



## THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

### DECISION RECORD FORM

**REQUEST:** For PCC approval.

**Title:** Procurement Report for the provision of a National Driver Offender Re-Training Scheme (NDORS) revision - Update

**Executive Summary:**

Further to decision record number 2021 – 00270567 please see below updated decision to reflect concerns raised during the Alcatel period.

Attendance on an NDORS Scheme is offered to members of the public (the Client) who would benefit from attending a driver education course, following Police intervention. The Client may be offered the opportunity to attend a course, often as a voluntary alternative to their offence being dealt with through the Criminal Justice System. The Scheme provides the Client with relevant re-training to enable them to improve their attitudes, driving skills and road awareness with the outcome of improving road safety.

On 1st September 2014 a joint procurement exercise, led by Durham Police Procurement, was undertaken to identify one supplier to provide NDORS courses required for the Office of the Police & Crime Commissioner for Cleveland (OPCC) and the Office of the Durham Police Crime and Victims' Commissioner (ODPCVC) across the counties of Cleveland, Durham and the Borough of Darlington. This contract was awarded to Hartlepool Borough Council for a period of 3 years with the option to extend for a further 2 years.

As a result of internal reviews on service delivery and subsequently the Covid-19 Pandemic, the current contract was extended to 31st March 2021 to enable a full and competitive tender process to be carried out.

A decision was made to ensure continuity of service to award the new contract for a period of 5 years with a further 2-year extension available.

In addition to a number of mandatory pass/fail questions such as mandatory/discretionary exclusion/financial viability/ Insurance etc., the evaluation criterion was 80% Quality and Service Delivery and 20% Price. Although in the current financial climate price is a key factor, it was felt that a quality service particularly in relation to Clients re-training and road safety was procured.

During Alcatel one of the bidders brought to our attention the natural advantage another bidder had as a result of them being VAT Exempt. This advantage affected the total cost being offered to the Client.

Advice was taken on the best way to approach this and a decision was made to provide all bidders with the opportunity to resubmit pricing in the knowledge that one Bidder had this advantage.

Two Bidders resubmitted pricing. Bidder 2 took this opportunity to reduce the cost of the courses by £1.

**Decision:**

That the Police and Crime Commissioner note the Procurement process used to appoint a supplier.

The Police and Crime Commissioner approve the procurement methods investigated and recommendations put forward by the Evaluation Team to award the contract to Bidder 2.

**OPCC Lead Officer:** Gill Elgie

**Contractor Details (if applicable):** Hartlepool Borough Council

**Implications:**

Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**(If yes please provide further details below)**

**Decision Required – Supporting Information**

**Financial Implications:** (Must include comments of the PCC's Chief Finance Officer where the decision has financial implications)

Based on the total cost to the Client and joint classroom-based training volumes, the value of the current contract is £2,236,014.00 per annum.

The new annual contract price based on the total cost to the Client and joint classroom-based training volumes is £2,178,842.00 per annum (£15,251,894.00 over the full 7 year term of the contract).

Bidder 2 is VAT exempt, and this has been confirmed in a letter from their Head Solicitor and accepted by the Force Legal Team.

Bidder 2 submitted a bid in line with the financial envelope and the total annual bid represents a saving of £57,172.00 per annum (£400,204.00 over the full 7-year term of the contract).

The total annual central cost returned to each Force (based on classroom courses and current volumes) is: Cleveland £619,335.00, Durham £717,435.00.

**Legal Implications:** (Must include comments of the Monitoring Officer where the decision has legal implication)

PCC Standard Terms and Conditions have been used for this service. There is sufficient funding available to cover the commitments made within this decision.

**Equality and Diversity Implications**

There are no TUPE implications associated with the award of this contract.

Human Rights Implications

There are no Human Rights implications associated with the award of this contract.

Sustainability Implications


There are no sustainability implications associated with the award of this contract.

Risk Management Implications


A separate Data Processing Agreement will be required to be agreed to coincide with the NDORS Contract.

There is a risk of challenge in relation to Bidder 2 natural advantage, however this can be mitigated by relevant case law.

**OFFICER APPROVAL**  
**Monitoring Officer**  
I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed  Date 19/03/2021

**Police and Crime Commissioner:**  
The above request HAS my approval.

Signed  Date 19/03/2021