

DMPC Decision – PCD 786

Title: Direct Award of Response Motorcycles

Executive Summary:

The Metropolitan Police Service (MPS) seeks approval to award a contract for the purchase of replacement response motorcycles. The Deputy Mayor for Policing and Crime (DMPC) is requested to approve the award of contract to BMW UK Ltd, valued at £2.6m.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

Approve the direct award contract to BMW UK Ltd, valued at £2.6M with a three-year duration, to commence in June 2020, in accordance with the Public Contracts Regulations 2015 via the Crown Commercial Services vehicle purchase framework RM6060. The award was made to the only supplier who met the specific technical requirements. The contract does not bind the MPS to commit expenditure to the full contract value.

Deputy Mayor for Policing and Crime

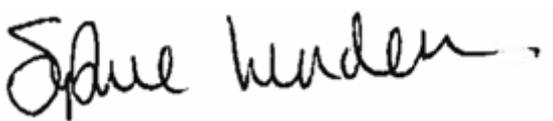
I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Date

20/7/20



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

1. Introduction and background

- 1.1. The MPS has set out objectives in its strategy document, the '**Met's Direction: Our Strategy 2020-2025**'. To support this strategic approach, the fleet asset management objectives will be based on the ISO 55001 / ISO 55002 asset management standard and Fleet Services aspire to work towards accreditation to support the following key objectives:
 - a) Deliver a fit-for-purpose, available and flexible fleet for all officers and staff;
 - b) Manage the fleet effectively and efficiently using data-driven decision-making; and
 - c) Support users and staff working on the fleet through any operational/strategic changes.
- 1.2. The MPS is part of the Greater London Authority family ("GLA"), and therefore, the MPS has a number of strategic air quality targets to meet by October 2023 and further to 2025. The timely replacement of the MPS ageing motorcycles fleet will be key to ensure we continue to meet emissions standards, in addition to achieving the MPS strategic objectives in relation to:
 - a) Fleet safety;
 - b) Quality and availability of assets and equipment;
 - c) Value for money; and
 - d) Technology and innovation.

2. Issues for consideration

- 2.1. Opportunities to collaborate nationally with other UK Police forces were explored for this tender and did not materialise in any volumes.
- 2.2. In relation to the next generation motorcycle the MPS will actively pursue collaboration opportunities both nationally and within the GLA family.
- 2.3. The MPS has undertaken extensive market testing. Of the five manufacturers on the framework, only Yamaha and BMW offer a factory-approved bluelight response motorcycle. Both the BMW and Yamaha motorcycles have been thoroughly evaluated. The Yamaha did not meet the technical requirements.
- 2.4. Assessment of the technical requirements confirms that that only the BMW R1250RT-AC (Large) and BMW F750GS-AC (Intermediate) motorcycles meet the requirements for response duties and as a result approval is sought to direct award this contract.
- 2.5. Fleet Services are committed to working towards a zero-emission fleet by 2030 and currently operate 11 zero emission BMW C-Evolution Electric Scooters for non-response support roles. With this in mind, alternative fuel motorcycles were considered as part of the market assessment. However, there are currently no viable alternative fuel motorcycles on the market which meets the operational requirements.
- 2.6. A new project will commence to shape the future of motorcycle policing and will encompass representatives from across the MPS in non-riding roles along with MO8 Roads Policing, Met Training and Fleet Services. The scope will cover response motorcycles and will exclude other specialist roles or those that require a specialist response.

- 2.7. There will be no parameters for this project to work within and all barriers will be considered including diversity constraints, restrictions for the operational role requirements and market capability. The supplier market assessment will also look at barriers to entry for manufacturing a police ready motorcycle from large international suppliers to start-ups, and the type of support MPS could offer. Alternative fuel motorcycles will also be a consideration as we seek to redefine the future of MPS motorcycle policing.
- 2.8. To support this, approval to initiate procurement action is requested to deliver a contract for the next generation of response motorcycles required from 2022.

3. Financial Comments

- 3.1. The contract award is valued at £2.6M with a contract duration of three years.
- 3.2. Approval to initiate procurement action was sought in September 2017 (PCD254) as part of the MPS 2018-21 VRP and November 2019 (PCD 640) as part of MPS 2021-25 VRP. The award of the contract is within the initial values approved.
- 3.3. Funding for replacement response motorcycles is included in the long-term Fleet Services capital plan approved in February 2020.
- 3.4. Funding for the next generation of motorcycles valued at £0.95M and is included in the long-term Fleet Services capital plan approved in February 2020.
- 3.5. The procurement process has been undertaken in accordance with the Public Contracts Regulations 2015 (PCR) via the Crown Commercial Services vehicle purchase framework RM6060. The direct award requirement set out in this report is within the financial and technical scope of the framework.
- 3.6. Assessment of the technical requirements confirms that only the BMW R1250RT-AC (Large) and BMW F750GS-AC (Intermediate) motorcycles meet the requirements for response duties and as a result approval is sought to direct award this contract.
- 3.7. Approval to initiate procurement action is requested to deliver a contract for the next generation of response motorcycles required from 2022. This contract will be valued at £0.95M.

4. Legal Comments

- 4.1. The commercial section confirms the proposed contract award is procured compliantly in accordance with the PCR.
- 4.2. The Mayor's Officer for Policing Crime 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 £181,302 or above will be procured in accordance with the Regulations.
- 4.3. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above.

- 4.4. 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 requests to go out to tender for contracts of £500,000 or above.

5. GDPR and Data Privacy

- 5.1. 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.
- 5.2. Under Article 35 of the General Data Protection Regulation ("GDPR") and Section 57 and 64 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.
- 5.3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
- 5.4. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

6. Equality Comments

- 6.1. This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty under Sec 149 of the Equality Act 2010. All bidders were required to detail their approach to supplier diversity.
- 6.2. Equality impact assessments have been conducted by each of the stakeholder groups including Fleet Services these assessments have been considered during this process, with no issues identified or foreseen.
- 6.3. The selected service provider will be evaluated for acceptable equality and diversity statements, as well as their ability to comply with the Equality Act 2010. The evaluation exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.
- 6.4. Equalities considerations have been taken into account in relation to motorcycles, including weight and ease of manoeuvrability. In particular the BMW F750GS-AC provides a route to procure an intermediate size motorcycle and caters for smaller riders. This ensures we have a full range of solutions for our workforce that fully meet our obligations under Inclusion, Diversity and Equality requirements reflecting our duties under the Equality Act 2010.
- 6.5. Fleet Services acknowledges its responsibilities towards its staff and the members of London's diverse communities and will engage with, and value the contributions of, communities and its partners and continue to nurture positive relationships of constructive support.

7. Background/supporting papers

7.1. The supporting documents are in Part 2. Part 2 is not suitable for MOPAC publication.

Part 2 of Direct Award of Response Motorcycles 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 sections under the FOIA that would exempt this information from disclosure Commercial Interest Section 43

The paper will cease to be exempt until seven years after all contracts have expired.

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 – YES

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

The Contract Management Team has been consulted on the commercial issues within this report.

✓

GDPR/Data Privacy

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

✓

Director/Head of Service

The CFO 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 25/06/2020





MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

DIRECT AWARD OF RESPONSE MOTORCYCLES

MOPAC Investment Advisory & Monitoring meeting 5th June 2020

Report by Jiggs Bharij on behalf of the Chief of Corporate Services

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

EXECUTIVE SUMMARY

This business justification paper seeks approval to award a contract for the purchase of replacement response motorcycles used throughout the Metropolitan Police Service (“MPS”).

The supply and renewal of the motorcycle fleet plays an integral part in supporting all aspects of policing and enables the MPS to meet both its strategic and environmental targets and ensures it remains a mobile organisation capable of responding reactively and proactively to crime and policing matters and protecting those living and working in London.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

- 1. Approve the award of a contract to BMW UK Ltd, valued at £2.6M with a three year duration, to commence in June 2020.**
- 2. The MPS has undertaken the procurement process in accordance with the Public Contracts Regulations 2015 via the Crown Commercial Services vehicle purchase framework RM6060.**
- 3. Approve the initiation of procurement action, valued at £0.95M to deliver a contract to support response motorcycle purchases from 2022.**

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 15th June 2020. This is because the BMW R1250RT-AC 2019 model is scheduled for a mid-cycle refresh and orders for the current model were due to close by September 2020, however, BMW have indicated the closing date is to be brought forward to 29th May 2020.

The MPS is working with BMW UK Ltd to secure stock holding on a non-commitment basis while we await MOPAC approval to award a contract. If the deadline is missed

ordering will recommence next year, as an interim measure the MPS will consider moving a proportion of the volume over to the BMW F750GS-AC to cover immediate requirements.

This report was originally scheduled for submission to IAM in April 2020 and has been delayed due to a review of operational requirements with the MPS and consideration of the future of motorcycle policing.

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

Introduction and background

1. The MPS has set out objectives in its strategy document, the **Met's Direction: Our Strategy 2020-2025**. To support this strategic approach, the fleet asset management objectives will be based on the ISO 55001 / ISO 55002 asset management standard and Fleet Services aspire to work towards accreditation to support the following key objectives:
 - a) Deliver a fit-for-purpose, available and flexible fleet for all officers and staff;
 - b) Manage the fleet effectively and efficiently using data-driven decision-making; and
 - c) Support users and staff working on the fleet through any operational/strategic changes.

2. The MPS is part of the Greater London Authority ("GLA"), and therefore, the MPS has a number of strategic air quality targets to meet by October 2023 and further to 2025. The timely replacement of the MPS ageing motorcycles fleet will be key to ensure we continue to meet emissions standards, in addition to achieving the MPS strategic objectives in relation to:
 - a) Fleet safety;
 - b) Quality and availability of assets and equipment;
 - c) Value for money; and
 - d) Technology and innovation.

Issues for consideration

3. Opportunities to collaborate nationally with other UK Police forces were explored for this tender and did not materialise in any volumes.

4. In relation to the next generation motorcycle the MPS will actively pursue collaboration opportunities both nationally and within the GLA family.

5. The MPS has undertaken extensive market testing. Of the five manufacturers on the framework, only Yamaha and BMW offer a factory-approved bluelight response motorcycle. Both the BMW and Yamaha motorcycles have been thoroughly evaluated. The Yamaha did not meet the technical requirements.

6. Assessment of the technical requirements confirms that that only the BMW R1250RT-AC (Large) and BMW F750GS-AC (Intermediate) motorcycles meet the requirements for response duties and as a result approval is sought to direct award this contract.

7. Fleet Services are committed to working towards a zero emission fleet by 2030 and currently operate 11 zero emission BMW C-Evolution Electric Scooters for non-response support roles. With this in mind, alternative fuel motorcycles were considered as part of the market assessment. However, there are currently no viable alternative fuel motorcycles on the market which meets the operational requirements.
8. A new project will commence to shape the future of motorcycle policing and will encompass representatives from across the MPS in non-riding roles along with MO8 Roads Policing, Met Training and Fleet Services. The scope will cover response motorcycles and will exclude other specialist roles or those that require a specialist response.
9. There will be no parameters for this project to work within and all barriers will be considered including diversity constraints, restrictions for the operational role requirements and market capability. The supplier market assessment will also look at barriers to entry for manufacturing a police ready motorcycle from large international suppliers to start-ups, and the type of support MPS could offer. Alternative fuel motorcycles will also be a consideration as we seek to redefine the future of MPS motorcycle policing.
10. To support this, approval to initiate procurement action is requested to deliver a contract for the next generation of response motorcycles required from 2022.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

11. Replacement response motorcycles enable the MPS to meet its strategic targets and ensures it remains a mobile service capable of responding proactively to crime and policing matters, combating terrorism and protecting those living and working in and around London.

Financial, Commercial and Procurement Comments

12. The contract award is valued at £2.6M with a contract duration of three years.
13. Approval to initiate procurement action was sought in September 2017 (PCD254) as part of the MPS 2018-21 VRP and November 2019 (PCD640) as part of MPS 2021-25 VRP. The award of the contract is within the initial values approved.
14. Funding for replacement response motorcycles is included in the long term Fleet Services capital plan approved in February 2020.
15. Funding for the next generation of motorcycles valued at £0.95M and is included in the long term Fleet Services capital plan approved in February 2020.
16. The procurement process has been undertaken in accordance with the Public Contracts Regulations 2015 (PCR) via the Crown Commercial Services vehicle purchase framework RM6060. The direct award requirement set out in this report is within the financial and technical scope of the framework.

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

17. Assessment of the technical requirements confirms that that only the BMW R1250RT-AC (Large) and BMW F750GS-AC (Intermediate) motorcycles meet the requirements for response duties and as a result approval is sought to direct award this contract.
18. Approval to initiate procurement action is requested to deliver a contract for the next generation of response motorcycles required from 2022. This contract will be valued at £0.92M.

Legal Comments

19. The commercial section confirms the proposed contract award is procured compliantly in accordance with the PCR.
20. The Mayor's Officer for Policing Crime 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 £181,302 or above will be procured in accordance with the Regulations.
21. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above.
22. 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 requests to go out to tender for contracts of £500,000 or above.

Equality Comments

23. This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty under Sec 149 of the Equality Act 2010. All bidders were required to detail their approach to supplier diversity.
24. Equality impact assessments have been conducted by each of the stakeholder groups including Fleet Services these assessments have been considered during this process, with no issues identified or foreseen.
25. The selected service provider will be evaluated for acceptable equality and diversity statements, as well as their ability to comply with the Equality Act 2010. The evaluation exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.
26. Equalities considerations have been taken into account in relation to motorcycles, including weight and ease of manoeuvrability. In particularly the BMW F750GS-AC provides a route to procure an intermediate size motorcycle and caters for smaller riders. This ensures we have a full range of solutions for our workforce that fully meet our obligations under Inclusion, Diversity and Equality requirements reflecting our duties under the Equality Act 2010.

27. Fleet Services acknowledges its responsibilities towards its staff and the members of London's diverse communities and will engage with, and value the contributions of, communities and its partners and continue to nurture positive relationships of constructive support.

Privacy Comments

28. 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.
29. 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.
30. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
31. If the programme or project does not use personally identifiable data of members of the public, add a statement to explain this. The following suggested text provides an appropriate model:
32. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

Real Estate Implications

33. There are no real estate implications as a result of this contract award.

Environmental Implications

34. The Ultra-Low Emission Zone ("ULEZ") came into force on 8th April 2019 and applies to the road network in London. The replacement motorcycles to be purchased under this contract will be Euro 4 engines and exceed the environment standards of the zone.
35. Alternative fuel motorcycles were considered as part of the market assessment. However, there are currently no viable alternative fuel motorcycles on the market which meets the operational requirements.

Background/supporting papers

Report author: Jiggs Bharij, Head of Fleet Services.

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 Direct Award of Response Motorcycles 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 sections under the FOIA that would exempt this information from disclosure Commercial Interest Section 43

The paper will cease to be exempt until seven years after all contracts have expired.