

## REQUEST FOR DMPC DECISION – PCD 261

**Title: Provision of Asbestos Management Services**

### **Executive Summary:**

The MPS is seeking approval to initiate a procurement action for the Provision of Asbestos Management Services. The current contract is due to expire on September 21<sup>st</sup> 2018 and a new Framework Agreement is required to maintain the current service.

### **Recommendation:**

The DMPC is asked to

1. Approve the re-tender of the provision of Asbestos Management Services. The estimated contract value is £1,866,000. The contract period will be up to 7 years.

### **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** *Sybil Henderson*

**Date** *18/9/17*

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

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

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

1.1 The MPS is required to comply with the Control of Asbestos Regulations 2012 and the Health and Safety Guide 264. The MPS must have a comprehensive Asbestos Management Service that includes:

- The management of an asbestos register
- Completion of suitable Risk Assessment
- Relevant management and Refurbishment/Demolition surveys
- Audit of removal work to be conducted and resultant reports to be completed including surveys.
- A 24/7/356 reactive service in emergencies (i.e. when there is suspected ACM release).
- Managing asbestos across the estate including undertaking initial management survey to identify asbestos containing matters or re-inspection surveys of identified asbestos containing materials on an annual basis.

1.2 The re-tender will enable the MPS to comply with the above.

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

2.1. The MPS requires an Asbestos Management Service that is able to provide a planned maintenance and reactive call out service for the management of Asbestos throughout the MPS estate.

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

3.1 The funding of £1,866,000 will be met from existing resources within the property services revenue budget and capital project budgets.

3.2 Further details are held in the Part 2.

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

4.1. There are no legal implications arising from this proposal.

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

5.1. There are no direct equality or diversity implications arising from this report. The sourcing strategy builds on and brings opportunity to attract Local and Small and Medium Enterprise providers into MOPAC's supply chain. All contracts will meet the requirements of the Equalities Act 2010.

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

6.1. Briefing note.

**Public access to information**

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred ? NO

**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 rational for non-publication.

Is there a **part 2** form – Yes

If yes, for what reason: EXEMPT under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.

**ORIGINATING OFFICER DECLARATION:**

<b>Head of Unit:</b> The Head of Strategic Finance and Resource Management 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.	N/A
<b>Financial Advice:</b> The Chief Financial Officer has been consulted on this proposal.	✓
<b>Equalities Advice:</b> No Equality and Diversity issues identified.	✓

**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

13/9/17



**Facilities Management Services – The Provision of Asbestos Management Services**

**Investment Advisory Board 7<sup>th</sup> September 2017**

**Report by KBR on behalf of the Deputy Commissioner**

**EXECUTIVE SUMMARY**

This Business Justification paper is seeking Board approval to initiate procurement for the Provision of Asbestos Management Services

The current Contract for The Provision of Asbestos Management Services will expire on the 21<sup>st</sup> September 2018, and a new Framework Agreement is required to maintain the current service. The Framework Agreement will be open to the Greater London Authority (GLA).

**A. RECOMMENDATIONS - That**

1. The Investment Advisory Board is requested to approve the re-tender of the Provision of Asbestos Management Services, under the Public Contract Regulations 2015.
2. The proposed 4 year Framework Agreement will be open to all GLA members, with call-off Contracts of either 3+1+1 or 5+1+1 years. The potential value of the call-off Contract is £1,866,000.
3. No additional funding is required and will be met from existing provision within the property services revenue and capital budgets.

**B. SUPPORTING INFORMATION**

**Background**

1. This Business Justification concerns the retender of Asbestos Management Services call-off Contract which expires 21st September 2018. This Contract was called off a Framework Agreement which was set up by MOPAC and is open to the Greater London Authority (GLA).
2. The Investment Advisory Board is requested to approve the re-tender of The Provision of Asbestos Management Services, under the Public Contract Regulations 2015.
3. The Asbestos Management Services requires a planned maintenance and reactive call out service for the management of Asbestos throughout the MPS estate including, but not limited to:
  - The management of an asbestos register
  - Completion of suitable Risk Assessments
  - Relevant management and Refurbishment/Demolition surveys

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- Audits of removal work to be conducted and resultant reports to be completed, including surveys.
  - A 24/7/365 reactive service for use in emergencies (i.e. when there is a suspected ACM release etc.)
  - Managing asbestos across the estate undertaking initial management surveys to identify asbestos containing matters or re-inspection surveys of identified asbestos containing materials on an annual basis.
4. The market has been tested, which supports the recommendation going to tender by the sixteen expressions of interest. This should produce a healthy competition and achieve maximum Vfm for MOPAC.
  5. Transport for London (TFL) is in the early stages of establishing an Asbestos Framework to be in place by mid-2018. Discussions are taking place to determine if the specification requirements are met by their Framework and if this is an appropriate route to market.
  6. The expected reduction in the size of the Estate may impact the provision of Asbestos Management in the areas of:
    - A reduction in the volume of work overall due to a fewer number of in-scope locations, however these will be the re-inspection survey costs which are relatively low value.
    - An increase in the refurbishment and demolition surveys due to the number of buildings being reduced (projected 250 buildings being reduced) and the remaining 109 buildings potentially being refurbished.
  7. This is a re-tender of a current Framework Agreement, with minor amendments to the tender and contract documentation; therefore all the processes and procedures are in place to manage the service.
  8. The Agreement will have a built in clause that fixes prices for the first three contract years, then caps increases for subsequent years at the change in London Living Wage.

## **C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS**

### **Equality and Diversity Impact**

1. The sourcing strategy builds on, and brings opportunity to attract Local and SME providers into the Authority's supply chain. All contracts will meet the requirements of the Equalities Act 2010.

### **Financial Implications / Value for Money**

2. The MPS currently spend on average £206K PA on the Asbestos Management Services, the costs of which are met from property services revenue and capital budgets. Over the next 5 years the Estates Transformation Strategy will invest significantly in the estate. Enabling the disposal of buildings that are surplus to requirement.

## Not Protectively Marked

3. The number of management and re-inspection surveys is expected to reduce in line with the shrinking estate. However there will be an increase in the number of buildings which will become surplus to requirement and therefore disposed of, or redeveloped as part of the estates strategy. This will require a corresponding increase in refurbishment and demolition surveys.
4. All MPS costs incurred will be met from existing provision within property services revenue and capital projects.

### Legal Implications

5. The Integrator does not believe that the MPS Department of Legal Services needs to be consulted in the award of this contract due the lack of contention from a legal standing.

### Consultation undertaken

Key stakeholder engagement (up to what level)	Supportive / Supportive with concerns / Not supportive / Not affected
Design Authority	Supportive
Your Finance Business Partner	Supportive
Strategic Secretariat	Supportive
Portfolio Transformation Office for Benefits	Supportive
Strategic Diversity & Inclusion	Supportive
Business Change	Supportive
Property Services / Environmental Management	Supportive
Director of Strategic Procurement	Supportive
Director of Commercial and Finance	Supportive

### Risk (including Health and Safety) Implications

6. The Health and Safety requirements for the Provision of Asbestos Management Services are:
  - Health and Safety at Work etc Act 1974
  - The current and relevant legislation associated Approved Codes of Conduct including Control of Asbestos Regulation 2012 and Health and Safety Guide 264.

### Real Estate and Environmental Implications

7. There are no additional environmental risks arising from this request.
8. The Integrator has worked closely with the Authority's Environment and Sustainability Team to ensure that a supply chain is procured which has an environmental capability relating to service delivery aligned to Authority's sustainability programmes.
9. The Integrator and the Authority have developed a set of contractual provisions for suppliers working with the Authority, including a set of robust requirements relating to sustainability embedded in the contracts. In addition, the Integrator has developed a Contract Health, Safety and Environment plan which sets out how the Integrator contract will be delivered in a way which meets the Authority's sustainability standards and environmental compliance, and where applicable, industry best practice.

**Not Protectively Marked**

**Report author:** Greg Robinson (KBR), Supply Chain Manager