

DMPC Decision – PCD 548

Title: The Provision of Coach and Driver Hire Services

Executive Summary:

The MPS require Coach & Driver Hire Services to support operational policing for events such as Trooping the Colour, State Opening of Parliament, New Year Eve Celebrations and other State occasions.

The current contract expires on 31st March 2019 and £0.17M value remains.

To allow for the continued provision of services approval is sought for the following commercial actions:

- a) Extension of the existing contract in accordance with regulation 72(1)(b) of the Public Contract Regulations 2015. The value of the extension will be £0.24M
- b) If any incident occurs (which cannot be foreseen) a further extension under regulation 72(1)(c) of the Public Contract Regulations 2015 (circumstances have arisen which a diligent contracting authority could not have foreseen) up to a value of £0.24M
- c) Approval to initiate procurement action to tender for a replacement contract valued at £1.71M with a 4 year duration

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

Approve an extension to Kings Ferry Ltd for the 'Provision of Coach & Driver Hire Services' under the existing terms and conditions;

- a) A 12 month contract term due to commence on 1st April 2019
- b) The contract extension is valued at £0.24M plus potential extensions for unforeseen events up to a total value of £0.24M as detailed within Part 2
- c) Spend incurred under this contract will be met from the £2.19M allocated within the respective Business Groups' devolved revenue budgets.

Approve the procurement initiation for the retender of the 'Provision of Coach & Driver Hire Services';

- a) With a 4 year contract term due to commence on 1st April 2020
- b) The contract is valued at £1.71M
- c) Delegate consent to award to the MPS Commercial Director if the final award is within 10% of the value stated above
- d) Spend incurred under this contract will be met from the £2.19M allocated within the respective

Business Groups' devolved revenue budgets.

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

Sybil Henderson

Date

12/03/2019

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

1. Introduction and background

- 1.1. The Provision of Coach & Driver Hire Services supports operational policing and enables the MPS to move large number of officers around London to enable the appropriate policing plan to be deployed.
- 1.2. The original contract award term was 18 months in duration and commenced on 1st October 2017 and the contract was valued at £0.48M.

2. Issues for consideration

- 2.1. The MPS require Coach & Driver Hire Services to support operational policing for events such as Trooping the Colour; State Opening of Parliament; New Year's Eve Celebrations and other state occasions.

3. Financial Comments

- 3.1. Expenditure against this and any future contract will be met from the £2.19m allocated within the Business Groups' devolved revenue budgets.

4. Legal Comments

- 4.1. The extension will be conducted in accordance with the Public Contracts Regulations 2015. The grounds for extension of the contract are in line with regulation 72(1)(b) of the Public Contracts Regulations 2015 which allow for existing contracts to be modified to include additional services by the original contractor, where a change of supplier-
 - (i) 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
 - (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority
- 4.2. As per Clause 4.13 of the Scheme of Delegation and Consent, approval is delegated to DMPC 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; and 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. There are three aspects to the commercial approach for this tender;
 - a) Contract variation for time and value in accordance with regulation 72(1)(b)
 - b) Unforeseen contraction for value in accordance with regulation 72(1)(c) and
 - c) Replacement contract

- 5.2. An extension of the contract with the existing supplier is necessary for a number of technical, economic and other reasons including but not limited to:
- a) This supplier has an established capability to provide the service including having the required operational policies and procedures embedded in their service, which no other supplier is likely to be capable of instigating before March 2019
 - b) A new supplier would be more expensive, particularly given that any new contract would only be for a short term (12 months or less)
 - c) It would be time consuming and inconvenient to try to source and on-board a new supplier for such a short contract and this may affect operations
 - d) It is likely that even if a new supplier could be successfully procured before March, MPS would be paying for duplicate services including a handover period (which would be necessary particularly in respect of ensuring any new supplier meets the necessary requirements, which the current supplier has already established).

6. GDPR and Data Privacy

- 6.1. The proposal does not use personally identifiable data therefore there are no GDPR issues to be considered.

7. Equality Comments

- 7.1. There are no equality or diversity implications arising from this report.

8. Background/supporting papers

- 8.1. MPS 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:

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

	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: Legal advice included in body of the report	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of this report	✓
GDPR/Data Privacy A DPIA is not required.	✓
Director/Head of Service: The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

OFFICER APPROVAL**Chief Executive Officer**

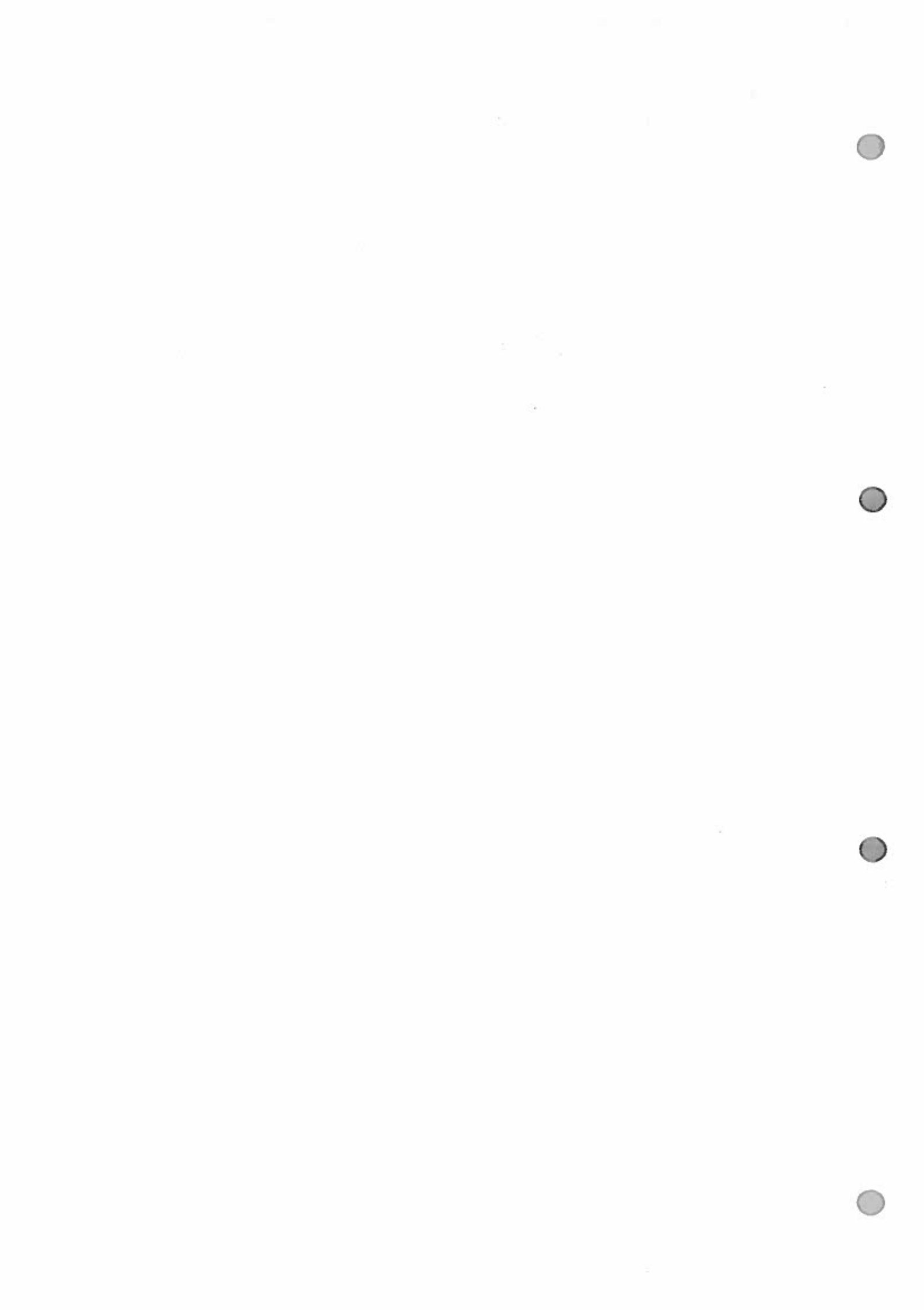
I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

R. Lawrence

Date

12/03/2019





THE PROVISION OF COACH & DRIVER HIRE SERVICES

MOPAC Investment Advisory Board 1st March 2019

Report by Bidisha Kondal, Director MO11 Met Operations on behalf of the Deputy Commissioner

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

EXECUTIVE SUMMARY

The MPS require Coach & Driver Hire Services to support operational policing for events such as Trooping the Colour, State Opening of Parliament, New Year Eve Celebrations and other State occasions.

The current contract expires on 31st March 2019 and £0.17M value remains.

The services delivered by this contract were originally in scope for delivery under the Fleet Services Managed Service Provider contract. As this procurement has now ceased, a contract extension is required to allow the continuation of services until new commercial activity can be undertaken and this is planned to be completed by March 2020.

To allow for the continued provision of services approval is sought for the following commercial actions:

- a) Extension of the existing contract in accordance with regulation 72(1)(b) of the Public Contract Regulations 2015. The value of the extension will be £0.24M
- b) If any incident occurs (which cannot be foreseen) a further extension under regulation 72(1)(c) of the Public Contract Regulations 2015 (circumstances have arisen which a diligent contracting authority could not have foreseen) up to a value of £0.24M
- c) Approval to initiate procurement action to tender for a replacement contract valued at £1.71M with a 4 year duration

Recommendations

The MPS Portfolio & Investment Board (PIB) is asked to:

Approve the submission of the report and seek approval from the Deputy Mayor for Policing and Crime to award the contract extension and procurement initiation.

If supported by the MPS Portfolio & Investment Board the Deputy Mayor for Policing and Crime, via the Investment Advisory Meeting (IAM), is asked to:

1. **Approve an extension to Kings Ferry Ltd for the 'Provision of Coach & Driver Hire Services' under the existing terms and conditions;**
 - a) A 12 month contract term due to commence on 1st April 2019
 - b) The contract extension is valued at £0.24M plus potential extensions for unforeseen events up to a total value of £0.24M as detailed within Part 2
 - c) Spend incurred under this contract will be met from the £2.19M allocated within the respective Business Groups' devolved revenue budgets.
2. **Approve the procurement initiation for the retender of the 'Provision of Coach & Driver Hire Services';**
 - a) With a 4 year contract term due to commence on 1st April 2020
 - b) The contract is valued at £1.71M
 - c) Delegate consent to award to the MPS Commercial Director if the final award is within 10% of the value stated above
 - d) Spend incurred under this contract will be met from the £2.19M allocated within the respective Business Groups' devolved revenue budgets.

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 15th March 2019. This will allow Commercial Services sufficient time to formalise a new arrangement prior to contract expiry on 31st March 2019.

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

Introduction and background

1. The Provision of Coach & Driver Hire Services supports operational policing and enables the MPS to move large number of officers around London to enable the appropriate policing plan to be deployed.
2. The original contract award term was 18 months in duration and commenced on 1st October 2017 and the contract was valued at £0.48M. This requirement was anticipated to fall within the scope of the Fleet Services Managed Service Provider which was due to be awarded in summer 2018.

Issues for consideration

3. The MPS require Coach & Driver Hire Services to support operational policing for events such as;
 - a) Trooping the Colour

- b) State Opening of Parliament
- c) New Year Eve Celebrations and
- d) Other State occasions.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

- 4. The MPS operates a fleet of cars, vans, minibuses, motorcycles, large goods vehicles, marine vessels, along with items of plant and equipment. The fleet is supported by 2,071 pedal cycles, which are predominantly allocated to Frontline Policing.
- 5. The fleet profile and distribution across operational business groups supports the Police and Crime plan and enables the MPS to have a mobile workforce, which is capable of;
 - a) Responding to incidents
 - b) Protecting victims and vulnerable people
 - c) Transporting officers and equipment across London and the UK
- 6. In order to ensure a better police service for London the MPS is committed to;
 - a) Delivering policing where and when Londoners need it, in their communities, on the move, online at night and work
 - b) Increase protection for victims and vulnerable people
 - c) Ensure the MPS meets its national and international strategic policing requirements
 - d) Keeping children and young people safe
 - e) Tackling violence against women and girls
 - f) Standing together against hatred, intolerance and extremism

Financial, Commercial and Procurement Comments

- 7. Expenditure against this and any future contract will be met entirely from Business Groups' devolved revenue budgets.
- 8. There are three aspects to the commercial approach for this tender;
 - a) Contract variation for time and value in accordance with regulation 72(1)(b)
 - b) Unforeseen contraction for value in accordance with regulation 72(1)(c) and
 - c) Replacement contract
- 9. An extension of the contract with the existing supplier is necessary for a number of technical, economic and other reasons including but not limited to:
 - a) This supplier has an established capability to provide the service including having the required operational policies and procedures embedded in their service, which no other supplier is likely to be capable of instigating before March 2019

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

- b) A new supplier would be more expensive, particularly given that any new contract would only be for a short term (12 months or less)
- c) It would be time consuming and inconvenient to try to source and on-board a new supplier for such a short contract and this may affect operations
- d) It is likely that even if a new supplier could be successfully procured before March, MPS would be paying for duplicate services including a handover period (which would be necessary particularly in respect of ensuring any new supplier meets the necessary requirements, which the current supplier has already established).

Contract variation for time and value

- 10. The current contract 'Provision of Coach & Driver Hire Services' SS3/17/56KF has approximately £0.17M value of spend remaining until 31st March 2019, this value is sufficient based on historical spend, however does not meet the business requirements which are detailed within Part 2.
- 11. The existing supplier Kings Ferry Ltd has been requested to confirm prices for the period 1st April 2019 to 31st March 2020 with a view to maintain existing prices, which will avoid significant impact on spend and revenue budgets.
- 12. This additional time has become necessary to allow for the re-tender of the required services in accordance with Public Contract Regulations 2015.
- 13. As an extension to an existing service it does not change any aspects relating to responsible procurement.
- 14. This extension will be in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 as set out in the Legal Implications section of this report.
- 15. The extension is valued at £0.24M which is 50% of the original contract award value.

Unforeseen contract variation for value

- 16. An additional unforeseen extension may be required to ensure provision of services where there is an unforeseen event during the next 12 months.
- 17. Any such extension, in the form of the same but additional services at the agreed contract rates due to unforeseen circumstances, shall be in accordance with regulation 72(1)(c) of the Public Contracts Regulations 2015 as set out in the Legal Implications section of this report.

Replacement Contract

- 18. A replacement contract will be required from 1st April 2020 and approval is sought to initiate procurement action for a four year contract valued at £1.71M.
- 19. In preparation of the procurement activity discussions will take place with key stakeholders to ensure the scope of the new contract meets the evolving business requirements and provides the most efficient purchase of services.

20. Commercial Services intend to undertake a competitive tender process in accordance with the Public Contracts Regulations 2015. The requirements will be advertised via Official Journal of the European Union (OJEU) and Contracts Finder in order to encourage supplier interest and ensure compliance with the EU procurement rules.
21. Undertaking a competition will ensure supplier selection is based on the most economically advantageous bid that meets the technical requirements. The outcome of a competitive process will result in a compliant route to purchase and agreements that meet the MPS requirements.
22. The MPS will consider the following options:
 - Undertaking a competition for contract limited to the MPS
 - Undertaking a competition utilising existing National Frameworks that meet the MPS requirements and
 - Undertaking a competition in collaboration with other authorities

Legal Comments

- 19 The extension will be conducted in accordance with the Public Contracts Regulations 2015.
- 20 Further information is contained within Part 2.

Equality Comments

- 21 There are no changes to the provision of goods and services therefore there are no changes relating to equality and diversity.

Privacy Comments

- 22 There are no changes to the provision of goods and services therefore there are no changes relating to Privacy.

Real Estate Implications

- 23 There are no changes to the provision of goods and services therefore there are no changes relating to Real Estate.

Environmental Implications

- 24 There are no changes to the provision of goods and services therefore there are no changes relating to Environmental.
- 25 It is expected that the supplier will meet the requirements for the forthcoming Ultra Low Emission Zone being implemented in April 2019, however this will be confirmed once the extensions are enacted.
- 26 Compliance with the Ultra Low Emission Zone will feature as a key technical consideration within the new tender to ensure the MPS procures services that meet our environmental requirements.

Background/supporting papers

Part 2 Appendix 1

Report author: Jiggs Bharij, Head of Fleet Services