

Item No.	Classification: Closed	Date: July 2020	Meeting Name: Strategic Director Environment and Leisure
Report title:		Gateway 3 – Variation Decision CCTV repairs and maintenance.	
Ward(s) or groups affected:		All	
From:		Head of Regulatory Services	

Not for publication by virtue of category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution

RECOMMENDATION(S)

1. That the Strategic Director of Environment and Leisure approves a 12 month extension of the CCTV repairs and maintenance contract with Tyco Fire and Integrated Solutions Ltd (trading as Tyco Fire and Security) from 1st August 2020 - 31st July 2021. The total cost of extending the contract is £162k.

BACKGROUND INFORMATION

2. Southwark CCTV team currently manages 482 town centre, housing estate and open space cameras, as well as 18 re-deployable cameras. These are monitored from the CCTV control room based at Southwark Police Station. The control room is staffed by 9 operators on a 24/7 basis providing support to partners in the prevention and detection of crime and anti social behaviour.
3. The repair and maintenance of the cameras, transmission network, CCTV operating system, recording platform, monitor wall and operator workstations is currently contracted to Tyco Fire and Integrated Solutions Ltd (trading as Tyco Fire and Security). The contract was awarded at a value of £610,739 for 4 years from the 1st August 2016, with a contract completion date of 31st July 2020.
4. In February 2020 the Strategic Director for Environment and Leisure approved the Gateway 1 "Procurement Strategy for CCTV repairs and Maintenance Contract". The procurement strategy approved was for a single CCTV repairs and maintenance contract via a new framework agreement in partnership with the London Boroughs of Hounslow, Ealing and Islington.
5. Paragraph 18 of the Gateway 1 (see appendix 1) approved in February highlights the need to extend the existing repairs and maintenance contract for a period of 12 months in order for the procurement process to be completed.

KEY ISSUES FOR CONSIDERATION

Key Aspects of Proposed Variation

6. It is proposed the contract is extended for 12 months from 1st August 2020 - 31st July 2021 at a value of £162,000.

7. The extension would increase the total contract value to a maximum of £789,454 for CCTV repairs and maintenance over a five year term.

Reasons for Variation

8. The GW1 procurement strategy as referenced in paragraph 4, highlights the need to extend the existing contract by a period of 12 months in order for the procurement process under the framework to be completed.
9. The framework is being procured in partnership with the London Boroughs of Hounslow, Ealing and Islington. The framework duration will be 4 years, with an estimated total contract value of £640k.
10. The framework was scheduled to be completed by October 1st 2020. However given the Covid 19 pandemic which became an emergency at very early stages of the tendering process, there is an expected delay of 2-3 months in the process.
11. The lack of a formal contract whilst the framework procurement process is ongoing may result in extended fault response and repair times and a lack of control over cost and duration of any proposed installations/small works. However, extending the existing contract for CCTV repairs and maintenance will ensure stability and service continuity.
12. The council is required to maintain its public space surveillance systems as part of the Surveillance Camera Code of Practice (published 2014), which is statutory guidance laid out by the Surveillance Camera Commissioner (SCC). Failure to have an effective and clear maintenance process in place would result in the failure to meet this statutory guidance.

Future Proposals for this Service

13. As approved in the Gateway 1 procurement strategy, Southwark are progressing with the procurement of a single CCTV repairs and maintenance contract via a new framework agreement in partnership with the London Boroughs of Hounslow, Ealing and Islington.

Identified risks for the Variation

Risk	Risk level	Mitigation
Challenges to award extension	Low	Due to covid 19 pandemic and delays in the re-procurement the extension is necessary for the continuity of service and the council to perform its statutory duty under S.17 Crime and Disorder Act 1998
Risk of further delay due to Covid19	Medium	The framework procurement process has been delayed as a result of the Covid19 pandemic by approximately 3 months, with an estimated completion of the procurement now being January 2021. The extension of the existing contract by 12 months to 31 st July 2021 provides resilience in the

		timeframe in case of any further delay in the process due to Covid19.
That current provider will not be able to extend contract by 12 months	Low	Early conversations held with existing contractor as part of the GW1 preparation, indicate that the current contractor has the ability to continue to fulfil the requirements of the contract for a further 12 months should the extension be approved.

Policy implications

14. CCTV successes are based on working with key partners both internally and externally. By continuing to maintain and keep a fully functioning system we are supporting the 'A Modern Council' agenda within the Council Plan; ensuring the recording system is fit for the future, reliable and responsive.
15. CCTV is a key service within the council that supports the council plan commitments 'A safer Community and A greener borough'. CCTV work with waste and cleansing teams and environmental enforcement in partnership to deliver against the commitment to 'Have zero tolerance on fly tipping and double the number of people we catch and enforce against who illegally dump in the borough' also to 'Improve our high streets with timed waste collection'.
16. The council has a statutory duty under S.17 Crime and Disorder Act 1998, to do all it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment). CCTV is an essential component supporting partners in the prevention and detection of Crime and Anti-social behaviour.
17. CCTV also supports relevant partnership priorities within the Community Safety Partnership Service such as seeking a reduction in knife crime, youth violence.

Contract management and monitoring

18. The contract will be managed and monitored through contract performance meetings, currently held every 8 weeks.
19. The 12 month extension to the contract will have a termination clause, allowing Southwark to enter into the framework contract, should this be awarded within the 12 month extension period.

Community Impact Statement

20. The Public Sector Equality Duty imposed by the Equality Act 2010 states that public authorities must give 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share protected characteristics (including disability) and those who do not. The proposed extension of this contract will continue to provide benefits to all sections of the community and be broadly reflective of service users, residents, business owners and business users in areas of CCTV coverage

21. All areas of the borough are affected by crime, anti social behaviour and fear of crime but they do not affect everybody equally. CCTV plays a significant role in reducing, deterring and detecting crime and anti-social behaviour in known hot spots: it also increases public reassurance by reducing the fear of crime
22. Additionally CCTV aids the general management of public areas which are of principal importance to the commercial well being of the community. It also assists the police with information gathering and more effective deployment of resources and improves commercial confidence.
23. A fully functional CCTV system is necessary to fulfil our statutory obligation arising from S.17 of the Crime and Disorder Act 1998 and current data protection legislation.

Social value considerations

24. Tyco has committed to paying the London Living Wage under the existing contract.
25. Pursuant to Section 149 of the Equality Act 2010 the council has a duty to have due regards in its decision making process to the need to
 - (a) Eliminate discrimination, harassment, victimization and other prohibited conduct
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) Foster good relations between those who share a relevant characteristic and those who do not share it

Economic considerations

26. Consideration has been given to the possibility of building in local economic benefits to the variation of contract. However, as this is specialist procurement the usual routes through advertising locally, engagement in partnership schemes, and requiring suppliers to use local companies are not appropriate

Social considerations

27. The initial tender was publically advertised and open to all interested parties.

Environmental/Sustainability considerations

28. The contract requires Tyco to have in place targets to minimise consumption of energy, and be able to demonstrate the effectiveness of these procedures.

Financial Implications

29. The total estimated value of the CCTV repairs and maintenance contract for the 12 month extension period is £162k.
30. The estimated cost of the extension is based on the current annual cost (2019/20) for repairs and maintenance for CCTV cameras and systems in the borough. The number of cameras is not expected to increase significantly over

the contract period, which would affect future costs of repairs and maintenance as they are volume-driven.

31. The funding for the contract extension will be met through the existing base budget of the CCTV. The contract will continue to be monitored on a regular basis as part of the departmental revenue monitoring process.

Legal Implications

32. Please see the concurrent report of the Director of Law and Democracy below.

Consultation

33. The lead member for Community Safety and Public Health is aware of the need to extend the CCTV repairs and maintenance contract through consultation of the GW1 procurement strategy approved in February 2020.

Other implications or issues

34. There are no significant implications in relation to staffing.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (EL20/019)

35. This report requests that the Strategic Director of Environment and Leisure approves an extension of the CCTV repairs and maintenance contract with Tyco Fire and Integrated Solutions Ltd (trading as Tyco Fire and Security) from 1st August 2020 - 31st July 2021 for a duration of 12 months.
36. The Strategic Director of Finance and Governance notes the funding of this extension is to be met within the existing departmental Cctv budget and there are sufficient resources to fund this proposal.
37. The Strategic Director of Finance and Governance notes that staffing and any other running costs connected with these recommendations are to be contained within existing departmental budgets.

Head of Procurement

38. This report seeks approval from the Strategic Director of Environment and Leisure to extend the existing contract with Tyco Fire and Integrated Solutions Ltd for CCTV repair and maintenance services for a period of 1 year from 1 August 2020 until 31 July 2021 whilst the procurement exercise led by LB of Hounslow concludes.
39. The extension is required due to delays to the procurement led by LB Hounslow due to the pandemic / covid 19 outbreak that happened during the SQQ stage of the tender. Which is allowable under the EU Regulations of 2015 and the Council's Standing Orders
40. The value of the extension is £162k making the total overall contract value of £610,901
41. The contract will continue to be monitored and managed as details are in paragraphs 18 to 19. And that the supplier pays London Living Wage

Director of Law and Democracy

42. This report seeks approval of an extension of an existing contract with Tyco Fire and Integrated Solutions Ltd for borough wide CCTV repair and maintenance services.
43. The existing contract does not contain express provision for extension and therefore it will be necessary for the council to conduct a new procurement procedure unless it can demonstrate any of a limited number of grounds for modification (without a tendering exercise) which are prescribed by the (EU) Public Contracts Regulations 2015.
44. Regulation 72 permits such modification in cases where all of the following conditions are fulfilled:--
 - (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
 - (ii) the modification does not alter the overall nature of the contract;
 - (iii) any increase in price does not exceed 50% of the value of the original contract.

When relying upon this ground for contract modification the council must also publish a notice to that effect in the Official Journal of the European Union.

42. Paragraphs 8 to 12 of this report explain the exceptional and unforeseen circumstances which have made it necessary for the council to extend its contract with Tyco.
43. The proposed contract extension is consistent with domestic legislation and with the council's Contract Standing Orders.
44. The decision to approve the report recommendation is one which may be taken by the Strategic Director of Environment and Leisure under Contract Standing Orders.

PART A – TO BE COMPLETED FOR ALL DELEGATED DECISIONS

Under the powers delegated to me in accordance with the council's Contract Standing Orders, I authorise action in accordance with the recommendation(s) contained in the above report.



Signature Date: 20th July 2020

Designation: Strategic Director of Environment & Leisure

PART B – TO BE COMPLETED BY THE DECISION TAKER FOR:

- 1) All key decisions taken by officers
- 2) Any non-key decisions which are sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available.

1. DECISION(S)
As set out in the recommendations of the report.
2. REASONS FOR DECISION
As set out in the report.
3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED BY THE OFFICER WHEN MAKING THE DECISION
4. ANY CONFLICT OF INTEREST DECLARED BY ANY CABINET MEMBER WHO IS CONSULTED BY THE OFFICER WHICH RELATES TO THIS DECISION
5. NOTE OF ANY DISPENSATION GRANTED BY THE MONITORING OFFICER, IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST <i>If a decision taker or cabinet member is unsure as to whether there is a conflict of interest they should contact the legal governance team for advice.</i>
6. DECLARATION ON CONFLICTS OF INTERESTS
I declare that I was informed of no conflicts of interests.* or I declare that I was informed of the conflicts of interests set out in Part B4.* (* - Please delete as appropriate)

BACKGROUND PAPERS

Background Papers	Held At	Contact
Appendix 1 – GW1 Procurement Strategy for CCTV repairs and maintenance contract	G Drive	Tracy Umney - 07920747936

AUDIT TRAIL

Lead Officer	David Littleton, Head of Regulatory Services
Report Author	Tracy Umney / Sarah Pope
Version	Final
Dated	8 th July 2020
Key Decision?	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Democracy	Yes	Yes
Director of Exchequer (for housing contracts only)	No	No
Cabinet Member	No	No
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	No	No
Cabinet Member	Cllr Akoto	
Date final report sent to Constitutional/Community Councils/Scrutiny Team		

**BACKGROUND DOCUMENT – CONTRACTS REGISTER UPDATE FORM –
GATEWAY 3**

Details	Original	Extension 1	Extension 2
Contract Name			
Contract Description	CCTV Repairs and Maintenance	CCTV Repairs and Maintenance	
Contract Type			
Fixed Price or Call Off	Fixed Price	Fixed Price	
Lead Contract Officer (name)	Tracy Umney	Tracy Umney	
Lead Contract Officer (phone number)	07920747936	07920747936	
Department	E&L	E&L	
Division	Environment	Environment	
Procurement Route			
EU CPV Code (if appropriate)			
Departmental/Corporate	Departmental	Departmental	
Supplier(s) Name(s)			
Contract Total Value	£627k	£162k	
Contract Annual Value	£162k	£162k	
Contract Start Date	1 st August 2016	1 st August 2020	
Initial Term End Date	31 st July 2020	31 st July 2021	
No. of Remaining Contract Extensions			
Contract Review Date			
Revised End Date			
SME/ VCSE (If either or both include Company Registration number and/or registered charity number)			
Comments			
London Living Wage	Yes	Yes	

This document should be passed to the member of staff in your department responsible for keeping your departmental contracts register up to date.