

DMPC Decision – PCD 1214

Title: Contract for the Supply and Delivery of Glock pistols, ancillaries and component parts

Executive Summary:

This decision is for approval of the purchase and supply of Glock weapons systems and ancillaries for policing use. The MPS has had a historical agreement with Viking Arms Ltd for its designated Pistol weapons system. It is necessary to have a future contract in place to ensure that the MPS can acquire additional weapons and make any adaptations operationally required to enhance capability when necessary.

This decision specifically seeks approval to award a contract using the negotiated procedure for medium to long term contractual arrangements to ensure there is an approved route to market. This is in accordance with Regulation 32 (2)(b)(ii) "competition is absent for technical reasons".

The estimated total upper contract value is £1,922,833, made up of: £322,833 for 624 replacement weapons systems; and £1.6m for an eight year contract for repairs, parts and ancillaries.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approval to award a contract via the negotiated procedure without prior advertisement to VIKING ARMS LTD for GLOCK Weapon Systems. The initial term of the contract is 72 months with two options of 12-month extensions. Estimated Total upper Contract Value is £1,922,833 and will be funded from existing MPS/CT grant budget streams.

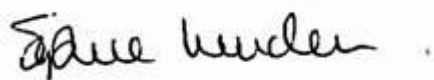
Deputy Mayor for Policing and Crime

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 13/07/2022



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

1. Introduction and background

- 1.1. The MPS AFOs (Authorised Firearms Officers), ARVs (Armed Response Vehicle officers) and CTSFOs (Counter Terrorism Specialist Firearms Officers) are specially trained to identify, locate and confront any firearms related threats. Attacks in recent years in London, including London Bridge (June 2017) and Palace of Westminster (March 2017) highlights the ongoing risk that such a threat is real. With the UK's current threat level remaining at 'Substantial', it is still likely that there could be further attacks in London and across the UK.
- 1.2. Firearms Officers are equipped with the Glock weapon system which is the MPS pistol weapons platform. This weapon system was selected a number of years ago and remains the best option for the MPS AFOs, ARVs and CTSFOs because it allows different role specific calibres and physical weapon sizes to be utilised on the same platform. This increases the officers' weapon skills through muscle memory while reducing the amount of weapon training that would be required with different systems. There is therefore a reduction in the overall time and cost of the training required, due to the Glock platform using the same working parts across its models which in turn means officers' "handling/weapons drills" remain the same when using the different Glock models. Changing models within the Glock range would not result in any significant re-training cost. If the MPS were to retender and change supplier it would increase costs by £3.9 million due to re training, re tooling and also the potential cost of new holsters/sights/tactical illuminators.

2. Issues for consideration

- 2.1. It is paramount that officers continue to use the same/current weapon system in training and operationally. A change to a different type of weapon would have significant logistic, training and financial implications.
- 2.2. The MPS conducts multiple concurrent AFO, ARV and CTSFO courses which are required to achieve and then maintain the required numbers for both the AFO, ARV and CTSFO role profiles. This would not be possible without ready access to Glock's and their respective replacement parts and accessories.
- 2.3. The MPS currently have a mixture of Gen3 to Gen5 Glock's in service, these different generations are interchangeable when it comes to the majority of parts and accessories. There are some modifications such as left/right handed magazines that are not usable on the older generations but the MPS have stock of the older style magazines for this. The ancillaries such as tactical illuminators/rails can be fitted to both older and new generation Glock's. Some of the Gen3 have been in service/use for 30 years and these have been included in the costing/contract for replacement once they can no longer be maintained.

- 2.4. This new 6-8 year contract will allow the MPS to upgrade older Glock pistols to newer types that are more adaptable to fit officers and provide a more bespoke feel for them which will assist in the promotion of equality and diversity by utilising additional components such as smaller pistol grips, left/right handed models. A longer term contract will also reduce extended lead times for delivery, would remove the need for re-tooling of armories and allows for planning of interdependent products such as holsters, sights, torches. In addition taking into account global supply chains issues, a longer term contract enables the MPS to plan around extending lead times to ensure continuity of armed policing.

3. Financial Comments

- 3.1. The total contract value is set to be £1,922,833 for both replacements of older weapons systems and maintenance of the weapons systems which includes;
- The total cost for 624 replacement weapons systems of £322,833
 - The total cost for an eight year contract for repairs, parts and ancillaries of £1.6m.
- 3.2. Funding for these contracts will come from existing Metropolitan Police Service and Counter Terrorism grant budget streams.

4. Legal Comments

- 4.1. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contract 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 All awards of public contracts for goods and/or services valued at £213,477 (inclusive of VAT) or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold. Accordingly, the Regulations are engaged.
- 4.2. Regulation 32 permits MOPAC to use the Negotiated procedure without prior publication of an OJEU notice in a limited number of circumstances.
- 4.3. Specifically, regulation 32(2)(b)(ii) provides the Negotiated procedure without prior publication of an OJEU notice may be used for public supply contracts where the supplies can be supplied only by a particular economic operator where competition is absent for technical reasons, but only where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement.
- 4.4. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that Deputy Mayor for Policing and Crime has delegated authority to approve business cases for revenue or capital expenditure of £500,000 and above.

- 4.5. Paragraph 4.13 of the Scheme provides the Deputy Mayor for Policing and Crime has delegated authority to approve all contract exemptions valued at £100,000 or above.
- 4.6. 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.
- 4.7. Full legal comments are included with the Part 2 restricted section of the report.

5. Commercial Issues

- 5.1. This proposed agreement will allow the MPS to establish a longer standing commercial relationship with the supplier. This is hoped to be used to achieve better value for money and proactively make purchases when operationally required thereby reducing lead-times.
- 5.2. Due to the limitations of the marketplace and the technical, operational and economic reasons for retaining the existing make and model a competitive tender process is not possible. It is proposed that this new contract will be awarded using the negotiated procedure without prior publication as cited within: 32(2)(b)(ii) competition is absent for technical reasons
- 5.3. Due to the limitations of the marketplace and the inability to buy alternative products it is hard for the procurement or contract to directly support London Anchor Institutions Charter. However the MPS is working more generally with the Suppliers to understand how their organisation can assist the MPS in supporting recovery in London and narrowing the social and economic inequalities in the Capital. However there are green initiatives which will support in delivering a cleaner greener London.
- 5.4. The supply of glock handguns from Viking Arms Ltd (an SME company) to the MPS is closely controlled. The Supplier complies with ULEZ (Ultra Low Emission Zone) and operates recycling options for packaging. This will assist in delivering environmental benefits for London and Londoners.

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 MPS will be consulted at all stages to ensure the project meets its compliance requirements.
- 6.4. The project 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. In respect of firearms, the MPS follows specific health and safety guidance and advice regarding the proficiency of the user and also takes into account any potential health concerns for users when utilising firearms and operational ammunition. For example this includes prohibited use for personnel who are pregnant due to the potential risks for the user. Outside of specific health concerns or user capabilities the Glock handgun doesn't present any disadvantages for groups with protected characteristics.
- 7.2. This new 6-8 year contract will allow the MPS to upgrade older Glock pistols to newer types that are more adaptable to fit officers and provide a more bespoke feel for them which will assist in the promotion of equality and diversity by utilising additional components such as smaller pistol grips, left/right handed models. This will enhance confidence and AFO success whilst future proofing MPS pistols across a diverse work force.

8. Background/supporting papers

- 8.1. Report

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

Tick to confirm statement (✓)

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

- 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 Interim 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 13/07/2022