

REQUEST FOR DMPC DECISION – PCD 274

Title: HOLMES Enterprise Agreement

Executive Summary:

This paper requests approval for an extension of the Holmes Enterprise Agreement.

Recommendation:

The DMPC is asked to

- Approve the award of a £650k value extension of the HOLMES Enterprise Agreement and a three month term extension to December 2018.

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

16/10/17

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

Decision required – supporting report

1. Introduction and background

- 1.1. HOLMES is a national system mandated for all forces to use for homicide investigation. The HOLMES Enterprise Agreement is a four year contract established in 2014 to maintain an efficient, effective and compliant route to market to source the requirements for the provision of HOLMES to the Metropolitan Police Service.
- 1.2. The Enterprise Agreement is near to reaching its current value limit and therefore there is a need to extend the value.
- 1.3. The contract for delivery of both the Metropolitan Police HOLMES systems (MetHolmes and CT Holmes) expires in December 2018 therefore it is recommended extending the framework to co-terminate with this delivery contract.

2. Issues for consideration

- 2.1. The incumbent supplier, Unisys Limited, is the sole supplier of the Intellectual Property Rights (IPR) in HOLMES and will not assign or license that IPR to a third party. There are therefore no alternative sources of supply.
- 2.2. The Enterprise Agreement has previously been extended in value under delegated approval by the Director, Commercial Services.
- 2.3. This extension will avoid a number of single tender actions and Value Added Reseller mark-up charges.

3. Financial Comments

- 3.1 All spend approvals will follow standard Metropolitan Police governance under the scheme of delegation and are within existing budgets. Detail is included in part 2.

4. Legal Comments

- 4.1. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations or extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months. This report confirms the value of the proposed extension is greater than 10% of the original contract value. Approval by the DPMC must be sought.

5. Equality Comments

- 5.1. There are no direct equality or diversity implications arising from this report

6. Background/supporting papers

- 6.1. Report.

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 rationale 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

Exempt under Section 43 Commercial Interest of the Freedom of Information Act.

ORIGINATING OFFICER DECLARATION:

Head of Unit: 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.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Financial Advice: The Chief Financial Officer has been consulted on this proposal.	✓
Equalities Advice: 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

12/10/17



Investment Advisory Board

5th October 2017

Extension to Holmes Enterprise Agreement

Report by Carol McDonald on behalf of Angus McCallum

EXECUTIVE SUMMARY

This paper requests approval for an extension of the Holmes Enterprise Agreement.

TIME-SENSITIVITY

A decision is needed by 20th October. The contract is at its limit and payments are processed regularly.

A. RECOMMENDATIONS – That DMPC approves:

1. The award of a £650k value extension of the HOLMES Enterprise Agreement and a three month term extension to December 2018.

B. SUPPORTING INFORMATION

2. The HOLMES Enterprise Agreement (EA) is a four year contract established in 2014 to maintain an efficient, effective and compliant route to market to source the requirements for the provision of HOLMES to the MPS. HOLMES is a national system mandated for all forces to use for homicide investigation.
3. The incumbent supplier, Unisys Limited, are the sole supplier of the Intellectual Property Rights (IPR) in HOLMES and will not assign or license that IPR to a third party. There are therefore no alternative sources of supply.
4. The EA has previously been extended in value under delegated approval by the Director, Commercial Services. The EA is near to reaching its current value limit and therefore there is a need to extend the value. The factors that have led to the EA exceeding its expected value are set out in part 2.
5. The contract for delivery of both MetHolmes and CT Holmes expires in December 2018 therefore it is recommended extending the framework to co-terminate with this delivery contract.
6. The extension will avoid a number of single tender actions and Value Added Reseller mark-up charges.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

Equality and Diversity Impact

9. There are considered to be no equality or diversity implications arising from this contract extension.

Financial Implications

10. There are no financial implications arising from this contract extension. All spend approvals will follow standard MPS governance under the scheme of delegation and are within existing budgets.

Legal Implications

11. 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 public contracts for goods and/or services valued at £164,176 or above must be procured in compliance with the Regulations. Accordingly, the Regulations are engaged.

12. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations or extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months. This report confirms the value of the proposed extension is greater than 10% of the original contract value. Approval by the DPMC must be sought.

Risk (including Health and Safety) Implications

13. This report does not directly impact on the health and safety of the MPS or its service delivery.

Consultation Undertaken

14. This matter has been considered and agreed by MPS Portfolio and Investment Board, further detail on specialists consulted is included in part 2.

PART 2: Exempt Section of the Report

15. The full Business Justification Paper is included as Part 2 and is exempt from publication under article 2 (2) (a) of the Elected Local Policing Bodies (Specified Information) Order 2011.
16. The FoIA section that exempts this information disclosure is Section 43 Commercial Interest.
16. The exemption will stand until seven years after the end of the contract ie. 31 December 2025.

Report author: Carol McDonald, 020 7321 9012