

REQUEST FOR DMPC DECISION – PCD 332

Title: Support and Maintenance of CRIMINT Plus (contract renewal)

Executive Summary:

This paper seeks approval for a Single Tender Action contract to continue the 3rd Line support Contract, with SAS/Memex, for the business-critical application CRIMINT. The contract would be for 3 years with a break point at 2 years, to cover the period until the new MiPS system is due to replace some of CRIMINT's functionality.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to approve:

- The renewal of the SAS Contract for third line support for three years at a total cost of £3,185k at £1,062k per year starting from 1st April 2018
- Procurement is progressed via a single tender action to contract the Supplier SAS\Memex

And to note:

- The costs are fully funded in the approved budget.

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

Eyobu Wenden

Date

27/2/18

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

Decision required – supporting report

1. Introduction and background

- 1.1. CRIMINT is one of the Metropolitan Police Service's largest and most critical systems that underpins policing in London. The system has evolved and grown over a number of years and requires a significant level of support at first and second line from existing outsourced support contracts and at a deeper third line from the original software supplier SAS. SAS own the Intellectual Property Rights to the solution/application and therefore no other provider is able to offer support and/or licensing.
- 1.2. The longer term aspiration is for the new MIPS system to provide some or all of the functionality currently within CRIMINT.

2. Issues for consideration

- 2.1. A term of 36 months is recommended for approval and comes with the ability to terminate giving a six month notice period. The execution of this clause would mean an applicable penalty of the discounted amount being repaid.
- 2.2. Further extensions may be required depending on the speed of development of the MIPS system; however the three year term will have the following benefits.
 - The 3 year contract contains no uplift for RPI
 - It will allow the Metropolitan Police Service to maintain a more stable relationship with the supplier having appointed for the longer term
 - Continuity of the service and existing support levels will be maintained.

3. Financial Comments

- 3.1. The renewal cost of £3,185k over three years is fully funded from existing approved budgets.

4. Legal Comments

- 4.1. This is a renewal for a business as usual, long established contract and ongoing operational requirement. The procurement strategy is to award a support contract via a Single Tender Action. It is legally compliant to do so as Article 32 of the Public Contract Regulations 2015 (PCR) allows purchasing Authorities to forego tendering and select a supplier via a "negotiated procedure without prior publication" in a "specific cases and circumstances".
- 4.2. Two of the specified circumstances are applicable in this instance:
 1. Only one supplier is capable of delivering the service; "competition is absent for technical reasons" [Article 32(2)(b)(ii)]. CRIMINT was developed by Memex (who were acquired by SAS). There are no alternative suppliers with the technical knowledge to support the system.
 2. No other supplier can offer the service without the infringement of intellectual property rights "ensure the protection of exclusive rights including intellectual property rights" [Article 32(2)(b)(iii)]. Some of the regular support activities would infringe SAS's Intellectual Property Rights if conducted by another party.

4. Equality Comments

4.3. This paper seeks approval to renew an existing technology support contract. There are considered to be no negative equality or diversity implications arising from this Contract renewal.

5. Background/supporting papers

5.1. 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

The reason why Part 2 is exempt from publication: Commercial Interest Section 43

The date at which part 2 will cease to be confidential: A minimum of 6 years.

ORIGINATING OFFICER DECLARATION

	Tick to confirm statement (✓)
Head of Unit: The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: Legal advice is not required.	✓
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓

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 27/2/18

Investment Advisory Board

February 22nd 2018

Support and Maintenance of CRIMINT Plus (contract renewal) 2018-19

Presented by: David Pitty – Director of Solution Delivery, Digital Policing on behalf of the Deputy Commissioner

Part 1 (Open)

EXECUTIVE SUMMARY

This paper seeks IAB approval to renew the 3rd Line support Contract, with SAS/Memex, for the business critical application CRIMINT.

This paper proposes and recommends that DMPC approves a renewal of three years, which will provide continuity of the 3rd Line support function until the MiPS programme delivers the replacement service.

TIME-SENSITIVITY

A decision is required by end of February to ensure that the necessary purchase order can be raised in sufficient time so that the current contract end date of the 31st March is not breached and service continuity is maintained.

A. RECOMMENDATIONS – That DMPC approves:

The renewal of the SAS Contract for Groups 1 – 6 third line support for three years at a total cost of £3,185k at £1,062 per year starting from 1st April 2018

Procurement is progressed via a single tender action to contract the Supplier SAS\Memex

The costs are fully funded in the MOPAC approved DP 2018/19 budget

B. SUPPORTING INFORMATION

CRIMINT is one of the organisation's largest and most critical systems that underpins policing in London. The system has evolved and grown over a number of years and requires a significant level of support at first and second line from within the Towers (Atos and Accenture) and at a deeper third line from the original software supplier SAS. SAS own the Intellectual Property Rights to the solution/application and therefore no other provider is able to offer support +/- licensing. The licencing of the application is perpetual and owned by the MPS, however as

stated above there are no other suppliers who could support the application without infringing the SAS/Memex IPR

A term of 36 months is recommended for approval and comes with the ability to terminate giving a six month notice period. The execution of this clause would mean an applicable penalty of the discounted amount being repaid. Further extensions may be required depending on the speed of development of the MiPS system however the three year term will have the following benefits.

- It will allow the MPS to maintain a more stable relationship with the supplier having appointed for the longer term,
- Continuity of the service and existing support levels will be maintained

The longer term aspiration is for the MIPS programme to provide some or all of the functionality currently within CRIMINT and for the MPS to reduce the number of users and decommission optional modules from SAS.

There are six grouped products covered by this contract. All the products are considered critical and require support.

- Group 1 CRIMINT Plus
- Group 2 Character Enquiry Check
- Group 3 CRIMINT Plus into Corporate Data Warehouse
- Group 4 I drive
- Group 5 Stops Web
- Group 6 Holmes 2 into CRIMINT Plus

Decision Sought

Approval is sought to let the contract for a period of three years. The justification for this term is

- A three year contract aligns with the potential reduction in use of this service.
- Prices have been negotiated to achieve the best option from the supplier considering the longer term uncertainty of CRIMINT Plus use.
- Continuity of a Business critical service is maintained.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

Equality and Diversity Impact

This paper seeks approval to renew an existing technology support contract. There are considered to be no negative equality or diversity implications arising from this Contract renewal.

Financial Implications

The support provided by SAS is considered critical to the ongoing capability of the system.

The value of this contract and the details of the financial implications of this renewal are outlined in the Part 2 (Exempt section) of this paper.

Legal Implications

SAS do not offer this support service directly via any public sector framework (such as g-cloud). The MPS could engage with SAS via its Value Added Reseller (VaR) Insight Direct. However, doing so would add an additional charge for the re-seller and in this instance the VAR would offer no additional commercial benefit. As such, a single tender action offers the best value for money.

This is a renewal for a business as usual, long established contract and ongoing operational requirement. The procurement strategy is to award a support contract via a Single Tender Action. It is legally compliant to do so as Article 32 of the Public Contract Regulations 2015 (PCR) allows purchasing Authorities to forego tendering and select a supplier via a "negotiated procedure without prior publication" in a "specific cases and circumstances".

Two of the specified circumstances are applicable in this instance:

1. Only one supplier is capable of delivering the service; "competition is absent for technical reasons" [Article 32(2)(b)(ii)]. CRIMINT was developed by Memex (who were acquired by SAS). There are no alternative suppliers with the technical knowledge to support the system.
2. No other supplier can offer the service without the infringement of intellectual property rights "ensure the protection of exclusive rights including intellectual property rights" [Article 32(2)(b)(iii)]. Some of the regular support activities would infringe SAS's Intellectual Property Rights if conducted by another party

Risk (including Health and Safety) Implications

Should the contract not be renewed, second line support will be compromised in terms of effective response to resolving issues.

- Without support the system could run but in the event of failure the cost to recover/repair would be financially and operationally significant.
- CRIMINT is the key intelligence system for the MPS accessed and utilised by all operational staff. Failure to renew will result in the loss of the critical intelligence function to operational officers across the MPS which in turn will impact on the operational capability of the organisation.
- Loss of CRIMINT will have detrimental impact to organisational reputation

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

Consultation Undertaken

Key stakeholder engagement (up to what level)	Supportive / Supportive with concerns / Not supportive / Not affected
CIO Digital Policing	Supportive
Director Commercial Services	Supportive
Director Finance	Supportive
Director Service Delivery	Supportive
Director of Technology	Supportive

Responsible Procurement

Commercial services have been consulted during the preparation of this paper and have ensured that there are no adverse implications from a Responsible Procurement perspective.

PART 2: Exempt Section of the Report

The Part 2 Exempt section is provided as a separate paper to be attached to this Part 1 as required and is Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.

The relevant sections under the FOIA that would exempt this information from disclosure, for example. Commercial Interest Section 43.

The date at which part 2 will cease to be confidential or when confidentiality should be reviewed will be a minimum of 6 years. This is in accordance with the MPS data management policy.

Report author:

Jim Brookman – Head of SC&O Applications

07833 293039, James.Brookman@met.police.uk