

# **POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE DECISION RECORD**

To be completed in cases where a decision is required

## **DECISION OF POLICE AND CRIME COMMISSIONER**

**Date:** 10/01/17

**Officers present:**

**Received in OPCC Date:** 08/11/16

**OPCC Ref:** EXE0014/16

**Title:** Award of contract for external Forensic Service Provision to the East Midlands Region Police Forces

### **Summary of Issue:**

The purpose of this decision to recommend approval for entering into a regional contract for External Forensic Service Provision to the East Midlands Region (EMR) of police forces represented by EMSOU Forensic Services (EMSOU-FS).

The new contract has a new pricing policy and will replace the current 'pay per unit' method. The on-going optional extension of the existing contracts will not deliver much needed cashable savings for the region, nor would they improve effectiveness of service delivery by refocusing service provision requirements and product innovation. In addition the Home Office development of National Forensics Framework (NFF3) has been disbanded and consequently there is no longer a future framework arrangement available to the EMR for the procurement of external forensic service provision.

The decision was therefore taken to conduct a full Official Journal of the European Union (OJEU) procurement, applying a new procedure allowed for in the Public Contracts Regulations 2015, specifically the 'Competitive Procedure with Negotiation' [CPN]. This procedure is similar to the traditional Restricted Procedure in many ways in that it still requires the drafting of a detailed specification and the undertaking of an initial Pre-Qualification Questionnaire [PQQ] phase prior to the submission and the subsequent evaluation of tenders. It is however different in one particular key critical respect, the value of which has been considerably significant to ensuring the best outcome possible for the EMR.

Following the conducting of a comprehensive, robust and fully compliant OJEU procurement, the preferred supplier identified for the proposed award of contract is Cellmark Forensic Services. Cellmark represents the 'most economically advantageous tender' received taking into account all price and non-price award criteria.

The contract value for year 1 is set at a mandatory price ceiling, with a view to further savings, cashable and efficiency, being achieved in following years. Full Details are contained in the confidential supporting report and appendices.

The contract shall be for a period of 7 years initially with the option to extend for a further three years up to a total maximum of 10 years, effective from 01 April 2017 following completion of an initial transition period after award of contract.

This represents a single contract benefiting all five PCC's and Chief Constables relevant to the police force areas of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire, and subject to the umbrella of a formal Section 22 Collaboration Agreement. The Collaboration agreement will be amended prior to the contract being signed to secure protection to Derbyshire as the lead commissioning body.

The process for awarding a contract and discussion regarding the preferred contract have been discussed on a number of occasions by the East Midlands Police and Crime Commissioners and Chief Constables at the EMPCC Board. This has included the opportunity for scrutiny and challenge and the proposed way forward received full support.

#### **Key discussion points at meeting**

Discussion on the proposals and advice received.

#### **It was resolved that :**

- A new contract be entered into effective from 1 April 2017 for External Forensic Service Provision to the East Midlands Region for a period of 7 years, with the ability to extend to 10 years in total.
- This new contract be awarded to Cellmark Forensic Services as the 'most economically advantageous tender' received taking into account all price and non-price award criteria

#### **OFFICE OF PCC APPROVAL**

##### **Chief Executive or Chief Finance Officer:**

I have been consulted about the proposal and confirm that appropriate 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 Police and Crime Commissioner



**Signature**

**Name**

**Helen King**

**Date 15<sup>th</sup> January 2017**

**Publication Scheme**

**Decision of Monitoring Officer:**

As Monitoring Officer for the Office of Police and Crime Commissioner for Leicestershire I have determined that :

It is appropriate to publish this record of decision made by the Police and Crime Commissioner : **YES**

It is appropriate to publish the contents of the assessment of the decision by either of the senior post holders in the Office of the Police and Crime Commissioner for Leicestershire (i.e. either the Chief Executive or Chief Finance Officer) : **YES**

It is appropriate to publish details of the decision by the Police and Crime Commissioner for Leicestershire : **NO**

**Reasons for any non Publication (referencing appropriate legislation):**

Section B to the full report not for publication by virtue of para 7 Schedule 12A to the Local Government Act 1972 – the preventions, investigation or prosecution of crime.



**Signature**

**Name** Angela Perry

**Date** 16 January 2017

**Police and Crime Commissioner for Leicestershire**

Having received the advice set out above and reviewed relevant documentation my decision in regard of this matter is:

**Supported / ~~Not-Supported~~**



**Signature**

**Date**

18<sup>th</sup> January 2017