

REQUEST FOR DMPC DECISION – PCD 405

Title: Hydrogen Fuel Cell Cars 2018 - Contract Award

Executive Summary:

The Metropolitan Police Service (MPS) are seeking to award one contract for the purchase of Hydrogen Fuel Cell Cars via the Crown and Commercial Services (CCS) Vehicle Purchase Framework Agreement.

- The framework period is from 2nd December 2014 to 1st December 2018, the contract is within the technical and financial scope of the framework.
- The duration of the contract will be 48 months commencing in June 2018.
- The contract is valued at £2.6M.
- This remains affordable within the approved Fleet Capital Programme 2017-18 to 2021-22.
- Approval to initiate procurement action was granted by the Deputy Mayor for Policing and Crime on June 2017 (PCD226) as part of the Trial of Zero Emission Propulsion Projects.

Recommendation:

The DMPC is asked to approve the award of a contract to Toyota GB PLC for £2.6M for the purchase of Hydrogen Fuel Cell Cars over a 4-year period, to be funded from the approved Fleet Capital Programme 2017-18 to 2021-22.

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

Sophie Under

Date

11/06/18

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

Decision required – supporting report

1. Introduction and background

- 1.1. These contracts will facilitate the purchase of replacement vehicles within 2018 and will enable Fleet Services to deliver operational vehicles as required to support the Vehicle Replacement Programme.
- 1.2. The DMPC approved the procurement initiation in June 2017 (PCD226) as part of the trial of Zero Emission Propulsion Projects.

2. Issues for consideration

- 2.1. The adoption of hydrogen fuelled new vehicles detailed within this tender will result in zero emission of harmful pollutants over the previous vehicles in operational use. There will therefore be positive environmental impacts associated with the renewal process.
- 2.2. The purchase of Hydrogen Fuel Cell Cars will support the Mayor's commitment to improve air quality in London. The introduction of the 550 ultra-low emission vehicles will be implemented in three phases and the first will target the five Mayor's Low Emission Neighbourhoods so that the MPS will contribute to tackling local air quality issues.

3. Financial Comments

- 3.1. This contract is valued at £2.6M over the 4-year period and the funding for this contract is incorporated within the approved Fleet Capital Programme 2017-2021.

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). Public contracts for goods and services valued at £184,302 or above must be procured in accordance with MOPAC governance and the regulations. This report confirms the value of proposed contract exceeds this threshold and, accordingly, the regulations are engaged.

5. Equality Comments

- 5.1. There are no negative equality or diversity implications arising from this procurement process.

6. Background/supporting papers

- 6.1. Report

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Part 1 Deferral:

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

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:

Head of Unit: The Head of Strategic Finance and Resource Management has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: There are no legal issues arising from this proposal.	✓
Financial Advice: The Chief Financial Officer has been consulted on this proposal.	✓
Equalities Advice: Equality and Diversity issues arising from this proposal are addressed in Part 2	✓

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 *06/06/18*





HYDROGEN FUEL CELL CARS 2018 – CONTRACT AWARD

MOPAC Investment Advisory Board 24th May 2018

Report by Assistant Commissioner Helen Ball, Professionalism Directorate on behalf of the Deputy Commissioner

Part 1 – This section of the report is suitable for MOPAC Publication

EXECUTIVE SUMMARY

The Metropolitan Police Service (MPS) are seeking to award one contract for the purchase of Hydrogen Fuel Cell Cars via the Crown and Commercial Services (CCS) Vehicle Purchase Framework Agreement.

- The framework period is from 2nd December 2014 to 1st December 2018, the contract is within the technical and financial scope of the framework.
- The duration of the contract will be 48 months commencing in June 2018.
- The contract is valued at £2.6M.
- This remains affordable within the approved Fleet Capital Programme 2017-18 to 2021-22.
- Approval to initiate procurement action was granted by the Deputy Mayor for Policing and Crime on June 2017 (PCD226) as part of the Trial of Zero Emission Propulsion Projects.

Recommendations:

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

1. **Approve the submission of the report and seek approval from the Deputy Mayor for Policing and Crime to award these contracts.**

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

1. **Approve the award of a contract to Toyota GB PLC for £2.6M for the purchase of Hydrogen Fuel Cell Cars over a 4 year period, to be funded from the approved Fleet Capital Programme 2017-18 to 2021-22.**

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by Friday 15th June 2018. This is to allow sufficient time to complete the required commercial activity and award contracts to facilitate the timely replacement of the fleet.

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

Introduction and background

1. These contracts will facilitate the purchase of replacement vehicles within 2018 and will enable Fleet Services to deliver operational vehicles as required to support the Vehicle Replacement Programme.
2. The DMPC approved the procurement initiation in June 2017 (PCD226) as part of the trial of Zero Emission Propulsion Projects.

Issues for consideration

3. This information is contained in the restricted section of this report.

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 2,067 pedal cycles, which are predominantly allocated to Territorial 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

Air Quality Strategy

7. Fleet Services are soon to publish an Air Quality Strategy 2017-2020 which will support the Mayor's commitment to improve air quality in London and compels the MPS to deploy over 550 ultra-low emission vehicles across the fleet by 2020, and aligns to the London Environment strategy and the MPS Environment Policy. It is

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

recognised that due to the varied and fast pace nature of policing, there is no single technology type that will meet all our requirements, as a result we have developed a mosaic approach and all fuel types and propulsion methods will be considered.

8. The introduction of the 550 ultra-low emission vehicles will be implemented in three phases and the first will target the five Mayor's Low Emission Neighbourhoods so that the MPS will contribute to tackling local air quality issues.
9. The fuel and emission strategy adopted for this tender was to target hydrogen fuel cell technology, this provides vehicles with a similar geographic range to normally aspirated vehicles removing some of the range anxiety experienced with electric only propulsion.

Procurement Strategy

10. The procurement strategy was to conduct a mini-competition through the Crown Commercial Services (CCS) Vehicle Purchase framework RM1070 that was established in December 2014 and is valid until December 2018. The MOPAC are identified as an eligible user of the framework by reference to it in the OJEU notice 2015/S 008-009193. The requirement set out in this report is within the financial and technical scope of the framework. The procurement strategy has complied with the purchasing procedures set out in the framework.
11. The Framework consists of a total of 41 suppliers split through 9 lots and allows MOPAC as a participating authority to complete a call off agreement via a direct award or through mini competitions. This allows the business to be flexible and approach each procurement activity according to fleet category and demand.
12. MOPAC are signatories to the GLA Responsible Procurement Policy expects our supply chain to adhere to the requirements and we ensure that all suppliers have demonstrated this in their method statements at tender stage. The encompasses six themes:
 - Enhancing social value
 - Encouraging equality and diversity
 - Embedding fair employment practices
 - Enabling skills, training and employment opportunities
 - Promoting ethical sourcing practices
 - Improving environmental sustainability - This includes a requirement to have in place a waste management policy, carbon reduction objectives and a commitment to reducing water consumption through their operations.

Tendering Process

13. The Invitation to Tender (ITT) was issues to all 22 eligible suppliers on Lot 1 of the CCS Framework on 12th February 2018, with responses to be submitted by 19th March 2018.
14. One bidder responded to the tender offering one model.

15. Fleet Services undertook a desktop technical evaluation of the vehicles against the set of published technical mandatory and scored parameters.
16. Following the technical evaluation, Commercial Services released the commercial responses to Fleet Services for evaluation.
17. The supplier details can be found in Table 6.

Financial Comments

18. This contract is valued at £2.6M over the 4 year period and is within the initial value approved by the DMPC in June 2017 (PCD226) as part of the trial of Zero Emission Propulsion Projects.
19. The funding for this contract is incorporated within the approved Fleet Capital Programme 2017-2021.
20. Value for Money information is contained in the restricted section of the report.

Legal Comments

21. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 (the Regulations). When awarding public contracts for goods and services valued at £181,302 or above, all contracting authorities must do so in accordance with the Regulations.
22. This report confirms the tender detailed exceeds the above threshold. Consequently, the Regulations will apply to this requirement. This report identifies the Crown Commercial Services (CCS) framework agreement as its preferred procurement route. A compliantly procured framework agreement is a compliant route to market on the basis the framework is still in force, the MOPAC is identified as an eligible user of the framework, the MOPAC's requirements are within the technical and financial scope of the framework and the call-off procedure set out in the framework is followed.
23. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent requires that approval is obtained by the Deputy Mayor for Policing and Crime (DMPC) for all requests to go out to tender for contracts of £500,000 or above.
24. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent to award all contracts with the exception of those called in through the agreed call in procedure. Paragraph 4.14 provides that the DMPC reserves the right to call in all contract awards of £500,000 or above.

Equality and Diversity Implications

25. The CCS Framework (RM1070) for Vehicle Purchase Agreements supports public sector bodies in being able to contract award ensuring Responsible Procurement has been considered. By utilising the framework the MPS benefits from being part of a national procurement solution but also ensures that it is supporting local economies and SME's. The suppliers on the framework are supporting public sector bodies through various approaches such as apprenticeship schemes where some lead into fulltime employment, supporting localised charities and SMEs for

purchase of goods and/or services.

26. There are no negative equality or diversity implications arising from this procurement process. The Call Off agreement for the purchase of hydrogen vehicles ensures suppliers adhere to perform their obligations in accordance with equality law.
27. To cater for the diverse workforce the technical criteria included a requirement for a range of adjustments in the following areas to accommodate a wide range of drivers and passengers;
 - Seat height and travel
 - Lumber support
 - Steering column height and reach
28. Inclusion, diversity and equality screening section detailed at Table 4.

Real Estate Implications

29. There are no real estate implications, the MPS will continue to utilise commercial re-fuelling sites to re-fuel the hydrogen fuel cell vehicles.

Environmental Implications and Compliance with Ultra Low Emission Zone

30. The MPS operates in line with its Environment Policy and the procurement of Hydrogen vehicles will continue to support the MPS in the implementation of the MPS Environment and Sustainability Strategy 2017-2021 (draft) objectives around air quality and reducing carbon emissions, as aligned to the London Environment Strategy.
31. The implementation of the Ultra-Low Emission Zone is scheduled to be brought forward by 17 months to April 2019 and will affect all vehicles travelling within the existing congestion charge zone.
32. The emission standards required of the zone can be met by operating Euro 4 Petrol vehicles. The vehicles detailed within this tender will ensure that the non-compliant fleet is replaced with zero emission vehicles and will ensure compliance with the zone.
33. The adoption of hydrogen fuelled new vehicles detailed within this tender will result in zero emission of harmful pollutants over the previous vehicles in operational use. There will therefore be positive environmental impacts associated with the renewal process which are outlined in the environmental implications in Table 7.
34. Fleet Services continue to reuse vehicle parts internally prior to external recycling and disposal as per the objectives within the MPS Environment and Sustainability Strategy 2017-2021 (draft), resulting in significant savings to the MPS annually and this will be continued within this contract. The reuse of MPS vehicle parts for is to be captured and reported on an annual basis.

Information Handling

35. Fleet services will liaise with the Information and Insight team regarding its requirements to ensure that procurement activity incorporates the manner in which the MPS information is valued, managed and is safeguarded in line with new General Data Protection Regulations and Government Security Classification policy.

Background/supporting papers

Part 2

Table 1 - Procurement Route

Table 2 - Framework Agreement

Table 3 - Tender Information

Table 4 - Responsible Procurement

Table 5 - Contact Information

Table 6 - Tender Results

Table 7 - Environmental Implications

Report author: Jiggs Bharij, Head of Fleet Services