

DMPC Decision – PCD 1150

Title: National Police Co-ordination Centre (NPoCC) - Mercury Contract Extension and Re-procurement

Executive Summary:

This paper seeks approval for a 12 month contract extension for the supply of support and development from Informed Solutions to the Mercury platform operated by the National Police Co-ordination Centre (NPoCC). The value of the proposed extension is up to £550,000 which will be funded from within NPoCC budgets. The paper also seeks approval to initiate procurement for the longer term provision of this service for a period of 4 years at a value of £2,000,000.

The Mercury platform is a database of over 200+ police roles and skills, and a record of all officers and staff who are qualified and current in those particular skills. It is used to manage mutual aid between forces and is relied upon both centrally by NPoCC but also by all Forces (including Police Scotland and PSNI) to manage inter-force mutual aid.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

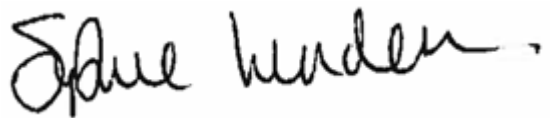
1. Approve a further one-year extension of the existing contract with Informed Solutions with a maximum value of £550,000
2. Approve the initiation of contract activity for the replacement to the Mercury Contract at a value estimated at £2,000,000 for a period of 4 years.

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



Date

6/05/2022

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

1. Introduction and background

- 1.1. MOPAC host the National Police Co-ordination Centre (NPoCC). The NPoCC operate the Mercury platform which is a database of over 200+ police roles and skills and a record of all officers and staff who are qualified and current in those particular skills. It is a national system which paints a national picture of the U.K's capabilities.
- 1.2. This national system allows mutual aid and specialist officers to be requested by any force throughout the U.K. The entire step from request, to mobilising and the running of a large-scale operation is all done through Mercury. Every force's HR system in the U.K feeds into this and it is used by all who have access and input. It is used to manage mutual aid between forces and is relied upon both centrally by NPoCC but also by all Forces (including Police Scotland and PSNI) to manage inter-force mutual aid.
- 1.3. The current contract for the supply of support and development to the Mercury platform expires in March 2022. This paper seeks approval for the extension of a 12 month contract for on-going support.

2. Issues for consideration

- 2.1. The Mercury platform is currently undergoing a transition to a cloud hosting environment, and a planned development programme. The platform is required to support the Commonwealth Games in July 2022.
- 2.2. The NPoCC has commenced discussions re the possibility of commercialising the Mercury product to reduce the cost to the public purse.
- 2.3. In order to minimise risks to the delivery of the above and to provide the time necessary to re-procure a support and development service for the future the proposal is to extend/award a contract for a period of 12 months at a value of £550,000.
- 2.4. During the period of the extension NPoCC propose to re-procure the service to enable the continued provision of this platform

3. Financial Comments

- 3.1. The estimated value of the contract award/extension is up to £550,000. NPoCC assure that this cost will be met from within its existing NPoCC budget. There is no liability to MOPAC.
- 3.2. The estimated value of the proposed re-procurement is £2,000,000 over a 4 year period. NPoCC confirm this cost will be met from within its existing budget.

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, or modifications to, public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. This report confirms the value of the contract exceeds this threshold.
- 4.2. Regulation 72 permits MOPAC to modify a contract in limited circumstances. Specifically, regulation 72(1)(b) provides MOPAC may modify a contract where:
- It is not possible to change contractor due to technical or economic reasons; and
 - To change contractor would cause MOPAC to suffer significant inconvenience or substantial costs duplication
- 4.3. Provided the value of the modification does not exceed 50% of the value of the original contract. This report confirms the above criteria are met and so the proposals are compliant.
- 4.4. Paragraph 4.13 of the Scheme provides the Deputy Mayor for Policing and Crime approves "To approve all unforeseen variations and 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."
- 4.5. Paragraph 4.13 of the Scheme also provides the Deputy Mayor for Policing and Crime approves all requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest.

5. Commercial Issues

- 5.1. This service provides IT support and development to the NPoCC operated Mercury platform. The contract was awarded in April 2018 for a 4-year period expiring in March 2022.
- 5.2. This paper seeks approval to a contract extension for a period of 12 months to maintain continuity of service and the time to re-procure the service.
- 5.3. The paper proposes the re-procurement of the support/development of the Mercury platform for the period after the extension. The proposal is for a 4 year contract term to be competed by way of the approved Solution Provider Framework (SPF Framework) or an appropriate Crown and Commercial Services (CCS) framework.

6. GDPR and Data Privacy

- 6.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 6.2. NPoCC assure that a full Data Protection Impact Assessment has been carried out and that there are no issues arising.

7. Equality Comments

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. NPoCC assure that as part of the migration work a full equality and diversity assessment will take place during the project plan.

8. Background/supporting papers

- Appendix 1 NPoCC paper “NPoCC Mercury Support and Development extension of existing contract with Informed Solutions”

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: N/A

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 (✓)

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

Commercial issues are covered in the body of the report.

✓

GDPR/Data Privacy

GDPR compliance issues are covered in the body of the report.

✓

Drafting Officer

Alex Anderson has drafted this report in accordance with MOPAC procedures.

✓

Director/Head of Service:

The interim MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

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



Date 6/5/2022

Business Justification

NPoCC Mercury Support and Development extension of existing contract with Informed Solutions

Freedom of Information Act Publication Scheme

Protective Marking	Official]
Publication Scheme Y/N	[N]
Title	NPoCC Mercury Support and Development - Extension of existing contract with Informed Solutions
Version	V1.2 Final
Summary	This paper sets out the business case for seeking a 1-year contract extension with our existing service provider for maintenance, support and development of the national Mercury I.T platform.
(B)OCU or Unit, Directorate	National Police Coordination Centre
Run/Change	
Author	Chief Supt Nigel Goddard
Date Issued	23 November 2021

Approvals	Name	Date Approved
APPROVED	NPCC Lead - Chief Supt Nigel Goddard	23/11/2021
APPROVED	NPoCC Oversight Board	07/12/2021
Approved	NPCC Finance – Pdraig Twomey	23/11/2021
Approved	MPS Commercial Director Phil Ind	03/02/2022
Approved	Legal Services Luke Collins	03/02/2022

Purpose of this document

This is the standard MPS template for the production of business cases where a business decision is required by departmental COGs, corporate or project/programme Boards. Although it follows a broadly similar structure, it is distinct from the SOP/SOC/OBC/FBC templates which are only used as part of the MOPAC/MPS Investment Appraisal process to pass through the required 'Gates'. This template should be used for all other business decisions which require management or corporate approval, in particular where a number of options are available for achieving the required outcome or funding considerations apply. It is designed to ensure that all relevant considerations are taken into account when significant business decisions are required.

Document edit history

Version	Date	Additions/Modifications	Prepared/Revised by
Version 1.0		Initial draft of document for sharing to subject experts.	CS Nigel Goddard
Version 1.1	23/11/2021	Addition of Finance & Commercial section.	CS Nigel Goddard
Version 1.2	03/02/2022	Addition Commercial review.	Dan Widdicks

Internal consultation and assurance

The following people have either:

- assured this proposal as subject experts, by considering its impact on their area of expertise; or
- been consulted as a representative of a part of the organisation affected by the proposal.

Their opinions have been incorporated in the paper

Directorate / Dept.	Name & Job Role	Rank / Grade	Date Assured
Procurement Services	Daniel Widdicks	Commercial Lead	18/11/2021
Legal (DLS)	Luke Collins	Solicitor	03/02/2022
Finance Business Partnering	Padraig Twomey	Finance Analyst	18/11/2021

1 Decisions Required

This Business Justification concerns the proposed extension of NPoCCs Mercury support and development contract with the current contracted partner Informed Solutions for an additional year post the end date of the existing contract.

The Deputy Mayor for Policing and Crime (DMPC) is requested to approve the following recommendations:

- Approve a one-year unforeseen extension of the existing contract with Informed Solutions with a maximum value of £550,000
- Approve the initiation of contract Activity for the replacement to the Mercury Contract at a value estimated at £2,000,000 for a period of 4 years.

The key issues the Oversight Board / MOPAC need to take account of are:

- The Mercury IT platform is currently being transitioned to a new Cloud hosting environment, the knowledge and expertise to support delivery of this move sits with Informed Solutions.
- An ongoing development programme is currently underway which will not be completed by the end date of the current contract. For efficiency, effectiveness, VFM and assurance reasons Informed Solutions should remain engaged to complete this development programme.
- Resourcing for the Commonwealth Games in July 22 will be delivered and reliant on the Mercury platform, continuity of service and support will provide reassurance that they system will deliver the required outcome. A change in service and support provider 3 months before the event would significantly increase the operational and delivery risk.
- This business case had been approve by the NPoCC Oversight Board
- NPoCC have commenced discussions re the possibility of commercialising the Mercury product to do this the support of our existing partner would be advantageous.

2 Strategic Case

The objective of this section is to be clear about why this proposal needs be considered.

Mercury is a national IT platform owned by the National Police Coordination Centre (NPoCC). It is a database of over 200+ police roles and skills and a record of all officers and staff who are qualified and current in those particular skills. It is used to manage mutual aid between forces and is relied upon both centrally by NPoCC but also by all Forces (including Police Scotland and PSNI) to manage inter-force mutual aid.

The application was developed by KPMG in 2012 and following a period between 2016-17 where no support was in place, has been supported and developed by Informed Solutions since 2018. In that

time significant investment and development has been made to the platform, during a 4-year programme of development. Approx. £2m has been invested in upgrading the application to the position today where it is fit for purpose. NPoCC have developed a strategy for Mercury and in conjunction with our current development partners have turned the strategy into a RoadMap. The strategy and RoadMap are appended to this business case. We believe that supporting this extension proposal is necessary to continue to implement the strategy and progress the RoadMap.

Current challenges and rationale for proposing contract extension -

1. Cloud Hosting Transition

Whilst the application itself has undergone significant development, it remains hosted 'on premises' and using end of life technologies, this is a risk. A decision has been taken to move the hosting to the Cloud in line with current policing technology strategies. The transition is underway and will take us beyond the existing support contract with Informed. There is a requirement for significant transition support by the application service provider to this Cloud transition. It is agreed by all partners that this support can best be provided by the existing service provider as they have the technical knowledge and detail of the system. Consideration was given to re-procuring at this time but with the ongoing development work and upcoming key events this was discounted

2. In-train development programme

Additionally, to the Cloud transition support, a current development programme (Enhancements Package 5) is underway. This development will see a streamlining of the functionality of Mercury and has been undertaken on the back of significant application development in 20/21 to develop functionality which allowed the delivery of all resourcing for COP26 and will be used for delivery of national resourcing for Commonwealth Games in 2022. Completion of Enhancements Package 5 will not be completed until Summer 2022. It would not be efficient or effective to break development and support before completion of this package.

3. Operational reliance

Mercury is essential to delivery of several significant operational policing events. In July 2022 the Commonwealth Games will be hosted in Birmingham – this requires support from a national policing operation providing mutual aid. The Mercury platform is essential to the delivery of this operation with the key period for delivery being between March and June – to break the existing support arrangements with Informed at that time would be a risk to NPoCC's role of delivering the required outcome for UK policing.

4. Loss of internal NPoCC expertise

There has and will be a significant change in NPoCC team with responsibility for Mercury, the strategic, tactical, and operational leads will all be new in post by early 2022. NPoCC are reliant on the expertise and knowledge and relationship with Informed to bring the new leads to a place where they can make confident and informed decisions re the strategic direction of Mercury. It is believed that this is best provided by retaining Informed's services for a further year. The risks will be mitigated by operational handover arrangements and consistent commercial presence.

5. In-train commercial exploration

Following 4 years of support and development, NPoCC are now exploring the possibility of commercialising the Mercury product with a view to exploring export opportunities. Initial discussions indicate that there would be a market for the application. We would use the period of extension to

properly develop this proposition. As the existing developer and with the technical knowledge Informed Solutions will need to support this exploration.

Conclusion

Therefore, taking the above factors into consideration NPoCC believe that the risks highlighted above can be best mitigated by an extension of the existing contract with the incumbent supplier. During the year 22/23, the transition and development programmes will be complete by end of the 2nd quarter. The CWG event will have passed and internal NPoCC knowledge will be up to speed. Exploration re the viability of any commercial aspirations will have been made in line with the overall Mercury development strategy. New technologies available to NPoCC post Cloud transition will also mean that it would be appropriate at that stage to consider other providers who may offer different development solutions – for example software as service – via Cloud technologies. NPoCC believe that an extension of the contract best meets our strategic objectives at this time and would then seek to run a procurement competition in 22/23

3 Economic Case

The purpose of this section is to examine the options for satisfying the business need and recommend a preferred way forward which represents the optimum value-for-money.

Option 1: Do Nothing

To do nothing is not an option. As the policing landscape evolves and becomes more complex, Mercury needs to adapt to ensure the level of support NPoCC provide to UK Policing and wider government is maintained.

Option 2: Extension of contract with Informed Solutions (preferred option)

The existing contract for £2.2m with Informed Solution expires at the end of FY 21/22. Extending the contract for one year will allow the developments already in train to conclude and create a natural end. The one year extension will permit a better timescale to allow for further planning around any possible future transition work and hosting arrangements to be put in place.

Option 3: Commercial Tendering Process

Begin a new procurement process ahead of the next financial year (FY 22/23) including planning and scoping of hosting arrangements. This is not a preferred option as NPoCC are currently undertaking development works to the Mercury platform as well as transitioning between ICT service providers. To undertake this option in this financial year ready for the next would incur unnecessary additional expense and resources. This would also not tie in further strategic decision making necessary e.g. possible exit from NPoCC HQ in 10 Victoria St and the costs associated with this.

4 Commercial Case

The purpose of this section is to outline the proposed (or completed) procurement approach (or other commercial arrangement) for the achievement of the preferred option identified in the previous section.

This paper identifies that the current contract to support the Mercury system is due to expire in April 2022 and outlines options considered relating to continuation of the service.

From a commercial perspective there are four options to consider when a contract comes to an end:

- End the contract and discontinue the service
- Re-Procure with the same scope
- Re-Procure with a different scope
- Extend the current service

The business has made it clear that the service is required and that the preferred option would be to extend the current contract. Rationale provided has been considered and commercial services are in agreement that this currently presents the best option.

The extension requested is for a 12 month period with a maximum value of £550K equating to an additional 25% of the overall value.

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 £213,477 or above must be procured in accordance with the Regulations. This report confirms the proposed contract extension exceeds this value.

Regulation 72(1)(b) of the PCR 2015 shall be applied which allows existing contracts to be extended up to 50% of the original contract value where a change:

- cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, AND
- would cause significant inconvenience or substantial duplication of costs for the contracting MPS

Regulation 72(1)(b) of the Public Contracts Regulations 2015 applies owing to the strategic case, the required Cloud Hosting transition and in train development programmes. Due to the architecture of the system, which has been developed bespoke by the contractor for the Authority as part of the contract, an alternate economic operator would not be able to provide the same services to the Authority without causing the Authority to suffer substantial duplication of costs and significant inconvenience owing to a lack of familiarisation with the system.

Value for money is assured through the terms of the original contract (The contract enables continued development of the system through work packages. Each work package is assessed for VFM at point of commission. Maintaining the current terms provides an index linked saving) and also assessed using the National Audit Office criteria of:

- **Economy** – Minimising the cost of the resources used
- **Efficiency** - The relationship between the output from goods and services and the resources to produce them
- **Effectiveness** – The relationship between the intended and actual results of public spending

The extension of the contract will enable transition to cloud hosting and completion of an in train development package that will be used for delivery of national resourcing for Commonwealth Games in 2022.

The Strategic Case also outlines the desire to recompete the requirement and replace the contract at the end of the requested extension period. Permission therefore is sought to initiate contract activity for the replacement to the Mercury contract at a value estimated at £2,000,000 for a period of 4 years. The requirement will be refined in line with the developed product and a supplier identified through

competition via the Solution Provider Framework (SPF Framework) or appropriate Crown and Commercial Services (CCS) framework alternative if the SPF framework is not completed in time. Further approval will be sought prior to award of contract.

Legal Implications (by DLS)

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, or modifications to, public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. This report confirms the value of the contract exceeds this threshold.

Regulation 72 permits MOPAC to modify a contract in limited circumstances. Specifically, regulation 72(1)(b) provides MOPAC may modify a contract where:

- It is not possible to change contractor due to technical or economic reasons; and
- To change contractor would cause MOPAC to suffer significant inconvenience or substantial costs duplication

Provided the value of the modification does not exceed 50% of the value of the original contract. This report confirms the above are met.

Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve unforeseen variations and 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.

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, or modifications to, public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. This report confirms the value of the contract exceeds this threshold.

In relation to the request to initiate activity, the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:

1. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
2. All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).

GDPR and Data Privacy

As part of this development work and scoping for the migration to a cloud based platform, a full DPIA has been carried out in consultation with NPoCC, Informed Solutions and NPCC Information Manager. The DPIA is extensive in covering areas such as ensuring there are robust Information Management processes in place, user guides, User authorisation processes and procedures. There are no issues arising from the DPIA and full secure by design phase will take place during the assurance phase of Mercury.

Further to this, during the migration process, a full Assurance process will be conducted which will be done through a 'Secured by Design' programme. This will run alongside the migration work taking place and on conclusion, Mercury will be a fully assured system.

Equality Comments

Mercury is currently under significant development stages whereby various changes and developments are taking place. As part of the Migration work and statement of work, a full Equality and Diversity assessment will take place during the project plan.

5 Financial Case

The purpose of this section is to set out the implications for NPoCCs revenue budget and capital (reserves) plan of the proposed approach.

The preferred option seeks an additional £550k increase to the contract to cover a one year extension in FY 2022-23 with a view to run a tendering process with Commercial for subsequent years based on strategic objectives outlined above. No growth or additional budgetary pressure is expected only an increase to the contracted amount and time is requested.

The original contract began in FY 18/19 and was for a total of £2.2m over 4 years or budget of £550k per annum. Commissioning of regular (maintenance and development) and project (enhancement, one-off) work is managed on a regular review basis with expenditure levels varying period to period.

The £550k will be financed from NPoCCs in year revenue budget and does not represent any additional pressure. NPoCC's budget is managed on an annual year-to-year basis commensurate with any growth or demand. Funding is received through contributions from PCC's Nationwide following the annual budget bid process into NPoCC's Oversight Board and subsequently Chief Constable's Council in January 2022 ahead of the new financial year.

The replacement to the Mercury contract is funded through NPoCC's Budget. The contract will enable support and hosting of the system with the capability to develop, as required, through commission of development programmes. Each programme will be assured for Technical merit and Value for money prior to commission.

6 Management Case

Mercury development requires strong project management to ensure efficient and effective progress and improvements are being implemented. The benefits of such are detailed throughout the report, focusing on the importance of continuity in developing and creating such a highly specialised product.

As part of the phased approach, NPoCC commissioned Informed Solutions to provide a high level design phase with Key and Optimal Implementation Activities including, Key Risks, Assumptions and Dependencies. With the Design and Delivery phase agreed, this will be overseen by the Operations

Inspector acting on behalf of NPoCC, liaising accordingly with 3rd party stakeholders providing clarification, opening areas for discussion and leading on any consultation required.

The Inspector will be supported by NPoCC Project Manager in robustly tracking activity through Agile delivery management and sprint events.

A regular meeting structure has been developed to provide both a Strategic and Tactical oversight and to undertake assurance / review activity. This will ensure timescales are being met and any risks / budget concerns are being addressed. MPS Commercial support NPoCC in this process, providing assurance as required.