

## DMPC Decision – PCD 1386

**Title: Approval of a contract award for the next MPS Value Added Reseller Contract for 2023 to 2027**

### Executive Summary:

This decision requests approval to award the next MPS Value Added Reseller (VAR) contract to Computacenter (UK) Ltd following a mini-competition process.

The VAR contract is an essential route to market in maintaining an efficient, effective and compliant route to market to source a wide variety of IT hardware and software requirements that do not fall within the scope of the MPS Pegasus contract. This is a recognised legally compliant route to market.

The contract duration is for an initial two years, with two optional one year extensions (this term is based on the current MPS VAR contract).

The blanket value for the VAR contract based on current spend is up to a maximum of £150,000,000.

This decision is not requesting financial approval - each purchase order raised against the VAR will require the relevant level of financial authority sign off.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the award of a new Value Added Reseller (VAR) contract to Computacenter (UK) Ltd for a duration of an initial two years with two further one year extensions at the Authority's discretion. The contract will have a ceiling of £150m for the four years. The tender / contract has an explicit clause that says spend under the agreement is non-exclusive i.e. the MPS do not have to use the agreement if they do not wish to.

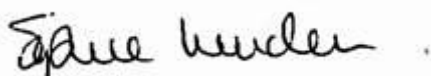
### Deputy Mayor for Policing and Crime

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 13/02/2023**



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

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

- 1.1. As a result of conducting a mini-competition this paper is requesting the approval to award a new VAR contract to Computacenter (UK) Ltd for a duration of an initial two years with two further one year extensions at the Authority's discretion (2+1+1 years).
- 1.2. The contract has a ceiling blanket value of up to £150m for the full four year contract duration.
- 1.3.

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

- 2.1. The VAR contract is an essential route to market in maintaining an efficient, effective and compliant route to market to source a wide variety of IT hardware and software requirements that do not fall within the scope of the MPS Pegasus contract.
- 2.2. The contract is utilised extensively across the MPS by Digital Policing, MO2, MO3 Covert Intelligence, MO4 (Forensics) and is critical for the delivery of Counter Terrorism Policing (CTPHQ) services and the team rely heavily on this corporate contract.
- 2.3. The current contract has successfully fulfilled a broad range of hardware and software demand across the MPS and CTPHQ with circa 500 purchase orders (raised as call-offs under the contract) per month.

### **3. Financial Comments**

- 3.1. This is not requesting financial approval - each PO raised against the VAR will attract the relevant level of financial authority sign off.
- 3.2. The £150m blanket value is a financial cap on the value of the over-arching contract for the full four year contract period.

### **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, and modifications to, public contracts for goods and/or services valued above £213,477 shall be subject to compliance with the Regulation
- 4.2. This report confirms the MOPAC's route to market is compliant with the Regulations.

- 4.3. Paragraph 4.13 of The MOPAC Scheme of Delegation and Consent provides that Deputy Mayor for Policing and Crime has delegated authority to approve all contract awards valued at £500,000 or above.
- 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 Crown Commercial Services (CCS) Hardware, Software and Associate Services Framework Agreement (RM6068) (Lot 1) allows for mini-competitions to be conducted for VAR IT hardware and software contracts/requirements and includes a total of 22 IT hardware and software suppliers and a total of 9 VAR suppliers.
- 5.2. The MPS had previously explored the possibility of a collaborative agreement with other organisations, however it was concluded more cross-organisational development needs to happen before such an agreement can be put in place.
- 5.3. The MPS conducted a mini-competition via the Framework Agreement for a contract period for a total of four years (2+1+1) with no options to extend beyond this period.
- 5.4. Six suppliers submitted tender responses and following evaluation, Computacenter (UK) Ltd were judged to be the most economically advantageous tender.
- 5.5. The mark-up on the new contract is 0.01% (£15K) plus 1.99% cost of service giving a total of 2% (£3m) compared with the current 3.00% (£4.5m). This equates to a saving of £1.5m over four years.
- 5.6. Computacenter (UK) Ltd have outlined their 'Customer Experience Framework' which incorporates Continual Service Improvement based on 6 Sigma and ITIL. They can provide market intelligence in terms of IT hardware and software requirements. Their ITIL-compliant Management Operating Framework is supported by Task Management System (TMS) tool. This tracks requests and quotes, and renewals are logged and measured against SLAs and KPIs. A Technical Resourcing Manager and dedicated team will be in place for the contract. They have Strategic Supplier status for the UK Government by the Cabinet Office. Open Book pricing on all products is in place.
- 5.7. Computacenter (UK) Ltd have confirmed that their supply chains have been unaffected by the Russian invasion of Ukraine.

## **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 contract meets its compliance requirements.
- 6.4 The VAR contract does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.
- 6.5 There are no GDPR data risks in terms of the VAR contract. However where relevant to individual orders, GDPR data risks will be addressed on a case by case basis for each individual order under the contract. The CCS Framework terms and conditions also includes the latest GDPR clauses and these are flowed down to on-boarded suppliers under the VAR contract.

## **7. Equality Comments**

- 7.1. There are considered to be no negative equality or diversity implications arising from this process. As part of the tendering process suppliers were 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.
- 7.2. The evaluation exercise considered their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.
- 7.3. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the proposed business changes. As a result no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not.
- 7.4. As the intention of this document is to seek approval for the award of a new VAR contract for IT software/hardware, there is no real organisational change. If any further reviews are/will be conducted (i.e. identified problems with software/hardware for disabled users, assistive technology problems etc) on future software/hardware purchases, and if as a result any new Equality Impact is identified, a full Equality Impact Assessment will need to be initiated.

7.5. 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. The supplier was evaluated against key questions in relation to Social Value (weighted at 10% of the overall weighted score and was awarded the highest moderated score at 7.86%, compared with the remaining suppliers. They have appointed an internal Social Value Champion, are very MPS focused, in terms of ethical sourcing they have a robust list of KPIs and utilize Electronics Watch for auditing.

7.6. Modern Slavery statement 2021 supplied.

## 8. Background/supporting papers

8.1. 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? 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

<b>ORIGINATING OFFICER DECLARATION</b>		<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.		✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.		✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.		✓
<b>Commercial Issues</b> The proposal is in keeping with the GLA Group Responsible Procurement Policy.		✓
<b>GDPR/Data Privacy</b> <ul style="list-style-type: none"> <li>• GDPR compliance issues are covered in the body of the report.</li> <li>• A DPIA is not required.</li> </ul>		✓
<b>Drafting Officer</b> Stephen Kalyango has drafted this report in accordance with MOPAC procedures.		✓
<b>Director/Head of Service:</b> 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 13/02/2023**

