

REQUEST FOR DMPC DECISION – PCD 507

Title: Value Added Reseller Contract 2019-2022

Executive Summary:

This report asks permission for a contract to be awarded to CDW Ltd for Value Added Reseller services. The contract duration is for an initial two years, with two further one year extensions if required.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

- Approve the award of a contract to CDW Ltd
- Approve a contract duration of 2+1+1 years
- Approve a spend ceiling of £100m. It should be noted that there is no obligation to spend under the contract.

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

12/12/2018

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

Decision required – supporting report

1. Introduction and background

- 1.1. The value added reseller contract is a part of the ICT contracts ecosystem. It is used as a route to market to purchase a range of hardware and software for ad hoc projects. It is also used to purchased hardware and software that are specialist in nature.

2. Issues for consideration

- 2.1. The value added reseller contract is a part of the ICT contracts ecosystem. It is used as a route to market to purchase a range of hardware and software for ad hoc projects. It is also used to purchased hardware and software that are specialist in nature.

3. Financial Comments

- 3.1. The contract will have a ceiling value of £100m and will be for a duration of an initial two years with two further one year extensions if required (2+1+1 years).

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 public goods and/or services contracts valued at £181,302 or more by contracting authorities must 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. An award of a call-off contract under a framework agreement will be compliant with the Regulations where the contracting authority is a named eligible user of the framework, the authority's requirements are within the technical and financial scope of the framework and where the ordering processes of the framework have been complied with.
- 4.3. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegation to approve all requests to go out to tender for contracts of £500,000 above.

5. Commercial Issues

- 5.1. The contract is the culmination of a min-competition under CCS framework Technology Products 2, Lot 3.
- 5.2. Each individual requirement that is transacted under the contract must adhere to governance arrangements already in place. This means each requirement must have finance and budget holder approval before the contract can be used.

- 5.3. Consideration was given to procuring a collaborative agreement with other government organisations such as Transport for London and Police ICT Company. However, it was felt further cross-organisational development needs to take place before such an agreement can be achieved.

6. GDPR/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 contract 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. All suppliers on CCS frameworks have had to demonstrate compliance with equalities policies as part of the due diligence process for getting on to the framework.

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

	<i>Tick to confirm statement (✓)</i>
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 Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> GDPR compliance issues are covered in the body of the report. A DPIA is not required. 	✓
Director/Head of Service: The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

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 12/12/2018



MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Value Added Reseller Contract 2019 - 2022

MOPAC Investment Advisory Board: 30th November 2018

Report by Abdul Qyyum Choudhury on behalf of the Deputy Commissioner

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

This report asks permission for a contract to be awarded to CDW Ltd for Value Added Reseller services. The contract duration is for an initial two years, with two further one year extensions at the Authority's discretion.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory Board (IAB), is asked to:

- 1. Approve the award of a contract to CDW Ltd**
- 2. Approve a contract duration of 2+1+1 years**
- 3. Approve a spend ceiling of £100m. It should be noted that there is no obligation to spend under the contract.**

Time sensitivity

A decision is required from the Deputy Mayor by 10th December 2018. This is because time is needed to transition from the existing supplier to the new supplier.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. The MPS has a value added reseller contract that expires on 31st January 2019.
2. The award of this replacement contract follows a competitive tender exercise via CCS framework Technology Products 2, Lot 3.

Issues for consideration

3. The value added reseller contract is a part of the ICT contracts ecosystem. It is used as a route to market to purchase a range of hardware and software for ad hoc projects. It is also used to purchased hardware and software that are

specialist in nature.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

4. The value added reseller contract is used by the MPS in order to procure hardware and software that support ongoing operational demands. The contract will play a key role in projects such as strengthening local policing and mobility.

Financial, Commercial and Procurement Comments

5. The contract is the culmination of a min-competition under CCS framework Technology Products 2, Lot 3. Each individual requirement that is transacted under the contract must adhere to governance arrangements already in place. This means each requirement must have finance and budget holder approval before the contract can be used.
6. Consideration was given to procuring a collaborative agreement with other government organisations such as Transport for London and Police ICT Company. However, it was felt further cross-organisational development needs to take place before such an agreement can be achieved.

Legal Comments

7. 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 goods and/or services contracts valued at £181,302 or more by contracting authorities must be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold. Accordingly, the Regulations are engaged.

8. An award of a call-off contract under a framework agreement will be compliant with the Regulations where the contracting authority is a named eligible user of the framework, the authority's requirements are within the technical and financial scope of the framework and where the ordering processes of the framework have been complied with.
9. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegation to approve all requests to go out to tender for contracts of £500,000 above.

Equality Comments

10. All suppliers on CCS frameworks have had to demonstrate compliance with equalities policies as part of the due diligence process for getting on to the framework.

Privacy Comments

11. 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.

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

12. 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.
13. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the contract meets its compliance requirements.
14. The contract does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

Real Estate Implications

15. There are no implications on Real Estate as a result of this paper.

Environmental Implications

16. The VAR represents a route to market for specific hardware and software. The environmental impact of a specific transaction under the contract needs to be assessed at the time of that specific undertaking.

Background/supporting papers

17. PCD 210 – 9th June 2017 – gave permission for the tender to be undertaken.

Report author: Abdul Qyyum Choudhury

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of the Command & Control Outline Business Case is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant section under the FOIA that would exempt this information from disclosure is Commercial Interest Section 43

The business case contains commercially sensitive information relating to supplier pricing / margins and should not be published as per the above mentioned exemptions.

The paper will cease to be exempt in December 2025.