

	<b>Officer Key Decision</b>
	<b>Report to the Strategic Director of Community Wellbeing</b>
<b>AUTHORITY TO AWARD CONTRACT FOR EMERGENCY TEMPORARY ACCOMMODATION FOR HOMELESS HOUSEHOLDS</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	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)”
<b>No. of Appendices:</b>	Two Appendix 1: Names of Tenderers Appendix 2: Tenderer’s Scores
<b>Background Papers<sup>1</sup>:</b>	None
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## 1.0 Purpose of the Report

1.1 This report concerns the tender and award process to secure emergency temporary accommodation, to house Brent homeless households

(families and single homeless people), while enquiries into their homelessness application are made. This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

## **2.0 Recommendation(s)**

That the Strategic Director of Community Wellbeing in consultation with the Lead Member for Housing and Welfare Reform:

- 2.1 Approve the award of the contract for up to 175 units (with a minimum of 75% self-contained units with bathroom, toilet and kitchen facilities) in Brent, to use as emergency temporary accommodation for homeless households to Nicoll Studios Limited at a cost of up to £3,413,294 for a period of up to 18 months.

## **3.0 Detail**

- 3.1 Under section 188 of the Housing Act 1996 part 7, (the Act), the local authority has a statutory duty to secure suitable interim accommodation if the authority have reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, as defined by the Act.
- 3.2 This type of accommodation is emergency temporary accommodation, and is used to provide emergency housing for homeless households, while enquiries into their homelessness application are completed. Once enquiries have been completed, a decision will be made about what rehousing duties are owed, to secure more settled, suitable accommodation, to resolve their housing needs.
- 3.3 There is significant demand for emergency accommodation, and therefore the Housing Needs Service is requesting authority to enter into a contract with a provider to secure up to 175 rooms for this purpose. All the accommodation should be within the London borough of Brent, to be compliant with homelessness legislation and the associated Homelessness Code of Guidance, which states that so far as reasonably practicable, the Council should seek to accommodate homeless households in their own area. This will also minimise the disruption to service user lives and maximise our ability to support service users. This provision will also support people to self-isolate and provide additional protection for people who might be particularly vulnerable if exposed to Covid through sharing facilities.

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## **The Tender Process**

- 3.4 The new contract will be let using the terms and conditions issued with the tender.
- 3.5 Advertisements were placed on Find a Tender portal as well as a Contract Finder advert on 5<sup>th</sup> February 2021 to seek expressions of interest, which elicited 31 initial enquires. Contractors were provided with an specification and details of the tender approach and were invited to complete a selection questionnaire and Quality and Pricing responses using the Council's Electronic Tendering Facility. Three contractors subsequently completed the questionnaire.
- 3.6 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:
- Service Delivery
  - Service Delivery Repairs and Maintenance
  - Service Delivery Complaints and Management
  - Service Delivery Anti social Behaviour
  - Service delivery : equalities
  - Workforce
  - Mobilisation
  - Social Value
  - Price

### **Evaluation process**

- 3.7 The tender evaluation was carried out by a panel of officers from Housing Needs, Finance and Procurement
- 3.8 All tenders had to be submitted electronically no later than 10<sup>th</sup> March 2021. Tenders were opened on 10<sup>th</sup> March 2021 and three valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.9 The panel met on 18<sup>th</sup> March 2021 and each submission was marked by the whole panel against the award criteria
- 3.10 The panel moderated that there were two compliant tenders offering the accommodation, food and security staff required in the tender. One other tender did not offer the accommodation and food component of the specification and this was an integral major component of the specification. This tender and the pricing template submitted from Contractor C was therefore assessed as a non-compliant tender . The two remaining tenders were Contractor A for 189 rooms and Contractor B for up to 175 rooms. As stated in Section 22.9 of the Invitation to tender

Contractor A was assessed as having a fail overall due to achieving a score of 2 or less for two or more Quality/Technical or Social Value question. Therefore, it was deemed that Contractor B offer of up to 175 rooms was the only bid where pricing offer should be evaluated under Section 22.10 of the Invitation to tender.

- 3.11 The names of the tenderers are contained in Appendix 1 (exempt). The scores received by the tenderers are included in Appendix 2. It will be noted that Tenderer B was the highest scoring tenderer. Officers therefore recommend the award of the contract to Tenderer B namely Nicoll Studios Limited.
- 3.12 The provision of up to 175 rooms will be across two sites located in Willesden Junction and North Acton on the boundaries of the London borough of Brent. 137 rooms will be provided in Willesden and 38 rooms will be provided in North Acton.
- 3.13 On 30<sup>th</sup> April 2021, further clarification was sought in respect of the block booking arrangement following which the provider confirmed that the Council will have the flexibility to reduce the volume of units at any time during the contract based on need without being liable for any voids.
- 3.14 The contract will commence subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.3 below.

#### **4.0 Financial Implications**

- 4.1 The Strategic Director of Community and Wellbeing has received delegated authority from a Cabinet Decision to approve the award of a contract in relation to temporary Emergency Accommodation.
- 4.2 The estimated value of this contract is £3.4m, for accommodation provided in 2021-22 and 2022-23.
- 4.3 The supplier has passed a financial appraisal prepared by Finance.
- 4.4 It is anticipated that the cost of this contract will be funded from the existing Housing General Fund budget.

#### **5.0 Legal Implications**

- 5.1 The estimated value of this contract over its lifetime is in excess of the relevant threshold for Schedule 3 services and the award of the contract is therefore governed by the Public Contracts Regulations 2015 (the PCR). The procurement has been carried out in accordance with the PCR to include advertising on the Find a Tender portal.

- 5.2 The award of the contract is subject to the Council's own Standing Orders in respect of High Value Contracts in that Cabinet approval to award would normally be required. However, under the Cabinet decision of 12<sup>th</sup> January 2021, Cabinet delegated authority to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, to award the contract for the provision of up to 175 self-contained rooms in Brent to use as emergency temporary accommodation for homeless households for a term of 18 Months. Although there has been a departure from Cabinet's decision in respect of the number of self-contained rooms, the departure is not material and the numbers and values are less than that indicated to Cabinet and therefore the Strategic Director still has authority to award. It is therefore considered that the Strategic Director Community Wellbeing has authority to award the contract.
- 5.3 The Council intends to observe the 10 calendar day standstill period under the PCR before the contract is awarded. Therefore once the Strategic Director of Community Wellbeing's approval to award the contract has been obtained, all tenderers will be issued with written notification of the contract award decision. A minimum 10 calendar day standstill period will then be observed before the contract is concluded. This period will begin the day after all Tenderers are sent notification of the award decision and additional debrief information will be provided to unsuccessful tenderers in accordance with the PCR. As soon as the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.

## **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 Housing and Welfare Reform has been fully consulted

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 This service is currently provided by external providers and there are no implications for Council staff arising from tendering the contract

## **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. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.

9.2 Social value had a weighting of 10% of the evaluation score and in evaluating tenders, the Council requested proposals address the following initiatives:

- initiatives to engage with disengaged and underrepresented groups
- supply chain encourage increased employment and training opportunities including BAME representation within workforce
- initiatives to support organisations or individuals to encourage sustainability and environmental initiatives

9.3 The contracts will deliver the following social value benefits to Brent;

- full day employment workshops, four students in a 2 week work experience programme and one apprentice employed into Brent service.
- 2 full day employment workshops, four students in a 2 week work experience programme and one apprentice employed into Brent service
- sustainability initiatives and awareness raising including offer of staff training on environmental awareness, support to residents on sustainability including clothes upcycling initiative and 140 staff hours to clean up projects, and detailed organisation wide recycling commitment

**Related Document:**

Authority to Tender Contract for Emergency Accommodation for Homeless Households

**Report sign off:**

**Phil Porter**  
Strategic Director of Community Wellbeing