

Key Decision Report of the Corporate Director of Environment and Regeneration

Key Decision	Date: 28 February 2019	Ward(s): All
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SUBJECT: Procurement Strategy and Contract Award for CCTV Maintenance**1. Synopsis**

- 1.1 This report seeks pre-tender approval for the Procurement Strategy and Contract Award in respect of maintenance for Islington CCTV Infrastructure in accordance with Rule 2.7 of the Council's Procurement Rules.
- 1.2 The associated contract award recommends the appointment of Tyco Fire & integrated solutions (UK) Limited (TYCO), via an access agreement through the Eastern Shires Procurement Organisation Framework, (ESPO), to provide a further 18-month service contract to maintain continuity of Public Realm CCTV (including Crime and Disorder, Moving Traffic) and Housing CCTV infrastructure

2. Recommendations

- 2.1 To approve the procurement strategy for CCTV Maintenance as outlined in this report for use of the Eastern Shires Procurement Organisation (ESPO) framework 628 for Security, Surveillance, Equipment and Services.
- 2.2 To agree the Contract Award to TYCO of an 18-month contract using the above ESPO framework, starting 1 October 2019.

Date the decision is to be taken: 28 February 2019

3. Background

3.1 Nature of the services

This procurement is for an interim 18-month contract to maintain continuity of service for the Council's Parking and Housing CCTV infrastructure, whilst steps are taken to meet the Council's longer term commitment for a larger new Council-wide CCTV Supply and Maintenance contract.

Crime and Disorder CCTV and Housing CCTV Infrastructure both support public safety, whilst Traffic and Parking CCTV infrastructure fulfils responsibility for traffic management.

The Traffic and Parking Service manage CCTV infrastructure for maintenance of systems in the wider public realm and currently participate in a Framework Contract awarded to TYCO. This contract expires 30th September 2019 with no option to extend.

Housing Property Services, Repairs and Maintenance unit, manage CCTV infrastructure for maintenance of systems on Housing land and in Council property. The main current contract is with OpenView, and expires on 31st October 2019 with an option to extend for 12 months.

Facilities Management manage CCTV and Access Control systems in Council buildings and have a contract with Chubb currently scheduled to run until 2023, and therefore not yet able to be considered for any interim maintenance procurement.

3.2 Estimated Value

Funding for the proposed arrangement will be part Capital (£600k) and part Revenue (£600k), the total value of the procurement will therefore be up to £1.2m for the 18-month term.

In the last 2-years, Housing and Repairs CCTV maintenance expenditure has been £620k, whilst that of Traffic and Parking has been £720k. The estimated maximum value for this procurement is based on a planned increase in CCTV stock.

3.3 Timetable

ESPO access agreement: March – May 2019,

Specification and contractor engagement: June - August 2019.

Termination of existing Parking CCTV maintenance contract: September 2019

Termination of existing Housing CCTV maintenance contract: October 2019

Procurement Board and Housing have been consulted about this proposal.

3.4 Options Appraisal

Option 1: An extension to the existing Ealing Framework was considered but difficulties would arise in Housing joining this framework due to rules on consultation with Leaseholders under section 20 Legislation.

Option 2: Seeking interest in shared services with peer authorities has also been considered but timeframes and limited scope for bridging this model make meeting the necessary contract expiration deadlines not viable.

Option 3: Existing Third Party National framework.

Preferred option (3) is to call-off from existing ESPO national framework.

The ESPO Framework coverage and scope has been evaluated and meets the requirements of maintaining the existing infrastructure in the short term and accommodating all of Housing and Repairs, Traffic and Parking, and Public Protection.

This option allows continuity of service to support future strategic aims going forward in regards to outcome based budgeting and a greater holistic approach to procurement and contract management for the supply, installation of maintenance of CCTV cameras.

3.5 Key Considerations

The procurement seeks to help deliver the Council's commitment to maximize community benefits for the improvement of the borough and for the benefit of its residents.

It is hoped to create a 1-year apprenticeship opportunity for an unemployed Islington resident, the supplier working with IWork team to identify an appropriate role and support recruitment, the role being paid at London Living Wage rate.

The supplier will also work in partnership with IWork youth employment team to attend and support a minimum of 2 career events, and also with the VCS organization to deliver a minimum of 2 sessions on CCTV career advice and in partnership with SME's team will give advice on CCTV requirement for businesses.

It is not anticipated that TUPE, Pensions and Staffing implications will apply to the contracts arrangements via the framework.

3.6 Evaluation

The ESPO Framework 628 for Security, Surveillance, Equipment and Services, lot 1a and lot 4, is available for use nationally by any public sector body in the UK.

The framework has been advertised and awarded via an OJEU procurement process and is compliant with UK/EU procurement legislation.

Service providers listed on the framework were assessed during the procurement process for their financial stability, track record, experience and technical & professional ability.

Pre-agreed terms & conditions will underpin all direct call-off's.

The incumbent Parking and Crime & Disorder CCTV maintenance contractor Tyco is the preferred supplier for this more consolidated interim contract in order to maintain continuity of service.

3.7 Business Risks

Not providing continuity of maintenance for CCTV infrastructure could result in systems or local equipment failure, impacting upon crime and social disorder services such as supporting police and Council investigation, insurance company claims, parking budget and general public safety.

3.8 The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organization is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organizations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

3.9 The following relevant information is required to be specifically approved in accordance with rule 2.8 of the Procurement Rules:

Relevant information	Information/section in report
1 Nature of the service	Maintaining continuity of Public Realm CCTV, incorporate Housing and Repairs CCTV infrastructure. See paragraph [3.1]
2 Estimated value	Up to £1.2 million. See paragraph [3.2]
3 Timetable	Procurement strategy and award scheduled for Director sign off in February 2019, ESPO access agreement February 2019, specification and contractor engagement February - April 2019. New 18-month contract starting 1.10.19 See paragraph [3.3]

4 Options appraisal for tender procedure including consideration of collaboration opportunities	3 options to market have been identified and considered, with the preferred option being to utilize the existing national ESPO framework. See paragraph 3.4
5 Consideration of: Social benefit clauses; London Living Wage; Best value; TUPE, pensions and other staffing implications	See paragraph 3.5
6 Evaluation	The incumbent Parking and Crime & Disorder CCTV maintenance contractor Tyco is the preferred supplier for this more consolidated interim contract in order to maintain continuity of service.
7 Any business risks associated with entering the contract	Failure to maintain this facility seriously impedes ability for crime detection and impacts upon key Council budgets. See paragraph 3.7
8 Any other relevant financial, legal or other considerations.	See section 4

4. Implications

4.1 Financial implications:

The cost of the contract will be met through existing budgets.

4.2 Legal Implications:

The Council has power to provide CCTV on any land in their area for the prevention of crime or the welfare of the victims of crime subject to prior consultation with the Chief Officer of Police for the area (section 163 of the Criminal Justice and Public Order Act 1994). The council may use CCTV for the purposes of enforcing traffic regulations provided that the devices used are approved by the Secretary of State (Statutory guidance under section 87 of the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007). Public space CCTV systems must be operated in accordance with the Data Protection Act 1998 and the principles as set out in the Human Rights Act 1998. The ICO has issued a Code of Practice for the use of CCTV setting out these requirements and principles and these must be complied with. The Council is required to notify the Office of the Information Commissioner of the operation of the CCTV system.

Covert 'Directed' surveillance may only be conducted if formal authorisation is provided in accordance with the Regulation of Investigatory Powers Act 2000 (as amended by the Protection of Freedoms Act 2012). The Council has power to enter into contracts for CCTV

supply, installation and maintenance under section 1 of the Local Government (Contracts) Act 1997. The proposed contract relates to goods and services. The estimated value of the contract is £1.2million over 18 months. The threshold for application of the Public Contracts Regulations 2015 (the Regulations) is currently £181,302.00 for goods and services. Contracts above this value need to be advertised in the Official Journal of the European Union.

The Council's Procurement Rules also require contracts over the value of £181,302.00 to be subject to competitive tender. The proposed procurement strategy, is to use the Eastern Shires Procurement Organisation Framework (ESPO) to establish this contract. This framework was procured in compliance with the requirements of the Regulations and is available for use by the council. In accordance with the conditions governing the use of the framework the contract may be awarded as proposed to Tyco Fire & Integrated solutions (UK) Ltd subject to the contract price providing value for money for the Council.

4.3 Environmental Implications.

There are not considered to be any explicit environmental implications arising from the ongoing maintenance of the Council's CCTV infrastructure.

4.4 Resident Impact Assessment:

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimization, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimize disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has been completed and attached as appendix 1. No adverse impacts or other risks have been identified. The Council operates its own CCTV Code of Practice and also conforms to the CCTV Commissioners Code of Practice, including with a certificate of compliance.

5. Reasons for the decision: (summary)

- 5.1 Key Council services currently operate a mixture of contracts to facilitate CCTV supply and maintenance. The proposed bridging procurement strategy and contract award will allow the Council the ability to align the longer term strategy for a holistic CCTV service, whilst providing continuity of service in the interim period.

7. Record of the decision:

- 7.1 I have today decided to take the decision set out in section 2 of this report for the reasons set out above.

Signed by:

Corporate Director of Environment
and Regeneration

Appendices: Resident Impact Assessment

Report Author: Steve Shaw
Tel: 020 7527 6167
Email: steven.shaw@islington.gov.uk

Financial Implications Author: Steve Abbott
Tel: 020 7527 2369
Email:

Legal Implications Author: Ramani Chelliah
Tel: 020 7527 3084
Email: