

## PFCC Decision Report

**Report reference number:** PFCC/094/22

**Classification:** OFFICIAL

**Title of report:** Boreham Locker Room and Drug Drying Room Contract Award – 7F-2021-P030

**Area of county / stakeholders affected:** Essex Police – Force-wide

**Report by:** Emma Saunders, Senior Category Manager, 7 Force Commercial Services

**Chief Officer:** Mark Gilmartin, Director of Support Services

**Date of report:** 22/07/22

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### 1. Executive Summary

This decision report outlines the procurement process and recommended contract award for the provision of two modular buildings at Boreham Police Complex to facilitate the re-location of operational units to the site.

### 2. Recommendations

The first recommendation to the PFCC is to approve the award of a contract to Actacom Limited for the design and build of two modular buildings at a total cost of £654,580 broken down as follows:

- Module A – Modular Locker Room £492,296
- Module B – Specialist Drying Room £145,884
- Design, Planning and Building Control for both buildings - £16,400

The second recommendation to the PFCC is to execute the contract as a Deed.

### 3. Background to the Proposal

Two modular buildings were identified as being required to support the further implementation of the Estate Strategy by supporting the implementation of agile working for the Operational Policing Command at the Boreham Complex, as well as allowing for further efficiencies across the estate and supporting future asset disposals. The proposal to procure these buildings was incorporated within the wider approvals process contained within decision reports PFCC/027/21 and PFCC/022/22.

The NHS Shared Business Services Framework Modular Buildings Lot 1 was identified as a suitable route to market for both buildings. There were potential concerns about feasibility and budget, therefore suitably qualified companies were initially invited to express their interest in tendering to supply the modular buildings and to provide feedback on an initial draft of the requirements.

Bidders were invited to submit a single tender for both modular buildings, however due to reservations about the potential costs of the buildings, the Authority reserved the right to purchase either of the units, both units, or none at all from the successful bidder.

Following the procurement, three tenders were received. Tenders were evaluated on the basis of the Most Economically Advantageous Tender with quality criteria accounting for 40% of the overall score and price making up the other 60%. Final scores and the ranking of bids are shown in the table below:

Tender Evaluation Criteria	Tender Allocation Criteria %	Bidder 1	Bidder 2	Bidder 3
Price		£654,580	£789,387	£688,276
Commercial (Price) Score	60%	60	49.75	57.06
Quality Score	40%	34.40	16.00	33.00
Total Score	100%	94.40	65.75	90.06
Rank		1	3	2

### 4. Proposal and Associated Benefits

Following the tender exercise, the proposal is to award a contract to Actacomm Limited for both modular buildings to provide a modular locker room facility and a specialist drying room at the Boreham Complex.

The NHS Shared Business Services Framework is an established cross-government framework of pre-qualified and experienced service providers. Using this framework provides confidence that the suppliers expressing interest returned bids of the required standard at competitive rates.

It is anticipated that, by awarding both modular buildings to a single supplier, there will be efficiencies in reduced procurement activity, contract management and supplier monitoring.

The framework allows the client to utilise any suitable contract terms, therefore the Joint Contracts Tribunal (JCT) Design and Build Contract 2016 terms as amended by the 7 Force Schedule of Amendments will be used.

## **5. Options Analysis**

### **Do nothing – Option rejected**

This was not a viable option. Over the last four years, the estates disposal programme has increased the levels of officers and staff working from the retained estate. This has led to an increased demand for locker and storage space, which has placed pressure on the existing office accommodation at Boreham. Without these units for storage, teams will not be sufficiently equipped to do their jobs and / or there will be insufficient space released to create agile office space for teams to work.

### **Procure units separately – Option rejected**

This option would have required the 7 Forces Commercial Services team to procure the two separate units independently. This is not an efficient allocation of resource.

### **Open tender – Option rejected**

Unclear of response, therefore time and effort might have been wasted if no bids were received, along with time spent undertaking pre-qualification activity.

### **Procurement under an existing framework agreement – Option selected**

The NHS Shared Business Services framework was identified as a suitable route to market due to the experience and expertise of the suppliers on it.

## **6. Consultation and Engagement**

Consultation has been undertaken with the Essex Police Estates team to ensure the proposal meets the requirements of the force.

## **7. Strategic Links**

Both the modular locker room and specialist drying facility link with the Estates Strategy regarding disposals and making best use of our retained sites, supporting the re-location of operational functions to the site.

## **8. Police operational implications**

The proposals provide adequate facilities to support operational policing by means of increasing storage space allowing the transfer of functions and officers from a location that is marked for disposal, e.g. Stanway and South Woodham Ferrers. Without these modular buildings, there is insufficient room within C Block to accommodate the officers' kit / lockers.

## **9. Financial implications**

Funding for the provision of additional locker room facilities at the Boreham Complex has been incorporated within the capital project for Boreham C Block Refurbishment.

The project has an approved capital budget of £1.048m. This forms part of the 2022/23 capital programme.

Initial capital funding for the specialist drying facility was approved via decision report PFCC/022/22, although has yet to be formally adopted in the capital programme. This is an administrative issue that will be resolved in future capital reports. The funding for this project is included within the forfeiture reserve, of which the approved capital element is £81,000.

It has subsequently been established that, recognising the interdependencies between the two projects, it would be appropriate to assimilate them into a single project. Not only will this be more beneficial from a financial management and operational perspective, but a combined tendering process for the two modular units will also support a more expedient procurement process. Thus, the approved capital budget will, in future capital programme reports, be summarised as £1.129m for the wider Boreham C Block Refurbishment project.

The combined cost from the initial facilities procurement identified in this report will amount to £0.655m, against the overall project capital budget of £1.129m. The remaining capital budget allocation of £0.474m will be available to support the second phase of procurement, which will deliver the internal refurbishment of Boreham C Block. Whilst this remaining budget is a lesser figure than originally perceived in the business case for this phase of the project due to higher costs for the modular buildings, Estates Services will adapt and value engineer the C Block refurbishment proposals to manage the project within those available resources. Nevertheless, should the subsequent procurement process identify that the refurbishment costs may be greater than the available remaining budget, a separate application will be submitted to seek any required additional funding, following the standard approvals process for obtaining funding for capital projects.

### *Financial Impact*

There has been an overall increase in prices due to the volatile market since the Covid-19 pandemic and Ukraine crisis. Materials and labour are scarce and in high demand. The impact of the cost increases means that there will be less funding available for the construction works that are required as part of the Boreham Complex investment.

In summary, it is not anticipated that additional funding will be requested to complete the facilities upgrade to C block or to supplement the perceived budget shortfall for the specialist drying facility. Changes to the internal refurbishment programme of works will instead be made to ensure the most critical works are undertaken within the allocated funding to support the Estates Strategy for the Boreham C Block Complex investment.

## **10. Legal implications**

The procurement has been conducted using a framework agreement, compliant with the Public Contracts Regulations 2015 and 7 Forces Contract Standing Orders. Industry standard terms and conditions are being used and the contract will be

executed as a deed to provide increased limitation of liability over and above a simple contract.

#### **11. Staffing implications**

There are no staffing or other resource implications arising from this decision report.

#### **12. Equality, Diversity and Inclusion implications**

An Equality Impact Assessment has not been completed for the proposal. However, work is ongoing with the staff support networks to consult on estates related projects and improvements addressing accessibility within our projects.

#### **13. Risks and Mitigations**

Procurement risks have been mitigated by the use of a compliant framework.

The construction industry is still facing supply / material delays which may have an impact on the project. However, the Estates team will work with the appointed contractor to mitigate any time delays where necessary.

Failure to proceed with this option would impact on our ability to facilitate the relocation of officers and equipment satisfactorily, impacting on our planned disposals and capital funds.

#### **14. Governance Boards**

Strategic Board – 22<sup>nd</sup> July 2022 (this decision report)

Locker Room facility (as part of the Boreham Complex Investment)

Chief Officer Group – 10<sup>th</sup> February 2021

Strategic Board – 11<sup>th</sup> March 2021

Specialist Drying facility

Estates Change Board – 11<sup>th</sup> January 2022

Chief Officer Group – 26<sup>th</sup> January 2022

Strategic Board – 8<sup>th</sup> March 2022

#### **15. Links to Future Plans**

This is part of the Boreham Complex Investment, which seeks to implement a full agile working facilities upgrade and new locker room provision at the Boreham Complex. The proposal links into the long-term investment strategy across our estate, providing improved facilities fit for modern policing and disposals of the surplus estate.

#### **16. Background Papers and Appendices**

Decision Report PFCC/027/21 – OFFICIAL – (published)

[027-21-Boreham-Investment-OFFICIAL.pdf \(pfcc.police.uk\)](#)

Decision Report PFCC/022/22 – OFFICIAL SENSITIVE (not published)

NHS SBS Framework SLA – OFFICIAL SENSITIVE (not for publishing)



NHS SBS SLA Order  
Form OFFICIAL SENS

Contract Agreement – OFFICIAL SENSITIVE (not for publishing)



7F-2021-P030  
Contract Agreement

**Report Approval**

The report will be signed off by the PFCC's Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.


Chief Executive / M.O.

Sign: 

Print: P. Brent-Isherwood

Date: 7 November 2022

Chief Finance Officer

Sign: 

Print: Janet Perry

Date: 08 November 2022

**Publication**

Is the report for publication?

YES	<input checked="" type="checkbox"/>
NO	<input type="checkbox"/>

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

None

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

**Redaction**

If the report is for publication, is redaction required:

1. Of Decision Sheet?	YES	<input type="checkbox"/>	2. Of Appendix?	YES	<input checked="" type="checkbox"/>
	NO	<input checked="" type="checkbox"/>		NO	<input type="checkbox"/>

**If 'YES', please provide details of required redaction:**

NHS SLA and Contract Agreement documentation contain commercial and operationally sensitive information so are not to be published

**Date redaction carried out:** .....

**Chief Finance Officer / Chief Executive Sign Off – for Redactions only**

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

**Sign:** .....

**Print:** .....

**Chief Executive / Chief Finance Officer**

**Decision and Final Sign Off**

I agree the recommendations to this report:



**Sign:**

**Print:** ROGER HIRST

**PFCC**

**Date signed: 16 November 2022**

I do not agree the recommendations to this report because:

.....  
.....  
.....

**Sign:**

**Print:**