duty under Sec 149 of the Equality Act 2010. As a result, no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and to those who are not.
- 7.3. The procurement process for each requirement will assess the suitability of suppliers for working with the public sector. Real consideration will be taken to assess equality impact caused by each contract including effective engagement and analysing relevant equality information.

8. Background/supporting papers

- 8.1. Appendix 1 MPS Report – Business Justification Paper - Fleet Services Goods & Services Support 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

Hanahuchford.

Date 16/10/2023