

## REQUEST FOR DMPC DECISION – PCD 434

**Title: Vehicle Recovery Examination Services (VRES)**

### **Executive Summary:**

Vehicle Recovery Examination Services (VRES) under the Directorate of Operational Support Services (OSS) are seeking approval to;

- Conduct a negotiated procedure (STA) with the named supplier Lock and Key Centre and place an award of contract with a value of £150,000 up to a 12-month duration.

In 2016, following an open procedure procurement process a contract award was made to a supplier with a total contract value of £299,088 to cover service provision of up to 24 months (initial period) and up to a further 24 months of permitted foreseen extensions. The MPS received official written confirmation from this supplier confirming notice of termination of services to the contracting authority/MOPAC.

The STA request is in place to ensure continuation of delivery of services upon termination of the existing contract as above.

### **Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

- Approve the negotiated procedure (STA) for initiation and award of contract to Lock and Key Centre up to the value of £150,000 to cover a contract duration of up to 12 months. The contract value of £150,000 will be supported by existing budgets.

### **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**

*Simon Hender*

**Date** 30/07/18

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

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. Vehicle Recovery Examination Services (VRES) is a key part of the MPS drive to tackle vehicle crime on the streets of London working in partnership with MPS contractors to remove or recover vehicles involved in collisions, crime or seized under Police powers.

#### **2. Issues for consideration**

- 2.1. In 2016, following an open procedure procurement process a contract award was made to a supplier with a total contract value of £299,088 to cover service provision of up to 24 months (initial period) and up to a further 24 months of permitted foreseen extensions. The MPS received official written confirmation from this supplier confirming notice of termination of services to the contracting authority (MOPAC).
- 2.2. The STA request is in place to ensure continuation of delivery of services upon termination of the existing contract as above.

#### **3. Financial Comments**

- 3.1. The contract value of £150,000 will be supported by existing revenue budgets.

#### **4. Legal Comments**

- 4.1. Commercial Services have confirmed the contract is business critical and there is no alternative but to award a contract using a negotiated procedure without prior publication on the basis of regulation 32 due to lack of time and competition in the market.
- 4.2. Regulation 32(2) (b) provides the contracting authority may award a contract for the supply or services to a particular economic operator as competition is absent for technical reasons and there is no reasonable alternate or substitute exists and the absence of competition is not the result of an artificial narrowing down of parameters. Further, regulation 32(2) (c) provides insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedure or competition procedures with negotiation cannot be complied with.

#### **5. Equality Comments**

- 5.1. There are no direct equality or diversity implications associated with this report.

#### **6. Background/supporting papers**

- 6.1. None.

**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? YES

If yes, for what reason: Contains commercially sensitive information

Until what date: Following agreement with MPS Commercial Services

**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

It is recommended that the information in the Part 2 form not be published since if a request for this information was made under the FOIA, it is likely that it would be exempt from disclosure under the following sections for the FOIA:

Commercial Interest Section 43

Date at which Part 2 will cease to be confidential or when confidentiality should be reviewed:  
Completion of the contract.

**ORIGINATING OFFICER DECLARATION**

	<i>Tick to confirm statement (✓)</i>
<b>Head of Unit:</b> The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.	✓
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓

**OFFICER APPROVAL**

**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** *R. Lawrence*

**Date** *26/07/18*

