

DECISION NUMBER: PCCG-2019-053	
<u>OFFICE OF THE POLICE AND CRIME COMMISSIONER</u>	
LEAD CHIEF OFFICER:	Nigel Stephens, Assistant Chief Officer – Resources
TITLE:	Framework for the Provision for the Destruction and Disposal of Protectively Marked Waste
DATE:	1st October 2019
TIMING:	Urgent
PURPOSE:	For decision
1.	<u>RECOMMENDATION</u>
1.1	<p>It is recommended that the Framework for the Provision for the Destruction and Disposal of Protectively Marked Waste be extended for a further three (3) months with an option to extend for a further two (2) individual months, 1st November 2019 to 31st March 2020:</p> <p>That Gwent Police’s call-off contract under this framework also be extended for the same duration.</p> <p>This is in accordance to Contract Standing Order paragraph 124(b), within the Manual of Corporate Governance.</p>
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	Gwent Police (GP) created a National UK Police Force Framework for the Provision for the Destruction and Disposal of Protectively Marked Waste which was awarded for a contract term of 1 st April 2015 until 31 st March 2018, with the option to extend for a twelve (12) month period until 31 st March 2019.
2.2	The permissible extension has been utilised and a further six (6) months extension beyond the life of the initial contract term to 31 st October 2019 has also been agreed. This was following approval by the Police and Crime Commissioner (PCCG-2019-013).
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	The new National Framework iteration, which GP would utilise, is being constructed by South Wales Police (SWP). However there has been further delays with the tender process and GP has been asked to extend the current provision to allow sufficient time for a replacement Framework to be completed.
3.2	The request for this unforeseen extension is to allow time for a compliant tendering process to occur.

4.	<u>NEXT STEPS</u>
4.1	On approval of the report, an extension for both the Framework and for the GP contract will be issued to the current supplier and will need to be signed by both parties.
4.2	A notice will be issued on the 'BlueLight' database informing other Police Forces of the Framework extension, allowing them to seek their own approvals should they wish to extend their own Call-Offs.
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	There are 15 Police Forces currently using the framework. Total spend across all police forces from April 2015 – August 2019 currently stands at £1,979,956. There is no guarantee how many forces will use the framework extension.
5.2	GP total spend for the Period April 2015 – August 2019 is £67,152
5.3	The incumbent has agreed to hold the current framework rates if we extended the Framework by five months.
5.4	The quote offered is based on projected spend from Jan-Aug 2019. Should all five (5) month extension periods be utilised it would cost £3,925.
5.5	This would mean the projected total spend for GP between April 2015 and 31 st March 2020 will be circa £71,077
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	As part of this extension there will be no internal staffing/personnel implications above and beyond the normal requirements of the current service provided to the Commissioner.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	The proposed extension period is not provided for under the terms of the original Framework and subsequent GP contract and therefore any further extension is not permitted under the Public Contract Regulations (PCR). This would therefore amount to an illegal direct award (please see Risk section 9).
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.
8.2	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.

9.	<u>RISK</u>
9.1	There is a risk that this further extension may be challenged on the basis that it is an illegal direct award.
9.2	There is a risk that this five (5) month extension may be challenged by a competitor to our contracted provider. For a previous extension a VEAT notice was issued. Legal Services have advised there is no real benefit of doing this on this occasion as the small risk of challenge should be mitigated by the new tender planned to go live soon.
	This extension is only required to provide sufficient time to build the required tender documentation for a compliant re-tender.
10.	<u>PUBLIC INTEREST</u>
10.1	This report will be made available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	Huw Pearce, Senior Procurement Officer
12.	<u>ANNEXES</u>
12.1	N/A

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Office of the Chief Constable

I confirm that the Extension of the current Framework for the Provision for the Destruction and Disposal of Protectively Marked Waste to 31st March 2020 report has been approved.

It is now forwarded to the OPCC for approval purposes.

Signature:



Date: 03.10.2019

Police and Crime Commissioner for Gwent

I confirm that 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.

The above request has my approval.

Signature:



Date:

9/10/19