

DMPC Decision – PCD 1097

Title: Contract Award for the Supply and Delivery of Rigid Hull Inflatable Boats

Executive Summary:

Approval is sought to award a new contract for the Supply and Delivery of Rigid Hull Inflatable Boats (RHIBs) to Zodiac Milpro International (ZMI). The contract is for a total contract value at £4.3M (including contingency) with an initial contract term of 36 months to commence by January 2022 with the option to extend for a further 12 months.

Approval to initiate procurement action was provided in September 2017 (PCD254) as part of the MPS Vehicle Replacement Programme 2018-21.

The MPS has undertaken the procurement process in accordance with the Public Contracts Regulations 2015 as advertised via the 'UK Government Find A Tender' and 'Contracts Finder' portals.

Recommendation:

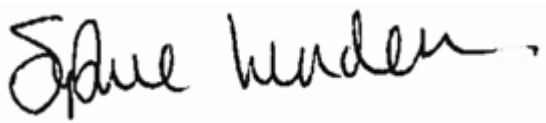
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the contract award to Zodiac Milpro International (ZMI) to supply and deliver up to 4 Rigid Hull Intervention Boats, with a total contract value at £4.3M (including contingency) with an initial contract term of 36 months to commence by January 2022 with the option to extend for a further 12 months.
2. Note that although the MPS have an initial requirement to only purchase 3 RHIB's valued at £2.9M the contract will allow the option to purchase an additional boat over the life of the contract if required.

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 10/12/2021

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

1. Introduction and background

- 1.1. The MPS has a requirement to purchase new RHIBs built in accordance with Code A of the Police Boat Codes (PBC3) without exception and as accepted by the Maritime and Coastguard Association (MCA). The new boats are required to replace the current ageing fleet.
- 1.2. Demand for Counter Terrorism (“CT”) presence on the Thames has grown exponentially year on year and is a core MPU function. The MPU is an enabler and is required to be ready to respond to a policing incident at sea 24/7 on the Thames and on any of UK inland water. While the MPU has a number of other responsibilities such as dealing with Emergency calls, crime and anti-social behaviour there is a core element of CT work running through all MPU activity.
- 1.3. The MPU provides the MPS with its CT response on the water to incidents as diverse as a tourist or commuter vessel, a Chemical, Biological, Radiological and Nuclear (CBRN) incident or delivering a team of Counter Terrorist Specialist Firearms Officers (“CTSFOs”) into the Marine Environment to deal with a Marauding Terrorist Firearms Attack (MTFA).
- 1.4. The MPU also provide the Marine Training for the MPS as a registered Royal Yachting Association (RYA) school and are the UK national CTSFO training centre for the marine aspect of the CTSFO training, the UK policing capability will use this fleet.
- 1.5. The operating environment for these vessels is primarily fast tidal river and estuary (tide speed can be in excess of 8 knots), containing driftwood, debris, flotsam, etc. This hostile environment, coupled with excessive use of aging vessels, contributes to excessive repair and maintenance.
- 1.6. Approval of this contract will allow the MPS to meet its operational needs through the new selected boats, offering a good range of functionality and resilience for policing the Thames based on the change in risk and threat since the original boats went into service in 2008 and 2009. The replacement of the RHIBs will reduce the reliability risk and allow the MPS to meet its legal obligation to ensure safety of its officers.
- 1.7. A collaborative procurement with the GLA (London Ambulance Service, London Fire Brigade and Transport for London), along with other agencies such as Kent & Essex marine unit was considered, although for this procurement it was not pursued as the requirement was not relevant to some (LAS and TFL), LFB requirements were not consistent with MPS and Kent & Essex were considering reducing their fleet.

2. Issues for consideration

- 2.1. Existing RHIBs have reached the end of their economic life, maintaining existing boats will become more challenging, specifically in relation to obtaining replacement

parts/spares, potential hull failures and increased maintenance costs due to the aging fleet.

- 2.2. Approval to award the contract will enable the supplier to agree the final build schedule in time to take delivery of the first RHIB in quarter one 2023.
- 2.3. The MPS Environment and Sustainability policy and the MPS Environment & Sustainability Strategy 2019-2021 have been taken into consideration. The specification of requirements for the supply and delivery of RHIBs captured the MPS commitment to the GLA Responsible Procurement Policy, which was updated in March 2021.
- 2.4. The service solution delivered through this contract should demonstrate the application of circular economy principles , where possible, ensuring the supplier maximises the lifespan of any products associated with contract delivery. This should align with successful suppliers' expected commitment to the waste hierarchy and the aforementioned GLA Group Responsible Procurement Policy.
- 2.5. Suppliers shall be expected to demonstrate a proactive approach to environment and sustainability in the delivery of the Contract Services and contribute to the objectives and targets of the MPS Environmental and Sustainability Strategy in areas such as recycling and waste reduction (including reducing unnecessary single use plastics), carbon emissions reduction, water management and responsible procurement.
 - The Supplier shall comply with the principles of the MPS Environmental Policy and outline the measures it will take to improve its positive environmental impacts and reduce its negative impacts over the lifetime of the contract, as part of a contract-specific Environmental Management Plan;
 - The Supplier shall use their best endeavors to implement measures to report and reduce carbon emissions (arising from energy use and transport) associated with delivery of the service and its own organisation including re-use at the RHIBs' end-of-life, such as supplier take-back and scrappage schemes as appropriate;
 - The Supplier shall use their best endeavors to implement measures to report and reduce waste and consider the Circular Economy associated with delivery of the service and its own organisation;
 - The Supplier shall use their best endeavors to implement measures to report and reduce water consumption associated with delivery of the service and its own organisation;
 - The supplier shall meet the requirements of the GLA Responsible Procurement Policy.

3. Financial Comments

- 3.1. The contract award value is £4.3M, this includes the option to purchase a fourth RHIB over the life of the contract and 10% (£390k) contingency for necessary alterations to the proposed design concept, which could result in additional cost.

3.2. Funding for three replacement RHIBs is included in the CT capital programme approved in July 2020.

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”). When awarding public contracts for goods and services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations. This Paper requests approval to award a contract, which exceed this threshold.

4.2. The report confirms the proposed contract award has been procured compliantly in accordance with the Regulations.

4.3. Paragraph 7.23 of the MOPAC “Scheme of Delegation and Consent” provides that the Director of Commercial Services has consent to award all contracts with the exception of those called in through the agreed call off procedure. Paragraph 4.14 provides that the DMPC reserves the right to call in all contract awards of £0.5m or above.

5. Commercial Issues

5.1. Due to the high value and specialist nature of the requirement, the MPS undertook an Open procedure procurement process in accordance with the Public Contracts Regulations 2015 (PCR) as advertised via the ‘UK Government Find A Tender’ and ‘Contracts Finder’ portals.

5.2. Extensive market engagement activity took place in February 2021 via issue of a Prior Information Notice (PIN), which included sharing the draft specification of requirements, prior to official publication of an ITT.

5.3. Publication of the ITT documents took place on 19th August 2021, three bidders returned an ITT submission.

5.4. The tender consisted of a number of key evaluating areas with weighting appropriately proportioned equating to a total of 100%. Please see table 1 below for an overview of key evaluating areas:

Evaluating area’s:	Weighted (%)
Screening Questions	Pass/Fail
SoR Compliance and Technical File	40% (Technical)
Project Specific Questions & Design and Concept	10% (Technical)
Health & Safety	Pass/Fail with minimum threshold
Social Value & Sustainability (Including Givewith).	10%
Pricing	40%

6. GDPR and Data Privacy

- 6.1. 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.
- 6.2. 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.
- 6.3. The Information Assurance and Information Rights units within the MPS will be consulted at all stages to ensure the project meets its compliance requirements.
- 6.4. Personal data is not required or stored.
- 6.5. Supply and replacement planning does 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. An equality screening has determined that there are no negative equality impact or diversity implications arising from this procurement process. The agreement for the Supply and Delivery of RHIBs will ensure the supplier adheres to their obligations in accordance with equality law.
- 7.2. In addition, it should be noted that the MPS support the Mayor's Responsible Procurement Policy including: Enhancing Social Value, Encouraging Equality and diversity, Embedding fair employment practices, Enabling skills, training and employment opportunities, promoting ethical sourcing practices and improving environmental sustainability.

8. Background/supporting papers

- 8.1. Approval to initiate procurement action was provided in September 2017 (PCD254) as part of the MPS Vehicle Replacement Programme 2018-21.

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: N/A

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 The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> GDPR compliance issues are covered in the body of the report. A DPIA is not required. 	✓
Drafting Officer Craig James has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The Chief Finance Officer 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 9/12/2021



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Contract Award for the Supply and Delivery of Rigid Hull Inflatable Boats

MOPAC Investment Advisory & Monitoring meeting – 1st December 2021

Report by Jason Powell 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

Approval is sought to award a new contract for the Supply and Delivery of Rigid Hull Inflatable Boats (RHIBs) to Zodiac Milpro International (ZMI).

Approval to initiate procurement action was provided in September 2017 (PCD254) as part of the MPS Vehicle Replacement Programme 2018-21.

The MPS has undertaken the procurement process in accordance with the Public Contracts Regulations 2015 as advertised via the 'UK Government Find A Tender' and 'Contracts Finder' portals.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

1. **Approve the contract award to Zodiac Milpro International (ZMI) to supply and deliver up to 4 Rigid Hull Intervention Boats, with a total contract value at £4.3M (including contingency) with an initial contract term of 36 months to commence by January 2022 with the option to extend for a further 12 months.**
2. **Please note, the MPS have an initial requirement to only purchase 3 RHIB's valued at £2.9M the contract will allow the option to purchase an additional boat over the life of the contract if required.**

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 17th December 2021. This is will allow contract commencement at the earliest.

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

Introduction and background

1. The MPS has a requirement to purchase new RHIBs built in accordance with Code A of the Police Boat Codes (PBC3) without exception and as accepted by

the Maritime and Coastguard Association (MCA). The new boats are required to replace the current ageing fleet.

2. Demand for Counter Terrorism ("CT") presence on the Thames has grown exponentially year on year and is a core MPU function. The MPU is an enabler and are required to be ready to respond to a policing incident at sea 24/7 on the Thames and on any of UK inland water. While the MPU has a number of other responsibilities such as dealing with Emergency calls, crime and anti-social behaviour there is a core element of CT work running through all MPU activity.
3. The MPU provides the MPS with its only means of providing a CT response on the water to incidents as diverse as a tourist or commuter vessel, a Chemical, Biological, Radiological and Nuclear (CBRN) incident or delivering a team of Counter Terrorist Specialist Firearms Officers ("CTSFOs") into the Marine Environment to deal with a Marauding Terrorist Firearms Attack (MTFA).
4. The MPU also provide the Marine Training for the MPS as a registered Royal Yachting Association (RYA) school and are the UK national CTSFO training centre for the marine aspect of the CTSFO training, the UK policing capability will use this fleet.
5. The operating environment for these vessels is primarily fast tidal river and estuary (tide speed can be in excess of 8 knots), containing driftwood, debris, flotsam, etc. This hostile environment, coupled with excessive use of aging vessels, contributes to excessive repair and maintenance.
6. Approval of this contract will allow the MPS to meet its operational needs through the new selected boats, offering a good range of functionality and resilience for policing Thames based on the change in risk and threat since the original boats went into service in 2008 and 2009. The replacement of the RHIBs will reduce the risk of reliability and allow the MPS to meet its legal obligation to ensure safety of its officers.
7. A collaborative procurement with the GLA (London Ambulance Service, London Fire Brigade and Transport for London), along with other agencies such as Kent & Essex marine unit were considered. Although for this procurement it was not pursued as the requirement was not relevant to some (LAS and TFL), LFB requirements were not consistent with MPS and Kent & Essex were considering reducing their fleet.

Issues for consideration

8. Existing RHIBs have reached the end of their economic life, maintaining existing boats will become more challenging, specifically in relation to obtaining replacement parts/spares, potential hull failures and increased maintenance costs due to the aging fleet.
9. Approval to award the contract will enable the supplier to agree the final build schedule in time to take delivery of the first RHIB in quarter one 2023.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

10. These replacement boats will enable the Metropolitan Police (MPS) to meet its strategic targets and ensures it remains a mobile service capable of responding proactively to crime and policing matters, combating terrorism and protecting those living and working in and around the river Thames.

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

Financial, Commercial and Procurement Comments

11. The contract award value is £4.3M, this includes the option to purchase a fourth RHIB over the life of the contract and 10% (£390k) contingency for necessary alterations to the proposed design concept, which could result in additional cost.
12. Funding for three replacement RHIBs is included in the CT capital programme approved in July 2020.
13. Due to the high value and specialist nature of the requirement, the MPS undertook an Open procedure procurement process in accordance with the Public Contracts Regulations 2015 (PCR) as advertised via the 'UK Government Find A Tender' and 'Contracts Finder' portals.
14. Extensive market engagement activity took place in February 2021 via issue of a Prior Information Notice (PIN), which included sharing the draft specification of requirements, prior to official publication of an ITT.
15. Publication of the ITT documents took place on 19th August 2021, three bidders returned an ITT submission.
16. The tender consisted of a number of key evaluating areas with weighting appropriately proportioned equating to a total of 100%. Please see table 1 below for an overview of key evaluating areas:
- 17.

Table 1 – Key Evaluating Area's

Evaluating area's:	Weighted (%)
Screening Questions	Pass/Fail
SoR Compliance and Technical File	40% (Technical)
Project Specific Questions & Design and Concept	10% (Technical)
Health & Safety	Pass/Fail with minimum threshold
Social Value & Sustainability (Including Givewith).	10%
Pricing	40%

Legal Comments

18. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). When awarding public contracts for goods and services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations. This Paper requests approval to award a contract, which exceed this threshold.
19. The Commercial Case to this report confirms the proposed contract award has been procured compliantly in accordance with the Regulations.
20. Paragraph 7.23 of the MOPAC "Scheme of Delegation and Consent" provides that the Director of Commercial Services has consent to award all contracts with the exception of those called in through the agreed call off procedure. Paragraph 4.14 provides that the DMPC reserves the right to call in all contract awards of £0.5m or above.

Equality Comments

21. An equality screening has determined that there are no negative equality impact or diversity implications arising from this procurement process. The agreement for the Supply and Delivery of RHIBs will ensure the supplier adhere to perform their obligations in accordance with equality law.
22. In addition, it should be noted that the MPS support the Mayor's Responsible Procurement Policy including: Enhancing Social Value, Encouraging Equality and diversity, Embedding fair employment practices, Enabling skills, training and employment opportunities, promoting ethical sourcing practices and improving environmental sustainability.

Privacy Comments

23. 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.
24. 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.
25. The Information Assurance and Information Rights units within the MPS will be consulted at all stages to ensure the project meets its compliance requirements.
26. Personal data is not required or stored.
27. Supply and replacement planning does 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.

Real Estate Implications

28. There will be no impact to MPS real estate as a result of awarding this contract.

Environmental Implications

29. The MPS Environment and Sustainability policy and the MPS Environment & Sustainability Strategy 2019-2021 have been taken into consideration. The specification of requirements for the supply and delivery of RHIBs captured the MPS commitment to the GLA Responsible Procurement Policy, which was updated in March 2021².
30. The service solution delivered through this contract should demonstrate the application of circular economy principles³, where possible, ensuring the supplier maximise the lifespan of any products associated with contract delivery. This should align with successful suppliers' expected commitment to the waste hierarchy and the aforementioned GLA Group Responsible Procurement Policy⁴.
31. Suppliers shall be expected to demonstrate a proactive approach to environment and sustainability in the delivery of the Contract Services and contribute to the objectives and targets of the MPS Environmental and Sustainability Strategy in areas such as recycling and waste reduction (including reducing unnecessary

² https://www.london.gov.uk/sites/default/files/gla_group_responsible_procurement_policy_2021.pdf

³ <https://www.london.gov.uk/publications/circular-economy-statement-guidance>

⁴ https://www.london.gov.uk/sites/default/files/gla_group_responsible_procurement_policy_2021.pdf

single use plastics), carbon emissions reduction, water management and responsible procurement.

- The Supplier shall comply with the principles of the MPS Environmental Policy and outline the measures it will take to improve its positive environmental impacts and reduce its negative impacts over the lifetime of the contract, as part of a contract-specific Environmental Management Plan;
- The Supplier shall use their best endeavors to implement measures to report and reduce carbon emissions (arising from energy use and transport) associated with delivery of the service and its own organisation, including re-use at the RHIBs' end-of-life, such as supplier take-back and scrappage schemes as appropriate;
- The Supplier shall use their best endeavors to implement measures to report and reduce waste and consider the Circular Economy associated with delivery of the service and its own organisation;
- The Supplier shall use their best endeavors to implement measures to report and reduce water consumption associated with delivery of the service and its own organisation;
- The supplier shall meet the requirements of the GLA Responsible Procurement Policy

Background/supporting papers

Report author: Jason Powell, Head of Fleet Services

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

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of contract award for Supply and Delivery of Rigid Hull Inflatable Boats is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant sections under the FOIA that would exempt this information from disclosure for Commercial Interest Section 43

The paper will cease to be exempt until seven years after all contracts have expired.