

	Officer Key Decision
	Report to the Strategic Director of Regeneration & Environment
Authority to appoint a Design Lead Multi-Disciplinary Team for the New Council Homes Programme (NCHP)	

Wards Affected:	Barnhill, Brondesbury Park, Fryent, Harlesden, Kenton, Kensal Green, Queensbury, Preston, Sudbury, Wembley Central
Key or Non-Key Decision:	Key Decision
Part Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	Appendix 1 – Exempt
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Stacey Hislop – Project Manager Stacey.Hislop@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To gain approval to appoint a design lead multi-disciplinary team to progress planning application submissions for 18 development sites included in the New Council Homes Programme (NCHP).
- 1.2 This report requests authority to award a contract as required by Contract Standing Order 88. This report summarises the process undertaken in tendering this contract and, following tender evaluation, recommends to whom the Contract should be awarded.

2.0 Recommendation(s)

- 2.1 That the Strategic Director of Regeneration and Environment approves the appointment of Fraser Brown MacKenna Ltd as the design led multi-disciplinary team to progress planning application submissions for 18 development sites included in the New Council Homes Programme.

3.0 Detail

Background

- 3.1 The infill sites for which this contract will be awarded are part of the New Council Homes Programme. Through this programme, Brent Council aims to deliver 1000 new affordable council homes, responding to the borough's housing need.
- 3.2 The development of infill sites offers the opportunity to maximise the use of existing space for housing, whilst simultaneously improving the public realm for residents.
- 3.3 Due to the relatively small number of units proposed for each site and the resource required to undertake the procurement and evaluation process, the awarded contract will be for a single design team for all 18 sites.
- 3.4 The contract is to appoint a design lead multidisciplinary team to progress the following 18 sites from the pre-application stage through to RIBA Stage 3 (Spatial Coordination). If planning permission is successfully obtained for all 18 sites, then the Council will have the potential to deliver a further 109 new homes. Many of these homes will be 3, 4, and 5 bedroom properties in line with the housing need for larger, family sized accommodation.

Site name	Existing Use	Housing Potential
Clement Close	Green space Parking spaces One bungalow	15 new homes
Broadview Garages	Two blocks of garages	3 new homes
1 Greenhill Park	1 Greenhill Park house Double garage	13 new homes
Yates Court	Garages	3 new homes
Westcroft Court	Two blocks of maisonettes Garages	16 new homes
Newland Court	Garages	7 new homes
Moot Court	Garages	8 new homes
Fairfield Court	Green space	3 new homes
Essoldo Way	Garages Parking court Green space	9 new homes
Brentfield Road	Garages	9 new homes
Chalfont House	Car parking Green space	6 new homes
Hargood Close	Garages	2 new homes
Minterne Road	Garages	1 new home
Sutherland Court	Garages	1 new home
Townsend Lane	Garages	1 new home
Ecclestone Place	Car repair garage & end of terrace house	4 new homes
Gauntlett Court	Green space Garages	5 new homes
Eskdale Close	Car parking	3 new homes

The Tender Process

- 3.5 This contract has been procured using a mini-competition under the National Framework Partnership's Architectural Framework.
- 3.6 The National Framework is OJEU compliant, and its Architectural Services framework is available for all registered UK contracting authorities to use, including Local Authorities. The framework has 18 partner suppliers.
- 3.7 The tender was carried out in three stages:
- Expression of Interest
 - Shortlisting
 - Invitation to Tender (ITT).
- 3.8 The 18 framework partners were invited to submit an Expression of Interest, between 23 October 2020 and 6 November 2020. This allowed the Council to gauge initial interest in the project. Six suppliers responded to confirm their interest in the project.
- 3.9 Council officers evaluated the expressions of interest on the basis of previous project experience. Officers concluded that all six suppliers would be shortlisted and invited to tender.
- 3.10 An Invitation to Tender was issued to the six interested suppliers on 24 November 2020, with a closing date of 5 January 2021. At the request of several suppliers, this deadline was then extended to 12 January 2021. Three responses were received by the closing date.
- 3.11 The tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following:

Quality / Technical	Area weighting	Overall weighting
Design Approach & Vision	35%	50%
Project Resources	30%	
Consultation & Stakeholder Management	20%	
Project Plan	15%	
Social Value	Area weighting	Overall weighting
Strong Foundations	3%	10%
Every Opportunity to Succeed	4%	
A future built for everyone, an economy fit for all	3%	
Price		Overall weighting
Pricing Schedule		40%
Total		100%

- 3.12 Clarifications were requested by suppliers, and responded to by the Council, via the online tender portal.

Evaluation Process

- 3.13 The tender submission date was 12 January 2021. The tender seal on the portal was opened by Brent Procurement on 12 January 2021 and three valid tender submissions were received.
- 3.14 A panel of three officers from Brent Council's Development team carried out the tender evaluation. Brent Procurement moderated the evaluation, supported by Finance.
- 3.15 Each member of the evaluation panel read the tenders and conducted an independent evaluation of the extent to which the tender met the award criteria.
- 3.16 The evaluation panel met on 29 January 2021. Each tender submission was marked by the whole panel against the award criteria.
- 3.17 Following the evaluation, there were no clarifications raised with the bidders.
- 3.18 The evaluation scores were finalised and moderated. The final scoring was approved by the evaluation panel. A summary of evaluation scores awarded to each bidder can be found in Table 1 below. A more detailed breakdown of the full tender evaluation outcome can be found in Appendix 1 (exempt).
- 3.19 Bidder 2 was the highest scoring tender. Officers therefore recommend the award of the contract to Bidder 2, Fraser Brown MacKenna Ltd.

Criteria	Weighting	Bidder 1	Bidder 2	Bidder 3
Quality/Technical	50%	38.5%	45%	26.5%
Social Value	10%	5.4%	8%	6%
Price	40%	17.12%	33.45%	40%
Total	100%	61.02%	86.45%	72.5%
Rank		3	1	2

4.0 Financial Implications

- 4.1 The value of the works contract is £819,158.
- 4.2 The cost of this contract will be funded from the capital budget allocated to Feasibility Studies.

5.0 Legal Implications

- 5.1 This contract falls within the definition of a services contract under the Public Contract Regulations 2015 ('PCR 2015'). The value of the contract is above the current threshold for services (currently £189,330). This means the Council is required to comply with the full PCR 2015 when procuring the contract. Officers are also required to comply with Councils Contract Standing Orders (CSO).
- 5.2 However, officers have used the National Framework Partnership's Architectural to procure the consultant. PCR 2015 allows for the rules of a Framework appropriately established under it to apply exclusively to

procurements undertaken within that Framework. As required by the CSO 86(e)(ii), Procurement Services have confirmed that the Director of Legal HR, Audit and Investigations had confirmed that the use of this framework was legally permissible. As this is a mini competition under a Framework, a standstill period of 10 days is not required after the approval of the award.

- 5.3 Based on the value of the contract, it is deemed a Medium Value Contract under the CSOs. For Medium Value Contracts, the relevant Strategic Director or Operational Director can approve the award of contracts under CSO para 89 (i) to (xi) and Part 3 section 3(a) of the table in section 9.5 and further detailed in section 9.7.
- 5.4 Subject to the approval being sought here, we confirm that the approval and award of the contract will be in accordance with the Council's Standing Orders (CSO) as the process of tender and evaluation outlined in sections meets the requirements of the CSO and the rules under Framework Partnership's Architectural.
- 5.5 It is expected that the successful bidder will sign the Contract promptly from the acceptance of the award letter. The Council proposes to use the standard call off terms and conditions of the framework which was included as part of the tender documentation.

6.0 Equality Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The Lead Member for Regeneration, Property & Planning will be fully briefed on the schemes listed. Ward Members will also receive regular updates on the progress of schemes in their ward.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 There are no direct Human Resources and/or Property implications issues for Brent Council as a result of this report

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. This duty does not strictly apply to the proposed contract as it is not a services contract. Nevertheless, Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.
- 9.2 10% of the overall evaluation criteria was allocated to Social Value. The Social Value submission show a number of different social value commitments, with a monetary value of 10% of the contract value. The social value commitments

were across three elements: strong foundations, every opportunity to succeed, and a future built for everyone, an economy fit for all.

Report sign off:

ALAN LUNT

Strategic Director of Regeneration &
Environment