

DMPC Decision – PCD 1187

Title: Contract Award for Supply and Delivery of MPS Cycles and Provision of Service, Repair and Maintenance Service

Executive Summary:

The business justification paper seeks approval to initiate procurement that will allow Supply and Delivery of MPS Cycles and Provision of Service, Repair and Maintenance.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

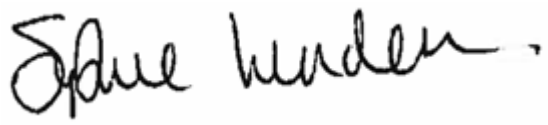
1. Approve the procurement initiation for the supply and delivery of MPS cycles and provision of service, repair and maintenance services with an estimated approval limit of £4.5M (including contingency) and a six year term (2+2+1+1) commencing from 1st September 2022. It is envisaged spend will not exceed the contract value over the life of the contract.
2. Delegate authority to award contracts to the Director of Commercial Services.

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

25/04/2022

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

1. Introduction and background

- 1.1. The MPS has a requirement to replace its existing contract, which is due to expire on 31st October 2022.
- 1.2. The MPS cycle supply and service, repair and maintenance requirement is to support an existing cycle fleet of approx. 1230 across various OCU's.
- 1.3. The use of cycles have a varied purpose across the MPS, they not only increase police presence and visibility which increase public confidence in policing but also benefit health and fitness of users.
- 1.4. Cycles allow officers to effectively maintain interactions with the public which is often lost when using cars, vans or motorcycles.
- 1.5. The approval to initiate procurement for MPS cycle fleet enables the MPS to respond proactively to crime and policing matters and support community engagement activities.
- 1.6. Cycles are also being used to support and encourage a fit and healthy workforce. The use of cycles contribute to increased fitness levels of officers on Safer Neighbourhoods Teams. There are also significant mental health benefits from using cycles including, but not limited to, reduced stress and anxiety .
- 1.7. The contract contributes to the Net Zero Carbon Emissions target by 2030 set by the Mayor of London by utilising a means of transport which reduces the MPS carbon footprint.
- 1.8. Cycles can have a long service life through consistent and good maintenance practice.
- 1.9. The provision of cycle supply and service, repair and maintenance is integral to achieving a fit-for-purpose cycle fleet, ensuring MPS assets support all aspects of day-to-day policing; meet strategic targets; deliver sufficient flexibility to respond to evolving crime and policing needs; and can be relied upon to help protect those living and working in London.
- 1.10. Successful re-procurement of these services averts service failure, provides business continuity and ensures compliance with Public Contracts Regulation 2015.

2. Issues for consideration

- 2.1. A large proportion (estimated 80%) of the current cycle fleet is reaching the end of its economic life within the first 4-years if the future contract.

- 2.2. Suppliers with the suitable capability to support a cycle fleet as large as the MPS are limited.

3. Financial Comments

- 3.1. The funding for cycle supply and service, repair and maintenance services will be met by devolved budgets of users across the MPS.
- 3.2. The funding for cycle supply and service, repair and maintenance services of FLP are currently under review and will be agreed prior to tender publication.

4. Legal Comments

- 4.1. The MOPAC is a contracting authority as defined in the Public Contracts Regulations 2015 (“the Regulations”). When awarding public contracts for goods and/or services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations.
- 4.2. This report confirms the value of the proposed contract exceeds this threshold and so the Regulations are engaged.
- 4.3. The Commercial Case to this report confirms the proposed route to market is compliant.
- 4.4. Paragraph 4.13 of MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.
- 4.5. Paragraph 7.23 of MOPAC Scheme of Delegation and Consent provides that the Director of Commercial Services has consent to award all contracts with the exception of those called in through the agreed call off procedure. Paragraph 4.14 provides that the DMPC reserve the right to call in all contract awards of £500,000 or above.

5. Commercial Issues

- 5.1. A compliant procurement exercise will be undertaken to select successful supplier in accordance with Public Contracts Regulations 2015 (PCR).
- 5.2. Commercial Services will work closely with the Fleet Services lead to develop a statement of requirements and consider viable sourcing routes to secure a single supplier for the replacement contract.
- 5.3. The MPS is committed to pioneering socially, environmentally and economically sustainable procurement to deliver improved quality of life and better value for money. Bidders will be assessed on how they can support the MPS ambitions to deliver

responsible procurement outcomes including supporting London's Anchor Institution's Charter.

- 5.4. The MPS Environment and Sustainability policy and the MPS Environment & Sustainability Strategy 2019-2021 will be taken into consideration. The specification of requirements for the requirement will capture the MPS commitment to the GLA Responsible Procurement Policy, which was updated in March 2021 .
- 5.5. The service solution delivered through this contract should demonstrate the application of circular economy principles where possible, ensuring the suppliers maximise the lifespan of any products associated with contract delivery. This should align with successful suppliers' expected commitment to the waste hierarchy and the aforementioned GLA Group Responsible Procurement Policy .
- 5.6. Suppliers shall be expected to demonstrate a proactive approach to environment and sustainability in the delivery of the Contract Services and contribute to the objectives and targets of the MPS Environmental and Sustainability Strategy in areas such as recycling and waste reduction (including reducing unnecessary single use plastics), carbon emissions reduction, water management and responsible procurement.
 - The Supplier shall comply with the principles of the MPS Environmental Policy and outline the measures it will take to improve its positive environmental impacts and reduce its negative impacts over the lifetime of the contract, as part of a contract-specific Environmental Management Plan;
 - The Supplier shall use their best endeavours to implement measures to report and reduce carbon emissions (arising from energy use and transport) associated with delivery of the service and its own organisation;
 - The Supplier shall use their best endeavours to implement measures to report and reduce waste and consider the Circular Economy associated with delivery of the service and its own organisation;
 - The Supplier shall use their best endeavours to implement measures to report and reduce water consumption associated with delivery of the service and its own organisation;
 - The supplier shall meet the requirements of the GLA Responsible Procurement Policy.

6. GDPR and Data Privacy

- 6.1. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act ("DPA") 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
- 6.2. Under Article 35 of the General Data Protection Regulation ("GDPR") and Section 57 of the DPA 2018, Data Protection Impact Assessments ("DPIA") become mandatory for

organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

- 6.3. The Information Assurance and Information Rights units within the MPS will be consulted at all stages to ensure the project meets its compliance requirements.
- 6.4. Personal data is not required or stored.
- 6.5. Supply and replacement planning does not use personally identifiable data of members of the public or Met personnel, aside from essential basic contact details necessary to ensure the discharge of the contract, so there are no GDPR issues to be considered.

7. Equality Comments

- 7.1. 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 will be required to detail their approach to supplier diversity within tender submission.
- 7.2. The Procurement process will assess the suitability of suppliers for working with the public sector. Real consideration will be taken to assess equality impact caused by the proposed contract including effective engagement and analysing relevant equality information. As a result, no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and to those who are not.

8. Background/supporting papers

- 8.1. Report.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: 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 proposal is in keeping with the GLA Group Responsible Procurement Policy.

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report.
- A DPIA is not required.

✓

Drafting Officer

Craig James has drafted this report in accordance with MOPAC procedures.

✓

Director/Head of Service:

The Acting Chief Finance Officer 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 8/4/2022



MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

CONTRACT AWARD FOR SUPPLY & DELIVERY OF MPS CYCLES AND PROVISION OF SERVICE, REPAIR AND MAINTENANCE SERVICE

MOPAC Investment Advisory & Monitoring meeting 1st April 2022

Report by Jason Powell 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

The business justification paper seeks approval to initiate procurement that will allow Supply and Delivery of MPS Cycles and Provision of Service, Repair and Maintenance.

Recommendations

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

- 1. Approve the procurement initiation for the supply and delivery of MPS cycles and provision of service, repair and maintenance services with an estimated approval limit of £4.5M (including contingency) and a duration of six year term (2+2+1+1) commencing from 1st September 2022. It is envisaged spend will not exceed the contract value over the life of the contract.**
- 2. Delegate authority to award contracts to the Director of Commercial Services.**

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 18th April 2022. This will allow formal procurement activity to commence at the earliest opportunity.

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

Introduction and background

1. The MPS has a requirement to replace its existing contract, which is due to expire on 31st October 2022.
2. The MPS cycle supply and service, repair and maintenance requirement is to support an existing cycle fleet of approx. 1230 across various OCU's.
3. The use of cycles have a varied purpose across the MPS, they not only increase police presence and visibility which increase public confidence in policing but also benefit health and fitness of users.
4. Cycles allow officers to effectively maintain interactions with the public which is often lost when using cars, vans or motorcycles.
5. The approval to initiate procurement for MPS cycle fleet enables the MPS to respond proactively to crime and policing matters and support community engagement activities.
6. Cycles are also being used to support and encourage a fit and healthy workforce. The use of cycles contribute to increased fitness levels of officers on Safer Neighbourhoods Teams. There are also significant mental health benefits from using cycles including, but not limited to, reduced stress and anxiety¹.
7. The contract contributes to the Net Zero Carbon Emissions target by 2030 set by the Mayor of London by utilising a means of transport which reduces the MPS carbon footprint.
8. Cycles can have a long service life through consistent and good maintenance practice.
9. The provision of cycle supply and service, repair and maintenance is integral to achieving a fit-for-purpose cycle fleet, ensuring MPS assets support all aspects of day-to-day policing; meet strategic targets; deliver sufficient flexibility to respond to evolving crime and policing needs; and can be relied upon to help protect those living and working in London.
10. Successful re-procurement of these services averts service failure, provides business continuity and ensure compliance with Public Contracts Regulation 2015.

Issues for consideration

11. A large proportion (estimated 80%) of the current cycle fleet is reaching the end of its economic life within the first 4-years if the future contract.

¹ *Sustran 'Why cycling and walking are great for your mental health' 2020*

12. Suppliers with the suitable capability to support a cycle fleet as large as the MPS are limited.

Contributes to the MOPAC Police & Crime Plan 2017-2021²

13. The approval to initiate procurement for MPS cycles requirement will enables the MPS to respond as necessary operationally. The MPS to respond proactively to crime and policing matters and support community engagement activities.
14. Cycles are also being used to support and encourage a fit and healthy workforce. The use of cycles contribute to increased fitness levels of officers on Safer Neighbourhoods Teams. There are also significant mental health benefits from using cycles including, but not limited to, reduced stress and anxiety³.
15. The services contributes to the Net Zero Carbon Emissions target by 2030 set by the Mayor of London by utilising a means of transport which reduces the MPS carbon footprint.

Financial, Commercial and Procurement Comments

16. The funding for cycle supply and service, repair and maintenance services will be met by devolved budgets of users across the MPS.
17. The funding for cycle supply and service, repair and maintenance services of FLP are currently under review and will be agreed prior to tender publication.
18. A compliant procurement exercise will be undertaken to select successful supplier in accordance with Public Contracts Regulations 2015 (PCR).
19. Commercial Services will work closely with the Fleet Services lead to develop statement of requirements and consider viable sourcing routes to secure a single supplier for the replacement contract.
20. The MPS is committed to pioneering socially, environmentally and economically sustainable procurement to deliver improved quality of life and better value for money. Bidders will be assessed on how they can support the MPS ambitions to deliver responsible procurement outcomes including supporting London's Anchor Institution's Charter.

Legal Comments

21. The MOPAC is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). When awarding public contracts for goods and/or services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations.
22. This report confirms the value of the proposed contract exceeds this threshold and so the Regulations are engaged.

² [Police and crime plan: a safer city for all Londoners | London City Hall](#)

³ *Sustran 'Why cycling and walking are great for your mental health' 2020*

23. The Commercial Case to this report confirms the proposed route to market is compliant.
24. Paragraph 4.13 of MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.
25. Paragraph 7.23 of MOPAC Scheme of Delegation and Consent provides that the Director of Commercial Services has consent to award all contracts with the exception of those called in through the agreed call off procedure. Paragraph 4.14 provides that the DMPC reserve the right to call in all contract awards of £500,000 or above.

Equality Comments

26. 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 will be required to detail their approach to supplier diversity within tender submission.
27. The Procurement process will assess the suitability of suppliers for working with the public sector. Real consideration will be taken to assess equality impact caused by the proposed contract including effective engagement and analysing relevant equality information. As a result, no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and to those who are not.

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 the MPS will be consulted at all stages to ensure the project meets its compliance requirements.
31. Personal data is not required or stored.
32. Supply and replacement planning does not use personally identifiable data of members of the public or Met personnel, aside from essential basic contact details necessary to ensure the discharge of the contract, so there are no GDPR issues to be considered.

Real Estate Implications

33. The future contract will enable cycle service, repair and maintenance of the current volume of cycles and enable the ability to replace cycles that have reached end of life with new.

Environmental Implications

34. The MPS Environment and Sustainability policy and the MPS Environment & Sustainability Strategy 2019-2021 will be taken into consideration. The specification of requirements for the requirement will capture the MPS commitment to the GLA Responsible Procurement Policy, which was updated in March 2021⁴.
35. The service solution delivered through this contract should demonstrate the application of circular economy principles⁵ where possible, ensuring the supplier maximise the lifespan of any products associated with contract delivery. This should align with successful suppliers' expected commitment to the waste hierarchy and the aforementioned GLA Group Responsible Procurement Policy⁶.
36. Suppliers shall be expected to demonstrate a proactive approach to environment and sustainability in the delivery of the Contract Services and contribute to the objectives and targets of the MPS Environmental and Sustainability Strategy in areas such as recycling and waste reduction (including reducing unnecessary single use plastics), carbon emissions reduction, water management and responsible procurement.
- The Supplier shall comply with the principles of the MPS Environmental Policy and outline the measures it will take to improve its positive environmental impacts and reduce its negative impacts over the lifetime of the contract, as part of a contract-specific Environmental Management Plan;
 - The Supplier shall use their best endeavours to implement measures to report and reduce carbon emissions (arising from energy use and transport) associated with delivery of the service and its own organisation;
 - The Supplier shall use their best endeavours to implement measures to report and reduce waste and consider the Circular Economy associated with delivery of the service and its own organisation;
 - The Supplier shall use their best endeavours to implement measures to report and reduce water consumption associated with delivery of the service and its own organisation;
 - The supplier shall meet the requirements of the GLA Responsible Procurement Policy.

Background/supporting papers

37. Not applicable.

⁴ https://www.london.gov.uk/sites/default/files/gla_group_responsible_procurement_policy_2021.pdf

⁵ <https://www.london.gov.uk/publications/circular-economy-statement-guidance>

⁶ https://www.london.gov.uk/sites/default/files/gla_group_responsible_procurement_policy_2021.pdf

Report author: Jason Powell, 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 Supply and Delivery of MPS Cycles and Provision of Service, Repair and Maintenance 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 for Commercial Interest Section 43

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