

REQUEST FOR DMPC DECISION – PCD 285

Title: Grenfell Tower Emergency Arrangements

Executive Summary:

Following the fire at Grenfell Tower on Wednesday 14th June 2017, there was an operational policing requirement to provide logistical & specialist property support, including heavy lifting equipment. MPS had previously estimated costs would be under the £500k threshold; however it has since been established the lifting equipment is required for a further period of time.

The estimated full cost of the crane (which is currently in operation), including installation, daily operation and hire (for period 21/06/17 – 13/12/17) is £945k.

All costs are in direct support of the Metropolitan Police operational requirements, i.e. for the securing and removal of evidential material from the building.

To note that these costs are unbudgeted and are being managed in the MPS overall resources. The costs for the crane will be included in the Special Grant claim submitted to the Home Office.

Recommendation:

The DMPC;

- Approves the variation to MOPAC's existing order and approve expenditure and contract action in excess of £500k to 'Wates Living Space Maintenance Ltd' for the on-going operational requirement for lifting equipment. The estimated costs are £945k for crane hire until 13th December 2017 in order to support the evidential recovery of window units.
- Notes that these costs are unbudgeted and are being managed in the MPS overall resources. The costs for the crane are included in the Special Grant claim submitted to the Home Office.

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

Paul Warden

Date

01/11/17

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

Decision required – supporting report

1. Introduction and background

- 1.1. On Wednesday 14th June 2017, the tragic fire at Grenfell Tower called upon a multi-agency emergency services response including the London Fire Brigade, Metropolitan Police and London Ambulance Service. Upon completion of the Fire Brigade actions, the Police Recovery, Disaster Victim Identification (DVI) and Investigation phases could begin, led by the Specialist Crime & Operations Command.
- 1.2. MPS instructed Wates Ltd to manage the provision of a suitable crane solution via the MPS Intermediate Works Framework to meet the immediate policing requirement. This provided a compliant route to market and also met the requirements for urgency, continuity and assurance as Wates Ltd have extensive experience of dealing with dangerous structures.

2. Issues for consideration

- 2.1 The cost for installation (including preparatory works) and operation for the period 21/06/17 to 11/10/17 is £464,797 and falls within the MPS Scheme of Delegation. On 12th October a joint decision between the MPS, Health & Safety Executive (HSE) and Building Research Establishment (BRE) agreed that the mobile crane will be required for the safe removal of window units which will be tested by the Building Research Establishment.

3. Financial Comments

- 3.1 It is estimated the total costs to be incurred from June 2017- December 2017 are £945k. This is unbudgeted revenue costs which are currently being managed within MPS overall resources. The costs will be part of the Special Grant Claim submitted to Home Office.
- 3.2 To note if the removal of the units proves problematic, or if works are interrupted by inclement weather or other disruptions, this will then have the adverse effect of increased costs.

4. Legal Comments

- 4.1 Paragraph 7.24 of the MOPAC Scheme of Delegation and Consent ("the Scheme") provides the Director of Strategic Procurement has consent to approve:
 - all variations and extensions to contracts with the exception of those called in through the agreed call in procedure or
 - Unforeseen variations and extensions with an original value of £500,000 or above that, the DMPC is required to approve in line with the Scheme.
- 4.2 DLS are also instructed that due to technical and economic reasons it is not possible to change contractor to undertake these additional works without MOPAC incurring significant inconvenience and substantial duplication of costs.

5. Equality Comments

- 5.1 Wates Ltd have been instructed via the competitively tendered MPS Intermediate Works Framework. As part of that process all bidders were evaluated for acceptable equality and diversity statements.

6. Background/supporting papers

Report attached

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 – No


ORIGINATING OFFICER DECLARATION:

	Tick to confirm statement (✓)
Head of Unit: The Head of Strategic and Finance 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: Equality and diversity issues are covered in the body of the report.	✓

OFFICER APPROVAL**Chief Executive**

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

with delegated approval


Date

26/10/17



Emergency Arrangements – Grenfell Tower fire

*Approval of expenditure and contract action in excess
of £500k.*

Investment Advisory Board

9 November 2017

Freedom of Information Act Publication Scheme

Protective Marking	Not Protectively Marked
Publication Scheme Y/N	Y
Title	Emergency Arrangements – Grenfell Tower fire
Version	0.6
Summary	Request for approval of expenditure and contract action in excess of £500k
(B)OCU or Unit, Directorate	Specialist Crime & Operations / Property Services Department
Author(s)	Martin Tucker (SCO1) / Paul Dorman (Property Services)
Review Date	
Date Issued	19/10/2017

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Version History

Version	Date	Additions/Modifications	Prepared/Revised by
0.6	20/10/17	Special Grant claim wording added	Ruth Hodson (Finance)
0.5	19/10/17	Finance wording added	Karim Mahamdallie (Finance)
0.4	19/10/17	Legal wording adding	Luke Collins (Legal Services)
0.3	18/10/17	Procurement wording added	Gerald Lynch (Procurement)
0.2	17/10/17	Method Statement & elevation drawings added	Martin Tucker
0.1	17/10/17	Original report	Paul Dorman

Internal Consultation & Assurance

The following people have been consulted in the production of this Business Justification and their opinions incorporated.

Directorate / Dept.	Name & Job Role	Rank / Grade	Date Assured
SC&O 1	Martin Tucker	Band B	18/10/2017
Property Services	Paul Dorman – Dep. Dir. Operational Support Group	Band S	17/10/2017
Property Services	Karl Cocklin – Senior Operations Manager	Band B	17/10/2017
Property Services	Annabel Cowell - Finance Business Partner	MOPAC Grade 1	
Procurement	Gerard Lynch - Head of Category Property Procurement	Band S	18/10/2017
Procurement	Colin Attree - Procurement Category Director	Band S1	19/10/2017
DP	N/A		
HR	N/A		
Legal (DLS)	Luke Collins - Solicitor	Band J4	19/10/2017
Finance	Ruth Hodson – SC&O Finance	Band S1	20/10/17
Finance	Karim Mahamdallie - Strategic Finance Business Partnering	Band S1	19/10/2017
Health & Safety	Chris Taylor - Senior Health and Safety Advisor	Band M	19/10/2017

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Investment Advisory Board

17th October 2017

EMERGENCY ARRANGEMENTS – GRENFELL TOWER FIRE
Approval of expenditure and contract action in excess of £500k

Report by Director of Property Services on behalf of Director Commercial & Finance

EXECUTIVE SUMMARY

There was an operational policing requirement to provide logistical & specialist property support, including heavy lifting equipment, following the fire at Grenfell Tower on Wednesday 14th June 2017.

This report seeks approval for expenditure and contract action above the MPS Scheme of Delegation threshold of £500k in relation to the ongoing hire of a mobile crane at Grenfell Tower. The estimated full cost of the crane, including installation, daily operation and hire (for period 21/06/17 – 13/12/17) is £945k. This is currently unbudgeted and costs are being incurred by Property Services.

The immediate police response and subsequent investigation required specialist contractual support provided through the Operational Support Group (OSG), part of the Metropolitan Police Property Services Department. The specialist support included securing the site, asbestos management, removal and storage of debris along with provision of temporary accommodation. As part of this capacity OSG were asked to provide heavy lifting equipment for the evidential recovery process.

Due to the height of building, condition of property, access limitations (from adjacent buildings, street furniture and mature trees), plus the unpredictable nature of the loads to be lifted, a 250 ton crane with additional Jib extensions was required to provide the lifting capability and importantly to reach all four elevations of the building from a single location. OSG instructed 'Wates Living Space Maintenance Ltd' (Wates Ltd) to manage the provision of a suitable crane lifting solution. This was procured through the existing MPS Intermediate Works Framework.

Wates Ltd were already on-site in their capacity as the current provider of 'Dangerous Structure Emergency Works' to the Local Authorities Coalition and on that basis were employed by the Royal Borough of Kensington and Chelsea (RBKC). This provided the MPS a compliant route to market plus maintained continuity with other activities on-site.

The cost for installation (including preparatory works) and operation for the period 21/06/17 to 11/10/17 is £464,797 and falls within the MPS Scheme of Delegation. On 12th October a joint decision between the MPS, Health & Safety Executive (HSE) and Building Research Establishment (BRE) agreed that the mobile crane will be required for the safe removal of approximately 28No. window units which will be tested by the Building Research Establishment. This removal process is expected to last until December and the additional hire charge of £462,663 plus £18,000 derig costs, takes the expenditure above the MPS £500k limit under MOPAC Scheme of Delegation.

A decision is required as soon as possible as the MPS are already beginning to incur costs in excess of the £500k limit under MOPAC Scheme of Delegation.

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A. RECOMMENDATIONS - That the Deputy Mayor

1. Approve the variation to MOPAC's existing order and approve expenditure and contract action in excess of £500k to 'Wates Living Space Maintenance Ltd' for the on-going operational requirement for lifting equipment following the Grenfell Tower fire. The estimated costs are £945k for crane hire until 13th December 2017 in order to support the evidential recovery of window units.
2. To note that these costs are unbudgeted and are being managed in the MPS overall resources. The costs for the crane are included in the Special Grant claim submitted to the Home Office. Please note that should there be any delays for operational reasons or inclement weather this will adversely impact on the total value.

B. SUPPORTING INFORMATION

1. On Wednesday 14th June 2017, the tragic fire at Grenfell Tower called upon a multi-agency emergency services response including the London Fire Brigade, Metropolitan Police and London Ambulance Service. Upon completion of the Fire Brigade actions, the Police Recovery, Disaster Victim Identification (DVI) and Investigation phases could begin, led by the Specialist Crime & Operations Command.
2. OSG are a specialist team of surveyors and engineers, within the Metropolitan Police Property Services Department and provide advice, guidance and technical solutions at major incidents and large special events. OSG were tasked to assist with the police scene support, including securing the site, asbestos management, supply of PPE, removal and storage of debris along with provision of temporary accommodation (welfare facilities, exhibits stores, offices etc). As part of this capacity OSG were asked to support the recovery phase by urgently providing equipment to initially facilitate the removal of dangerously hanging panels and to assist with the evidential recovery process. This required the installation of a crane complete with cage. The main problem was the sighting of the crane as it could only be erected adjacent to one elevation. Hence a crane was required that had sufficient reach to allow access to all four elevations of the tower from the one position.
3. Wates Ltd were already on-site as the current provider of 'Dangerous Structure Emergency Works' to the Local Authorities Coalition and on that basis were employed by the Royal Borough of Kensington and Chelsea (RBKC). OSG instructed Wates Ltd to manage the provision of a suitable crane solution via the MPS Intermediate Works Framework to meet the immediate policing requirement. This provided a compliant route to market and also met the requirements for urgency, continuity and assurance as Wates Ltd have extensive experience of dealing with dangerous structures.
4. All costs within this report relate to the crane including installation, hire and operation, in direct support of the Metropolitan Police operational requirements, i.e. for the securing and removal of evidential material from the building. The total cost is £945k for crane hire until 13th December 2017 which is itemised within this paper. The costs are based on a known day rate however we cannot be certain on which days the crane will be

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operational, on stand-by, nor date of removal. This is dependent on activities on the ground, the weather etc. On that basis the final sum is not exact.

5. RBKC are responsible for all costs in relation to the dangerous structure. This includes the removal of damaged windows that have no evidential purpose. There are no RBKC costs included within this paper.
6. The Metropolitan Police are being supported by the 'Building Research Establishment' who are providing professional and technical guidance, along with the 'Health and Safety Executive' who are observing Health & Safety protocols. The Method Statement for the safe removal of evidential windows could not be established until a test window was removed on the 12th October to understand the weight of each unit.

Selection of contractor

7. Wates Ltd are an existing supplier under the MPS Intermediate Works Framework.
8. Wates Ltd have specialist expertise dealing with dangerous structures and are the current provider of 'Dangerous Structure Emergency Works' to the Local Authorities Coalition.
9. Wates Ltd were on-site, working to the RBKC and so could maintain co-ordination.

Breakdown of services provided

10. Provision of crane and operating team including a driver, appointed person, lifting supervisor, banksman, slinger and spotters.
11. Lifting of personnel in a cage to inspect window units and panels, evidence and condition.
12. Removal of debris and evidential material, some of which was falling or at risk of falling from the exposed structure and the removal of window units to assist the on-going investigation.
13. Due to the height of the building (72metres), the dangerous condition of the property, access limitations (resulting from adjacent buildings, street furniture and mature trees), plus the unpredictable nature of the loads to be lifted, a 250 ton crane with additional jib extensions was required to provide the necessary reach to access all four elevations of the building from a single position.

Duration of works

14. The initial installation of the crane was completed on 21st June. The duration of the crane hire could not be confirmed as it was dependant on the Disaster Recovery Process and evolving operational requirement. It was hoped the crane could be removed in October but due to structural issues, operational changes and H&S considerations this has been put back to December.
15. On 11th October the first window unit was removed under the observation of the MPS, HSE and BRE. This was one of the smaller 2 window units and is unglazed. Due to the size and

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weight of each window unit, the HSE has stated that they are too heavy to be manually handled from the scaffolding, and should therefore be craned off of the scaffolding. As a result it has been agreed that the mobile crane is now required to ensure the safe removal of those window units which are required for evidential purposes.

16. Each window unit and panel will be carefully recorded, photographed and scanned by the MPS and BRE for evidential purposes before it can be removed. To complete this exercise is expected to take until December, at which point the crane can be removed from site. Please be aware that this timescale could increase if the removal of the units proves problematic, or if works are interrupted by inclement weather or other disruptions. This will then have the adverse effect of increased costs.

Cost break down of works

17.	Crane installation, preparatory works and hire (21/06/17 - 24/09/17)		£298,524.73
	On-going crane hire (25/09/17 - 11/10/17)		£166,271.89
	On-going crane hire (12/10/17 - 13/12/17)	<i>estimated</i>	£462,663.00
	Derig and removal of crane	<i>estimated</i>	£18,000.00
	Total	<i>estimated</i>	£945,459.62

18. Please be aware that the contractor reduced their daily stand-by rate on 10th July from £3,535.96 to £1,767.00. This was a 50% reduction from their standard rates. OSG are at present trying to negotiate a further reduction in costs.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

1. This fire sadly resulted in the deaths of a large number of fatalities. As such, all activities on-site are being undertaken with the upmost respect and dignity whilst also being in full view of both the media and the local community.

Equality and Diversity Impact

2. There are no negative equality or diversity implications arising from this request. Wates Ltd have been instructed via the competitively tendered MPS Intermediate Works Framework. As part of that process all bidders were evaluated for acceptable equality and diversity statements. In addition, Wates were already on-site employed under the 'Dangerous Structure Emergency Works' contract.

Financial Implications

3. Funding for this specialist activity is currently being provided from the Metropolitan Police Service - Property Services Department 'Operational Support Group' budget (PS601) which is in place to provide specialist technical support at major operations, incidents and large planned events. The 'Operational Support Group' budget has a £300k allowance to fund one major unforeseen event each year. Due to the unprecedented nature of incidents in London this year including the funeral of PC Keith Palmer, four terrorist incidents and the Grenfell Tower fire including extra crane hire costs, this budget is currently forecast to overspend by £950k in total, but is being managed in the overall resources of the MPS.

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4. The costs of the crane hire, which are currently being funded by Property Services, are included in the Special Grant submitted to the Home Office for cost reimbursement in respect of the Grenfell Tower fire (Operation Northleigh).
5. All costs being incurred by the Metropolitan Police Service are solely to support the policing activity. The costs shown in this report relate to the securing and removal of evidential material from the building. RBKC are responsible for all costs in relation to the dangerous structure.

Legal Implications

6. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). Awards of public works contracts valued at £4,100,000 or above must be procured in accordance with the Regulations. This report confirms the value of the works does not exceed this threshold. Consequently, the Regulations are not engaged. Notwithstanding, the EU Treaty principles of equal treatment and transparency apply to all procurement activities.
7. DLS are instructed the terms of the MOPAC's original order envisaged that continued works would be required but at the time the original order was placed it was not possible to precisely define the extent of such beyond that of the original order. DLS are instructed that a proposal for additional works was therefore foreseen within the terms of the original order.
8. DLS are also instructed that due to technical and economic reasons it is not possible to change contractor to undertake these additional works without MOPAC incurring significant inconvenience and substantial duplication of costs.
9. Paragraph 7.24 of the MOPAC Scheme of Delegation and Consent ("the Scheme") provides the Director of Strategic Procurement has consent to approve:
 - all variations and extensions to contracts with the exception of those called in through the agreed call in procedure or
 - unforeseen variations and extensions with an original value of £500,000 or above that the DMPC is required to approve in line with the Scheme.

Environmental Implications

10. There are no environmental implications arising from this request. All works have been undertaken by competent contractors.

Risk (including Health and Safety) Implications

11. These urgent and unforeseeable works were required to ensure the safety and health of emergency responders and representatives entering the scene, and residents entering adjacent properties. The continued use of the crane is now required to ensure the safety and health of contractors and operators involved in the removal of window units for evidential purposes.

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PART 2: Exempt Section of the Report

Exempt Under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.
The relevant section under the FOIA that would exempt this information from disclosure is Section 30(1)(a) (Investigations).

The date on which it is anticipated that Part 2 will cease to be confidential will be 19th October 2024.

Report author: Martin Tucker, Operational Forensic Manager, SC&O1, 75-8027
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