

## Nottinghamshire Police and Crime Commissioner – Notice of Decision

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| <b>AUTHOR:</b>                            | Emily Simpson  |
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| <b>DECISION OR INFORMATION:</b>           | Decision Notice  |
| <b>DATE RECEIVED:*</b>                    | 16/06/2021   |
| <b>REF:*</b> (to be inserted by the OPCC) | 2021.061   |

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| <b>TITLE:</b> | <b>JHQ Generator</b> |
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### EXECUTIVE SUMMARY:

'In conjunction with the 2019 project for the Police and Crime Commissioner for Nottinghamshire and the Nottinghamshire Joint Fire and Rescue Authority joint HQ at Sherwood Lodge, it has recently been identified that the 800KVA generator currently on site at the Nottinghamshire Police and Fire HQ would need to be upgraded to a much bigger generator than originally scoped. Assumptions were made at the time of designing that the existing generator would have sufficient capacity to power both the new and existing buildings. A review of the Mechanical and Electrical Design established that this would not be the case and there had been a significant under-estimation in the power requirements of the new and existing buildings. The back-up generator ensures that in the event of a power failure the HQ will be operate as normal in delivering an emergency services to the public of Nottinghamshire, which is a fundamental business requirement.

The force design team held a number of meetings to consider options for alternative suppliers or lower cost options that could be considered for the project. It was accepted that other options would result in a change in the design specification for which the client is in contract with currently. A quote provided by the existing Contractor (which included a compensation event) was significantly high and therefore the project team felt it was necessary to source alternative quotes to ensure value for money. Given the potential for costly delays it was agreed by the project team that an alternative quote and options would be sought from generator suppliers known to the Nottinghamshire Fire and Rescue Service generator suppliers and quotes were sought from Freeman Energy and a competitive supplier as they had demonstrated value for money and reliability on a number of previous occasions for Nottinghamshire Fire and Rescue Service.

Five potential options were produced by Freeman Energy and were compared against quotes from a competitor with the intention that they would be reviewed by the design team and then presented to the Chief Officer Team for consideration to confirm that the preferred option met operational requirements. The design team evaluation meeting was scheduled for Friday 21.5.21 to review the options and to produce a recommendation for the Chief Officer Team.

It is also a major consideration that the practical completion date of the project is 20/12/21 (25 weeks ahead) and the generator needs to be installed and working well in advance of completion to allow for commissioning and testing. This type of generator typically has a lead time of up to 20 weeks for delivery which supports the position that any delay in placing an order will significantly delay the completion of the project and result in significant cost for the force.

Of the 5 options presented by Freeman Energy, Option 2 quoted was identified as the chosen option following review – Replace the existing 800 KVA generator with a new 1275 KVA generator using a

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different brand of generator. In this option the overall price was £206,800 and represented the best value for money and is a saving against the comparable competitor quote totalling £252,366.65.

This procurement is a Supply requirement and is over the OJEU threshold of £189,330. Therefore, in line with regulation 32 (2)(c) of the Public Contracts Regulations 2015, which states “contracting authorities may award public contracts by a negotiated procedure without prior publication...insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with”, this requirement is being sought under reasons of extreme urgency given that any delay in conducting a competitive procedure will delay the completion of the Joint Fire and Police Headquarters.’

### INFORMATION IN SUPPORT OF DECISION: (eg report or business case)

Various reports and evaluations were conducted following review of received quotations. On Tuesday 25.5.21 a Consultant Quantity Surveyor produced a cost assessment in respect of the quotes received. In his report it is confirmed that the Freeman Energy quote is the most cost effective and he has also undertaken market testing that confirms that the price is consistent with other suppliers.

### FINANCIAL INFORMATION

Total contract value including the goods, 1 year support and delivery is £206,800.00 ex VAT.

Laura Farnsworth confirmed via email regarding amounts

Signature:  
Chief Finance Officer



Date:

24<sup>th</sup> June 2021

Is any of the supporting information classified as non-public or confidential information? \*\*

Yes

No

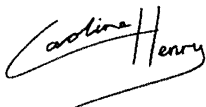
If yes, please state under which category from the guidance \*\*

### DECISION:

The decision is to award the works for the JHQ Generator to Freeman Energy

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| <b>LEGAL SERVICES OPINION:</b>   |                            |
| <p>The negotiated procedure without a notice pursuant to regulation 32(2)(c) of the Public Contract Regulations 2015 (PCR 2015) is being used due to extreme urgency as the event is not attributable to the contracting authority. The urgent requirement for a new 1275 KVA generator is to replace the existing 800 KVA generator to ensure that the operational requirements of both Nottinghamshire Police and Nottinghamshire Fire and Rescue Service can continue to be met and to achieve the practical completion date for the new Joint HQ. Nottinghamshire Police relied on consultants to assess and advise on the level of power needed for the new Joint HQ and it only recently came to the attention of the Chief Constable of Nottinghamshire Police and the Police and Crime Commissioner for Nottinghamshire that the current generator would not have sufficient power for the new Joint HQ and that a new higher voltage generator would be required.</p> <p>Procurement have been consulted to ensure compliance with the Chief Constable of Nottinghamshire Police and Police and Crime Commissioner for Nottinghamshire's Joint Code of Corporate Governance Part B Financial Regulations, and a statement of requirements and single tender approval report was submitted and approved.</p> |                            |
| <b>Signature:</b>  | S K Sangha                 |
| <b>Date:</b>   | 24 <sup>th</sup> June 2021 |

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| <b>DECLARATION:</b>  |   |
| <p>I confirm that I do not have any disclosable pecuniary interests in this decision and I take the decision in compliance with the Code of Conduct for the Nottinghamshire Office of the Police and Crime Commissioner. Any interests are indicated below:</p> <p>The above request has my approval</p> |   |
| <b>Signature:</b><br>Nottinghamshire Police & Crime Commissioner   |  |
| <b>Date:</b>   | 24/06/21  |