

LONDON BOROUGH OF BRENT

MEETING OF THE EXECUTIVE - 29 MARCH 2004

FROM THE DIRECTOR OF CORPORATE SERVICES

FOR ACTION

**NAME OF WARD(S)
AFFECTED: ALL**

REPORT TITLE : EXTENSION OF SHORT TERM CONTRACT WITH VECTRA GROUP LIMITED FOR ACCESS CONSULTANCY SERVICES AND AUTHORITY TO INVITE TENDERS FOR A CONTRACT ON A LONGER TERM

FP REF: Cor-03/04-61

1.0 SUMMARY

1.1 This report seeks the Executive's approval to the extension of the existing, short term contract with Vectra Group Limited (Vectra) and authority to go out to tender for a 3 plus 2 year contract for access consultancy services.

2.0 RECOMMENDATIONS

2.1 That the Executive agrees to extend the authority's short term contract with Amey Vectra Limited (now Vectra Group Limited) for access consultancy services for a further six months from 01 April 2004 until 30 September 2004 on terms as noted in paragraph **7.4** of this report.

2.2 That the Executive delegates authority to the Manager, Corporate Property to finalise the terms for the extension in consultation with the Borough Solicitor.

2.3 That the Executive approves the pre-tender considerations for the 3 plus 2 year contract and the criteria to be used to evaluate tenders as set out in paragraph **8.1** of this report.

2.4 That the Executive authorises the Manager, Corporate Property Services to invite expressions of interest for the 5 year contract for access consultancy services to commence on 01 October 2004 in accordance with the timetable as noted in paragraph **8.1** of this report and evaluate them in accordance with the approved evaluation criteria referred to in **2.3** above.

2.5 That the Executive notes the reasons why the proposed re-tendering exercise did not take place as intended during 2003.

3.0 FINANCIAL IMPLICATIONS

- 3.1** The existing short term contract with Vectra expires on 31 March 2004. The value of this contract – over the last 6 months – is estimated to have been £ 75,000 in fees to Vectra.
- 3.2** Because of the programme to make the authority's buildings accessible in terms of the Disability Discrimination Act 1995 (the DDA) by 01 October 2004, the date on which the last parts of the DDA come into force, a larger than usual workload has and will be placed with Vectra over the coming months. Thus the value of the contract between 01 April 2004 and 30 September 2004 will be more than the previous six months and is estimated to be £ 110,000 in fee income to Vectra.
- 3.3** The workload given to the access consultant will reduce once the DDA programme has been concluded. However, there will still be a need for access consultancy services and professional advice in this specialist area from October 2004 onwards: future planning applications will need to be assessed for compliance with access standards and good practice: refurbishment and new build projects will need vetting for access compliance: the programme to improve access standards to Brent's schools will continue: general advice will still be required. The value of a 5 year contract from October 2004 is estimated to be £ 600,000 (six hundred thousand pounds).
- 3.4** The cost of the extension of the contract until October 2004 will be funded from existing resources. The access consultant's fees for specific projects, such as DDA works, will be included in capital monies allocated for such projects. It is anticipated the cost of the 3 + 2 year contract will be funded from resources already identified and, similarly, from capital allocated for future capital projects.

4.0 STAFFING IMPLICATIONS

- 4.1** There are no staffing implications to the proposed extension to the contract.
- 4.2** For the 3 + 2 year contract, there is a slight possibility that TUPE could apply in the event the contract was awarded to a consultant other than Vectra. This situation will be covered in the tender documentation for this contract. However, it may be noted that there are no Council staff currently involved in the delivery of the access consultancy service and TUPE would not affect Council staff.

5.0 LEGAL IMPLICATIONS

- 5.1** The access consultancy contract is considered to be a Part B service pursuant to the EC Procurement Regulations and therefore is not subject to the full application of the Regulations.

- 5.2** Officers have delegated power to extend contracts of less than one year for up to a further six months. Officers have already extended the contract with Vectra for a period of six months and therefore the further extension recommended in this report requires the approval of Members.
- 5.3** The proposed 3 + 2 year contract is a High Value Contract for the purposes of Contract Standing Orders and accordingly the approval of the Executive is required to invite expressions of interest and to the pre tender considerations set out at paragraph **8.1**.
- 5.4** The proposed 3 + 2 year contract will be procured and tendered in accordance with the authority's Contract Standing Orders.
- 5.5** Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.

6.0 DIVERSITY IMPLICATIONS

- 6.1** Accessibility-for-all was the theme for year two of the Council's previous Equalities Action Plan. In the new Corporate Plan and the Equalities and Diversity agenda, compliance with the DDA and access issues remain key components.
- 6.2** Otherwise, there are no equality implications in the award of this contract and it is not deemed necessary to undertake an equality impact assessment in relation to this contract.

7.0 DETAIL

- 7.1** Until 31 March 2003, access consultancy formed part of the Architectural Services contract as provided by Amey plc. During the re-tendering exercise of the authority's property contracts during 2002 and 2003 it was decided to remove access consultancy from the Architects contract and leave it as a stand-alone service.
- 7.2** A short term six month contract was awarded to Amey Vectra Limited for access consultancy services from 01 April 2003, to allow time for a re-tendering of the service. This short term contract was extended by officers for a further six months until 31 March 2004 but time has caught up with officers and the full re-tendering exercise has not taken place in the interim. The reasons for this are as follows:
- pressures of work on officers assigned to projects of more immediate importance

- the existing consultants have been and are still working with officers on an intensive programme to meet the 01 October deadline for DDA compliance. Subjecting the existing arrangements to a re-tendering exercise would not help meet the compliance date
- the arrangements in place are working very well and there are no immediate pressures to make changes or upset the arrangements in place

7.3 Implementation of the contract renewal exercise during 2003 fell to one officer who had no support to deliver the exercise. This time around additional help from Human Resources Consultancy Services Team has been identified in order to meet the timetable set in paragraph **8.1**.

7.4 To cover the period between 01 April 2004 and 30 September 2004 during which the re-tendering exercise takes place it is proposed to renew the existing contract with Vectra Group Limited – the company formed out of Amey Property Consulting, a subsidiary of Amey plc. The terms of the six month extension are to be confirmed but provisionally they will be the same as for the existing contract with an inflation factor applied to the monthly retainer of £ 5,000. The percentage rates applicable for projects will remain the same as in the existing contract.

7.5 Services provided by the contractor under the existing access consultancy contract and the proposed extension and longer term contracts include the following :

- Access advice to Council Departments, Local Disability Organisations, Employers and Service Providers.
- Representing the Council on relevant national committees, including the Access Association, RADAR Access Advisory Committee (Formerly the Access Committee for England), Disabled Persons Transport Advisory Committee (DPTAC), the Employers Forum on Disability and the Disability Rights Commission.
- Selective involvement in the consultation process at national level to improve access legislation, including the Disability Discrimination Act 1995, British Standard BS8300, The Building Regulations 2000, Schedule 1, Part M.
- Monitoring of Planning and Building Control applications for access issues and advising the Council, designers and developers on interpretation of access standards.
- Arranging and conducting access training seminars (usually a maximum of two per year) for the Council's Planning and Building

Control Officers, Council Facilities Managers and Managing Consultants of other Contracts.

- Liaising with local disability organisations and supporting the local access advisory group. Providing training in reading plans and access standards to enable disabled people to participate in the consultation process.
- Comprehensive ongoing access auditing of all Council buildings, including libraries, leisure centres, community centres and cemeteries to performance indicators and best value access profile standards.
- Implementation of access improvement projects to key frontline Council buildings, such as Brent Town Hall, Willesden Green Library, Brent One-Stop-Shops, Mahatma Gandhi House, Brent House.
- Consultation on accessibility of the Council website and provision of access information formats for visitors to the Council buildings and facilities.
- Management of the Council Schools Access Initiative programme to provide access for disabled pupils, staff and visitors to schools.
- Access audits of places of further and higher education and advice to individual colleges on providing access for disabled students.
- Working with the Council's Highways, Street Care and Parks Department to improve access to the external environment for disabled people.
- Ongoing access consultation on the Wembley National Stadium, Arena and Conference Complex, Wembley Town Centre, Kilburn High Road, Welsh Harp and other borough wide initiatives.
- Liaison with the Council's Human Resources Department on Access to Employment Initiatives.
- Advising on current access legislation and good practice.
- Monitoring on DDA implementation across the Council including liaison with Council officers responsible for DDA issues.
- Attending meetings as directed in the detailed contract specification.

8.0 PROCUREMENT TIMETABLE FOR THE THREE YEAR PLUS TWO YEAR CONTRACT

8.1 In accordance with Contract Standing Orders 88 and 89, pre-tender and procurement considerations are set out below for the approval of the Executive:

Ref.	Requirement	Response																						
(i)	The nature of the service.	To provide an Access Consultancy service which will include services noted in 7.5 above.																						
(ii)	The estimated value.	£ 600,000 value over the period of the contract (3 years with an option for a 2 year extension).																						
(iii)	The contract term.	3 years with an option to extend for up to a further 2 years. Likely commencement date 01 October 2004.																						
(iv)	The tender procedure to be adopted.	A 2 stage procedure : Stage 1 – expressions of interest. Stage 2 – invitations to tender																						
(v)	The procurement timetable.	<table border="0"> <tr> <td>Indicative dates are:</td> <td><u>Year 2004</u></td> </tr> <tr> <td><input type="checkbox"/> Adverts placed</td> <td>end of March</td> </tr> <tr> <td><input type="checkbox"/> Expressions of interest returned</td> <td>30 April</td> </tr> <tr> <td><input type="checkbox"/> Shortlist drawn up to the Council's approved criteria</td> <td>14 May</td> </tr> <tr> <td><input type="checkbox"/> Invite to tender</td> <td>31 May</td> </tr> <tr> <td><input type="checkbox"/> Deadline for tender submissions</td> <td>16 July</td> </tr> <tr> <td><input type="checkbox"/> Panel evaluation - shortlisting for interview</td> <td>August</td> </tr> <tr> <td><input type="checkbox"/> Interviews and contract decision</td> <td>August</td> </tr> <tr> <td><input type="checkbox"/> Report recommending Contract award circulated internally for comment</td> <td>August-September</td> </tr> <tr> <td><input type="checkbox"/> Executive approval</td> <td>September</td> </tr> <tr> <td><input type="checkbox"/> Contract start date</td> <td>01 October</td> </tr> </table>	Indicative dates are:	<u>Year 2004</u>	<input type="checkbox"/> Adverts placed	end of March	<input type="checkbox"/> Expressions of interest returned	30 April	<input type="checkbox"/> Shortlist drawn up to the Council's approved criteria	14 May	<input type="checkbox"/> Invite to tender	31 May	<input type="checkbox"/> Deadline for tender submissions	16 July	<input type="checkbox"/> Panel evaluation - shortlisting for interview	August	<input type="checkbox"/> Interviews and contract decision	August	<input type="checkbox"/> Report recommending Contract award circulated internally for comment	August-September	<input type="checkbox"/> Executive approval	September	<input type="checkbox"/> Contract start date	01 October
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(vi)	The evaluation criteria and process.	Shortlists are to be drawn up in accordance with the Council's Contract Management and Procurement Guidelines namely the pre-qualification questionnaire and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise. The panel will evaluate the tenders against the following criteria: <ul style="list-style-type: none"> • demonstrated ability to provide the service • quality assessment • tendered prices • customer and client orientation
(vii)	Any business risks associated with entering the contract.	None specific. Financial Services and Legal Services have been consulted concerning this contract.
(viii)	The Council's Best Value duties.	The competition provided by the 2-stage tendering exercise will assist the Council in achieving best value for this service.
(ix)	Staffing implications including TUPE & pensions	See paragraph 4.2.
x)	The relevant financial, legal and other considerations	See paragraphs 3.0 and 5.0.

BACKGROUND INFORMATION

- 9.1** Report to the Executive on 31 March 2003 entitled "Appointment of Access Consultant on a Temporary Contract"
Report to the Executive on 23 June 2003 entitled "Authority to Invite Tenders for an Access Consultancy Contract"

Access and access audit files held by Corporate Property Services
DDA Programme of works in place

Anyone wishing to inspect any of the above should contact:

Corporate Property Services
Town Hall Annexe, Forty Lane, Wembley
MIDDLESEX HA9 9EZ

Attn. Marcus Perry tel: 020-8937-1330 fax: 020-8937-1390