



**Executive
19 September 2012**

Report from the Chief Executive

Ward Affected:
All

**Brent Civic Centre - Authority to Award Contracts for
Furniture, Furnishings & Equipment**

Appendix 3 of this report is not for publication

1.0 Summary

1.1 This report requests authority to award contracts as required by Contracts Standing Order 88. This report summarises the procurement process undertaken by the Council to procure the Furniture, Furnishings & Equipment (FFE) for the new Civic Centre and recommends to whom contracts should be awarded.

2.0 Recommendations

2.1 That the Executive awards the Furniture, Furnishings & Equipment contracts to the organisations named in Appendix 2 for the following Lots:

Lot 1: Workstation Desks, Storage and Lockers

Lot 2: Loose Furniture for Administration Areas

Lot 3: Loose Furniture for Public and Democratic Areas

Lot 4: Specialist Furniture for Conference Rooms and Civic Hall

Lot 5: Workstation Chairs

2.2 That the Assistant Director Major Projects & Civic Centre with the Director of Legal and Procurement be authorised to finalise the terms of appointment.

3.0 Background

- 3.1 On 23 April 2012 the Executive received a report from the Chief Executive requesting authority to procure the Furniture, Furnishings & Equipment (FFE). The Executive accordingly gave approval to procure the FFE and approved pre-tender issues as required by the Council's Contract Standing Orders 88 and 89, including the evaluation criteria.

The Tender Process and Council's Contract Standing Orders

- 3.2 The FFE has been procured using the Restricted Procedure in accordance with the EC Directive 2004/18 (the Classic Directive), the Public Contracts Regulations 2006 (the Regulations) and the Council's Contract Standing Orders and Financial Regulations.

Stage One - Pre – Qualifying Stage

- 3.3 On 27 April 2012 the contract notice was placed in the Official Journal of the European Union (OJEU) to seek initial expressions of interest. The notice specified the Council's requirement to procure a range of furniture types for the Civic Centre under 5 different Lots detailed at paragraph 2.1.

- 3.4 Tenderers were advised variant tenders would not be accepted.

- 3.5 Seventy-two organisations expressed an interest in response to the OJEU notice and they were issued with an information pack and pre-qualification questionnaire (PQQ) to complete by 12 noon on 24 May 2012. Thirty PQQs were returned in accordance with the deadline.

- 3.6 The following assessment process was followed to decide pre-qualification:

Stage 1: All applicants were initially assessed against the PASS/ FAIL criteria to filter out non-compliant tenders. These were agreed at a joint workshop with procurement adviser present.

Stage 2: Individual scoring on the relevant sections of the PQQ was undertaken by the assessment team.

Stage 3: This involved a group review of the collated scores. The final score for each prospective bidder was achieved by consensus with procurement adviser present.

Stage 4: A recommendation on the short listed prospective bidders was prepared for approval by the Civic Centre Programme Board. It had been determined that for Lot 1, the top 6 scoring providers would be invited to tender. For Lots 2-5, it was determined that the top 8 scoring providers would be invited to tender.

- 3.7 Due to a number of organisations tendering for more than 1 Lot, eleven different organisations that had scored the highest for the various Lots (in accordance with the methodology detailed at paragraph 3.6) out of the thirty organisations that had responded to the PQQ were then invited to tender.

Stage Two – Invitation to Tender

- 3.8 An ITT pack was issued to the eleven organisations to invite them to tender. The tendering instructions stated that the contracts would be awarded on the basis of the most economically advantageous tender to the Council and that in evaluating the tenders the Council would use the evaluation criteria set out in the Evaluation Matrix at Appendix 1 of this report. Overall 50% of the marks were awarded for price and 50% for quality.
- 3.9 All tenders had to be returned by 12 noon on 8 August 2012.
- 3.10 A site visit was held on 6 July 2012. Prior to this date, one of eleven organisations withdrew from the tender process.
- 3.11 Tenders from nine organisations (Appendix 2) were submitted on time, and these were opened and logged in accordance with the Council's Contract Standing Order 100.

Evaluation Process

- 3.12 Evaluation of all parts of the tender submission and presentation was carried out by a panel of officers from FM, IT, Health & Safety, Environmental Projects & Policy, Civic Centre team and external consultants. Specialist advice was provided by Turner & Townsend, BDG architecture + design, Santia (Ergonomic consultants) and Hopkins Architects to assist the panel.
- 3.13 Tenderer's produced a mock up of key items of furniture from each Lot. These mock ups were tested by the evaluation panel.
- 3.14 Tenderers gave a presentation on their proposals on 22 & 23 August. The presentations were chaired by the Director of Legal and Procurement and also attended by Director of Regeneration & Major Projects and Director of Customer & Community Engagement. Panel members were able to clarify any queries at the presentation meetings. The presentations were not scored but the information provided assisted the panel members in their final scoring. Panel members met on 23 and 30 August 2012 to verify the quality section of the evaluation.
- 3.15 The financial evaluation, which carried a maximum percentage of 50% of the available score, was carried out by Turner and Townsend, the Council's Civic Centre Project Management and Cost Consultants. A proportional price evaluation methodology was used, whereby the lowest priced tender received the maximum 50% mark.

- 3.16 All submissions received were compliant with the terms of the invitation to tender and few clarifications from tenderers were required.
- 3.17 The detailed evaluation results are set out in Appendix 3.

4.0 Financial Implications

- 4.1 As the contracts for supplies exceeds £500k, the Council's Contract Standing Orders requires the award of contracts to be referred to the Executive for approval.
- 4.2 The price and technical scores for all tenderers are set out in Appendix 3.
- 4.3 A full assessment of the financial standing of each of the tenderers was made as part of the procurement process.
- 4.4 The total cost of contracts to be awarded under this authority is £3,196,657. The value of the contracts recommended for award is within the overall Furniture, Furnishings & Equipment element of the construction budget approved by the Executive in October 2009.
- 4.5 Each tenderer was asked to provide a contract price with a performance bond. The performance bond would provide the Council with financial compensation in the event of the supplier being in breach of contract or insolvent. It is optional for the Council to procure the bond.

5.0 Legal Implications

- 5.1 The Furniture, Furnishings and Equipment contracts have been procured using the Restricted Procedure in accordance with the EC Directive 2004/18 (the Classic Directive), the Public Contracts Regulations 2006 (the Regulations) and the Council's Contract Standing Orders.
- 5.2 The estimated value of the FFE contracts together is above the threshold for supplies in the Regulations and therefore the procurement is subject to the full application of the European public procurement regime.
- 5.3 The estimated value of the contracts over their lifetime is in excess of £500,000 and the award of the contracts is consequently subject to the Council's Contracts Standing Orders in respect of High Value contracts and Financial Regulations.

- 5.4 In considering the recommendations, Members need to be satisfied on the basis of the information set out in the report that the appointment of the recommended suppliers will represent best value for the Council and will mean that the tenderers appointed have offered the most economically advantageous tender. In order to decide on the most economically advantageous tender, tenders have been evaluated in accordance with the evaluation criteria notified to tenderers in the ITT and set out at Appendix 1.
- 5.5 Following the Executive meeting, the Council must observe the Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the appointment can be made. Therefore once the Executive has determined which tenderer should be awarded the contract, all those who expressed an interest in tendering, even if not invited to tender, will be issued with written notification of the award decision. A minimum 10 calendar day standstill period will then be observed before the appointment is concluded, and additional debrief information will be provided to those requesting this in accordance with the Regulations. As soon as possible after the standstill period ends, the successful tenderer will be issued with an award letter and thereafter a contract will be formalised. We anticipate that this will be around 8 October 2012.
- 5.6 Following contract award, a contract award notice will need to be placed in the Official Journal of the European Union.

6.0 Diversity Implications

- 6.1 A comprehensive equality impact assessment (EqIA) was completed as part of the planning approval for the Civic Centre and followed by a predictive EqIA in March 2011 on the move to the Civic Centre. This later assessment reviewed in detail the impact on staff of the implementation of new working practices, change in workplace culture and change to accommodation.
- 6.2 Improving access to the council's facilities is a key principle of the Civic Centre project. This will mean that all sections of Brent's community and all staff will both be welcome and comfortable in the new building. Under the Equality Act 2010 there is a duty to make reasonable adjustments. A range of adjustable and flexible furniture, inclusive of particular needs, will ensure people can use the new facilities regardless of any disabilities.
- 6.3 Tenderers' approach to manufacture, transportation and installation processes to consider equality and diversity issues has been assessed as part of the procurement process.

7.0 Staffing / Accommodation issues

- 7.1 The development of a high quality modern building will provide vastly improved office space and working conditions for Brent staff. With the majority of services relocating to the Civic Centre, its development provides an opportunity for the more strategic deployment of staff resources together with enhanced opportunities for better interdepartmental working in support of the 'One Council' agenda.
- 7.2 Staff survey results have shown that more than 1 in 2 of our staff are less than satisfied with their physical working conditions. The Civic Centre will provide new spaces in which staff can work and with high quality, durable and suitable FFE, could improve retention of staff and work performance, especially longer-term, by improving staff morale and the associated positive traits in improved sickness levels and greater positive staff engagement.
- 7.3 Departmental Move Action Teams were consulted, as representatives of every department, on the FFE for the Civic Centre. Views raised were considered and informed the specifications that were included within the tender pack.

Background papers

- Report to Executive 23 April 2012: Civic Centre Project – Authority to Tender Contract for Furniture, Furnishings & Equipment
- Council's Invitation to Tender pack
- Equality Impact Assessment March 2011
- Equality Impact Assessment November 2009

Appendices

1. Evaluation criteria
2. Successful Tenderers

Confidential appendices

3. Qualitative & Financial scores

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