

## DMPC Decision – PCD 1052

**Title: Provision of a Neutral Vendor Managed Service Solution for sourcing Specialist Professional and Consultancy Services**

### Executive Summary:

This decision seeks approval for the call off from a competed framework (North East Professional Services, NEPRO3) for the supply of specialist professional and consultancy services. GLA collaborative procurement for this service was explored but was not available. The estimated up to four year value of the call off is £120,000,000. Approval of the call off does not commit MOPAC to this spend.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

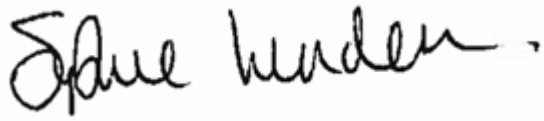
1. Approve Option 1, a call off against the NEPRO 3 framework. Providing the continued delivery of a Neutral Vendor Managed Service Solution for the supply of Specialist Professional and Consultancy Services via Bloom Procurement Services Ltd (single provider on the framework). The call off being for four year period commencing 1st October 2021 on an initial two year term with options to extend by a further 23 months (current framework expiry plus allowable two years call off expiry restricts the final year to 11 months).
2. To note the estimated 4 year contract value of £120,000,000 is based on the last two years spend through the current arrangement of £30,000,000 per annum. However there is no commitment to this level of spend nor any minimum spend requirement. Future expenditure incurred in respect of this call-off contract will either be met from Business Group Devolved Revenue budgets or from approved capital and revenue programme and/or project budgets.
3. Delegate authority to be given to MPS Director of Commercial Services to award and sign resulting Call Off arrangement with Bloom.
4. Support Commercial Services investigating the possibilities for insourcing of this requirement. Any such business case will be submitted via PIB/IAM in accordance with existing governance.

### 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

A handwritten signature in black ink, appearing to read "Edue Warden", written on a light gray rectangular background.

Date

29/09/2021

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

### **1. Introduction and background**

- 1.1. The existing call off arrangement to access these services expires on 30 September 2021. The approval of this route to market will enable the access to continue.

### **2. Issues for consideration**

- 2.1. The use of this route to market will only be used for out-come based requirements and not for temporary demand for resource.
- 2.2. The previous call off arrangement was from the NEPRO2 framework which has been re-procured by North East Procurement Organisation (NEPO) as NEPRO3.
- 2.3. Five potential routes to procure professional and consultancy services, including the GLA collaborative procurement route, were assessed. A full options appraisal is available in the restricted section of the report.

### **3. Financial Comments**

- 3.1. The total call-off value over 4 years is estimated at £120,000,000. Approving this route to market does not commit MOPAC to any spend.
- 3.2. Future expenditure incurred in respect of this call-off contract will either be met from MPS Business Group devolved revenue budgets or from approved capital and revenue programme and/or project budgets.

### **4. Legal Comments**

- 4.1. The Mayor's Office 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.
- 4.2. The MPS assure that this proposal forms a compliant route to market.
- 4.3. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.
- 4.4. Paragraph 7.23 of the MOPAC Scheme of Delegation and Consent provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure.

### **5. Commercial Issues**

- 5.1. The procurement is for the supply of professional and specialist consultancy services. The proposed call off term is for a initial period of two years followed by options to extend by a further 23 months.
- 5.2. The call off is proposed from a competed framework tendered by the North East Procurement Organisation(NEPO) – North East Professional Services (NEPRO 3) - following the expiry of the previous NEPRO 2 framework.
- 5.3. Bloom, the successful bidder for the framework, were the clear winner in terms of pricing, service, quality and delivery. MPS personnel were involved in the design of the tender documents, quality and technical question setting and in the evaluation of some of the technical elements of the providers ITT submissions.
- 5.4. As well calling off from a competed framework value for money is enhanced by, for larger pieces of work, providers submitting an best and final offer which in the past has delivered a lower price, and the inclusion of a volume rebate.

## **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. The MPS assure that the proposal 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. 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. An Equalities Impact Assessment (EIA) has been completed which evidences those disproportionately affected by stop and search.

## **8. Background/supporting papers**

- Appendix 1 Framework Call off against NEPRO 3/Bloom for the Provision of a Neutral Vendor Managed Service Solution for sourcing Specialist Professional & Consultancy Services

**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**

*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 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**

*Sanakucherd.*

**Date 27/09/2021**



MAYOR OF LONDON  
OFFICE FOR POLICING AND CRIME

## Framework Call off against NEPRO 3/Bloom for the Provision of a Neutral Vendor Managed Service Solution for sourcing Specialist Professional & Consultancy Services

MOPAC Investment Advisory & Monitoring meeting 8<sup>th</sup> September 2021

Report by Roger Cooper on behalf of the Director Commercial Services

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

### *EXECUTIVE SUMMARY*

This paper seeks authorisation to action a call off against the NEPRO3 Framework for the provision of a Neutral Vendor Managed Service Solution for sourcing of Specialist Professional and Consultancy Services via Bloom Procurement Service Ltd (single source provider). The call off being for a 4 year period commencing 1<sup>st</sup> October 2021 on an initial 2 year term with options to extend by a further 23 months (current framework expiry plus allowable 2 years call off expiry restricts the final year to 11months). The call off will be continue to be used across all MPS Directorates.

Whilst there is a drive across all directorates to recruit, develop and retain a highly skilled in house permanent workforce. There is currently and very likely a future need to supplement in-house capability with that of appropriate, additional third party support. Whilst contingent labour is an option in some scenarios, the requirement for additional skills, expertise and capacity (in addition to an often needed management wrap of responsibility) is frequently required in order to ensure successful delivery of change/transformation projects along with standalone BAU projects.

We are legally obliged to seek a decision from PIB and IAM on this proposal according to the Public Contracts Regulations 2015.

### **Recommendations**

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

- Approve Option 1, a call off against the NEPRO 3 framework. Providing the continued delivery of a Neutral Vendor Managed Service Solution for the supply of Specialist Professional and Consultancy Services via Bloom Procurement Services Ltd (single provider on the framework). The call off being for 4 year period COMMENCING 1<sup>st</sup> October 2021 on an initial 2 year term with options to extend by a further 23 months (current framework expiry plus allowable 2 years call off expiry restricts the final year to 11months).

- To note the estimated 4 year contract value of £120 million is based on the last 2 years spend through the current arrangement of £30million per annum. However there is no commitment to this level of spend nor any minimum spend requirement. Future expenditure incurred in respect of this call-off contract will either be met from Business Group Devolved Revenue budgets or from approved capital and revenue programme and/or project budgets.
- Delegate authority to be given to MPS Director of Commercial Services to award and sign resulting Call Off arrangement with Bloom.
- Support Commercial Services investigating the possibilities for insourcing of this requirement. Any such business case will be submitted via PIB/IAM in accordance with existing governance.

The call off requires no funding as it simply provides a compliant route to market. Any call-off awards from this framework will still be subject to existing MPS/MOPAC governance in accordance with the Scheme of Delegation i.e. any call-off which would require MOPAC approval due to value, will still require MOPAC approval before being awarded.

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

#### **Introduction and background**

1. Over the past 5-6 years the MPS has been on a significant journey of transformation and this is likely to continue into the medium term and beyond. Whilst the MPS does employ specialists and experts in various fields from programme management to technology, it is not possible to retain the level of capability and capacity required to support multiple and concurrent change as well as BAU activity. It is therefore inevitable and appropriate that additional third party support will be required. Whilst contingent labour is an option in some scenarios, the requirement for additional skills, expertise and capacity (in addition to an often needed management wrap of responsibility) is frequently required in order to ensure successful delivery of change/transformation projects along with standalone BAU projects. The MPS currently uses Bloom via the NEPRO2 Framework for the procurement of consultancy. Bloom contract on behalf of the MPS as a neutral vendor (NV). This includes a dedicated team to help run the competitions effectively, in addition to helping stakeholders create specifications, run competitive processes, and place contracts in line with the Public Contract Regulations 2015.
2. Over the past 2 years approx. 100 projects per annum (from business units across the MPS with a including but not limited to Transformation, Fleet, HR, Operations, L&D & PSD), ranging in value from £50K to £6 million have been procured for project durations ranging from a few weeks to 4 years. A crucial advantage of the current NV approach is that it provides a swift compliant route to market, and from a market that is not constrained and which encourages SME participation.
3. The NEPRO2 Framework was re-procured in 2019 and the resulting NEPRO3 Framework was awarded to the incumbent provider, Bloom Procurement Services Ltd, in September 2019 via a Restricted OJEU Procedure. Bloom were the clear winner in terms of pricing, service, quality and delivery. MPS personnel were involved in the design of the tender documents, quality and technical question setting and in the evaluation of some of the technical elements of the providers ITT submissions. Involvement in this process and the accompanying market analysis suggests that there are currently no viable alternatives to the NEPRO3/Bloom Neutral Vendor managed Service Solution.



4. The NEPRO2 Framework was re-procured in 2019 and the resulting NEPRO3 Framework was awarded to the incumbent provider, Bloom Procurement Services Ltd, in September 2019 via a Restricted OJEU Procedure. Bloom were the clear winner in terms of pricing, service, quality and delivery. MPS personnel were involved in the design of the tender documents, quality and technical question setting and in the evaluation of some of the technical elements of the providers ITT submissions. Involvement in this process and the accompanying market analysis suggests that there are currently no viable alternatives to the NEPRO3/Bloom Neutral Vendor managed Service Solution

#### **Issues for consideration**

5. The award to Bloom will have no value commitment or any minimum spend requirements and the MPS will be able to reduce reliance upon this arrangement should it so need as and when an alternative solution is agreed and funding allocated.
6. The NEPRO3 route to market offers the MPS a developed route delivered by the most mature NV supplier. Whilst the MPS continue to represent c.20% of Bloom's turnover, the use of this route now includes government depts. such as the Home Office and MOJ, DWP along with multiple local council including several London Boroughs.
7. MPS have been utilising this framework under the NEPRO2 arrangement for over 4 years with the current call off arrangement expiring 30<sup>th</sup> September 2021. This Neutral Vendor Managed Service Solution gives access to a constantly evolving supply chain differing to traditional frameworks whose supply chain is static, Bloom can prequalify new suppliers at any time that can then be added to the supply chain provided they meet the required standards. In the last two financial years MPS have passed over £60 million through this solution supporting the requirements of all MPS directorates. MPS Commercial have worked closely with NEPO and Bloom to reduce cost, enhance process and drive efficiency. As one of NEPRO/Bloom's major customers the MPS commercial team have had significant input and influence in how the current NEPRO3/Bloom service offering is shaped. Many of the changes and improvements made from the NEPRO2 framework are a result of improvements that MPS implemented within our own call off and have now formed part of the standard service.

#### **Financial Comments**

8. The recommended option is for a further call off against the NEPRO 3 Framework for the continuing delivery of a Neutral Vendor Managed Service Solution for the supply of Specialist Professional and Consultancy Services via Bloom Procurement Services Ltd (single provider on the framework). The call off being for a 4 year period commencing 1 October 2021, on an initial 2 year term with options to extend by a further 2 years.
9. The estimated 4 year contract value is £120 million based on the last 2 years spend through the current arrangement of £30million per annum. Under the proposed further call off against the NEPRO3 Framework there is no commitment to incur this level of spend nor any minimum spend requirement.
10. Future expenditure incurred in respect of this call-off contract will need either be met from Business Group Devolved Revenue budgets or from approved capital and revenue programme and/or project budgets.

## **Achieving Value for Money**

11. The volume rebate will remain in place which will deliver up to £400k of cashable saving back into MPS annually. This value is obviously volume based so if volume through the call off drops so does the rebate value.
12. Where appropriate providers will be required to submit a BAFO (best and final offer) following evaluation of their proposals. This typically results in a 1-3% further reduction in the final pricing. This tool is generally used on larger (over £250k) projects but also when multiple bids or single bids have been received.
13. Rates submitted by providers will be benchmarked against rates submitted for similar projects to ensure that MPS are securing at worse the average market rate for a service. With the taxi-rank approach to procurement, our intention is to capitalise on the strategic relationship with our new suppliers and harness their specialist skills to develop our own permanent staff.

## **Commercial and Procurement Comments**

14. It is recommended that a call-off is placed against the NEPRO3 framework (which appointed Bloom as the Neutral Vendor in September 2019) for up to 4 years (2+1+1)
15. Five potential routes to procure Professional and consultancy services were assessed, a full options appraisal is available in the restricted section of the report.
16. Further information is contained in the restricted section of the report.

## **Legal Comments**

17. 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 contracts for goods and/or services valued at £189,330 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold.
18. Section 4 of this report confirms the MOPAC's proposed route to market is to procure a Call-Off Contract under the NEPRO3 Framework Agreement with Bloom.
19. Call-Off Contracts are not specifically limited in duration under the Regulations and may survive the expiry of it is overarching Framework Agreement. DLS has had sight of the Framework Agreement and Call-Off Contract terms and confirms the Framework Agreement provides for Call-Off Contracts to survive the expiry of the Framework Agreement by no more than 24 months. The Framework Agreement is for a term of four years from 1 September 2019. On the basis the Framework Agreement shall expire no later than 31 August 2023 (unless terminated earlier) a Call-Off Contract may be placed at any time before 31 August 2023 and may survive until no later than 31 August 2025.
20. Paragraph 7.23 of the MOPAC Scheme of Delegation and Consent provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

## Equality Comments

21. This report is seeking approval of a further call off against the NEPRO 3 framework. Providing the continued delivery of a Neutral Vendor Managed Service Solution for the supply of Specialist Professional and Consultancy Services via Bloom Procurement Services Ltd (single provider on the framework) and as such, there is considered to be no negative equality or diversity implications arising from this process negating the requirement to present any mitigation. Any approved suppliers will be evaluated for acceptable equality and diversity statements, as well as their ability to meet the MPS requirements under the Equality Act 2010 as suppliers to MOPAC. The evaluation exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.
22. In addition, it should be noted that the MPS support the Mayor's Responsible Procurement Policy including: Enhancing Social Value, Encouraging Equality and diversity, Embedding fair employment practices, Enabling skills, training and employment opportunities, promoting ethical sourcing practices and improving environmental sustainability.

## Privacy Comments

23. 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.
24. 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.
25. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the proposal meets its compliance requirements.
26. The proposal does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

## Environmental Implications

27. Environmental Implications have been considered and no issues were identified. The proposal will not have an impact on the Mayor's London Environment Strategy<sup>1</sup>.

## Background/supporting papers

28. The Business Justification Paper is included in Part 2, and is exempt from publication.

Report author: Roger Cooper, Head of Commercial for professional Services, Corporate Services Directorate, Metropolitan Police Service

**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 Framework Call off against NEPRO 3/Bloom 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 paper will cease to be exempt at the expiry of the contract.



NEPRO 3 Call off BJP  
v1.0 submitted to Sec