

 <b>Brent</b>	<b>Officer Key Decision</b>
	<b>Report to the Corporate Director of Resident Services</b>
<b>Authority to award contract for roundabout sponsorship, lamppost banners / your brent magazine advertising, welcome signs and the drum sponsorship</b>	

<b>Wards Affected:</b>	ALL
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Appendix 1 – Names of tenderers Appendix 2 – Evaluation Scores
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Name: Saida Ladha Job Title: Filming and Advertising Officer Email: <a href="mailto:saida.ladha@brent.gov.uk">saida.ladha@brent.gov.uk</a>  Name: Rob Mansfield Job Title: Head of Communications, Conference and Events Email: <a href="mailto:rob.mansfield@brent.gov.uk">rob.mansfield@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 This report concerns the procurement of Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship. In April 2022, the council tendered for roundabout sponsorship and lamppost banners. Market conditions and budget pressures changed during the tender period. The service area looked at other council assets and decided, with the consultation of procurement and legal, to suspend the tender and launch a new one to include new areas of income generation for Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship. This report requests authority to award contracts as required by Contract Standing

Order 88. This report summarises the process undertaken in tendering a 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 Corporate Director of Resident Services in consultation with the Leader:

- 2.1 Approves the award of the contract for Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship to CP Media Limited.

## **3.0 Detail**

- 3.1 The council requires the provision of Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship. Council officers have undertaken a procurement exercise and identified CP Media Limited as the contractor providing the most economically advantageous offer in accordance with agreed evaluation criteria and therefore recommend award of a contract for Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship (the Contract”) to this contractor.

## **The Tender Process**

- 3.2 The contract for Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship (the Contract”) will be let using London Borough of Brent’s Terms and Conditions of service contract. The contract term will be three years plus two-year extension period commencing 1<sup>st</sup> March 2023.
- 3.3 An Open Tender was issued on 11<sup>th</sup> January 2023 using the Council’s Electronic Tendering Facility to seek quotations. Contractors were provided with an outline specification and details of the quotation approach. One contractor subsequently completed the questionnaire.
- 3.4 Evaluation was carried out on the basis of the contractors’ financial viability, technical ability, price and social value on 10<sup>th</sup> February 2023.
- 3.5 The tendering instructions stated that the Contract would be awarded on the basis of the quality of service and income to the Council (price) offer and that in evaluating tenders, the Council would have regard to

the following:

- Quality/Technical 55% including health and safety procedures
- Social Value 10%
- Compliance to the Council Sponsorship and Advertising Code – Pass/Fail
- Price (minimum guaranteed income paid to the council) 35%

3.6 Tenderers were required to confirm they would supply banners at cost price for council campaigns and also provide a limited number of lamppost banners to be used annually (to cut costs and be sustainable) on the condition it would not unduly affect commercial bookings.

### **Evaluation process**

3.8 The tender evaluation was carried out by a panel of officers from Communities and Regeneration.

3.9 All tenders had to be submitted electronically no later than midday 9<sup>th</sup> February 2023. The tender opened on 11<sup>th</sup> January 2023. One valid quotation was received.

3.10 Each member of the evaluation panel read the bid responses and carried out an individual evaluation of how well they considered each of the award criteria was addressed. The panel met with the Procurement Officer on 10<sup>th</sup> February 2023 to moderate the allocated scores and agree an overall score for general quality and social value. Following this process, the price element was reviewed and scored. The pricing, social value and general quality scores were combined to give a total score.

3.11 The name of the tenderer is CP Media Limited. The scores received by the tenderer are included in Appendix 2. It will be noted that Contractor CP Media Limited met the tender requirements with a good or satisfactory score in all areas. Officers therefore recommend the award of the Contract to Contractor CP Media Limited.

3.12 The Contract will commence on 1<sup>st</sup> March 2023 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph [5.4] below]. There is no transfer period required as the tenderer is the incumbent supplier.

## **4.0 Financial Implications**

- 4.1 Part 3 of the Council's Constitution states that the Corporate Director Resident Services has delegated authority to approve the award of contracts for Roundabout Sponsorship, Lamppost Banners / Your Brent Magazine Advertising, Welcome Signs and The Drum sponsorship as it is for services/supplies valued at less than £2 million.
- 4.2 The estimated value of this contract over the whole five-year period is as shown in Appendix 2. This tender will increase income for this contract by 19%. This increased income will offset some of the inflationary pressures in the Communications budget during the contract period. However, there is still a risk associated with this contract as it does not increase annually with inflation.
- 4.3 A representative of Brent Financial Services was consulted prior to the tender specification.
- 4.4 The cost of managing this contract will be funded from the Communications Conference and Events Team who will receive the income and administer and invoice throughout the contract period.

## **5.0 Legal Implications**

- 5.1 The estimated value of the Contract over its lifetime is in excess of the Public Contracts Regulations 2015 (the "PCR 2015") threshold for Services and the award of the Contract is therefore governed by the PCR 2015. Section 3 of the report outlines how the Contract was procured in accordance with the PCR 2015.
- 5.2 As indicated in paragraph 5.1, the award of the contract is subject to the Council's Contract Standing Orders in respect of Medium Value Contracts. Chief Officers have delegated to them power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.
- 5.3 The award of the Contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. The Corporate Director, Resident Services has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.
- 5.4 The Council must observe a mandatory minimum 10 calendar day standstill period under the PCR 2015 before the Contract can be awarded. Therefore, once the Corporate Director, Resident Services has determined that the Contract should be awarded to the individual tenderer, the tenderer shall 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 the tenderer was sent notification of the award decision. The standstill period will run concurrently with the Council’s usual call-in process. Subject to there being no call-in, after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the Contract can commence.

- 5.5 TUPE and human rights matters – There are no human rights or TUPE implications arising from procuring this service. Officers have advised that the service is currently provided by external contractors so there are no implications for Council staff as a result of retendering and awarding the contract. See paragraph 8.1 below.

## **6.0 Equality Implications**

- 6.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,
- 6.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 6.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 6.5 The proposals in this report have been subject to screening and officers believe that there are no equality implications.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 A meeting with the Leader of the Council, Cllr Sheth and Head of Employment Skills and Enterprise took place on 25 January 2022 where concerns were expressed from Ealing Road Traders Association about lamppost banners. The concerns were noted, and it was agreed the tender should be an open tender process rather than using the framework to give an opportunity for local companies to bid if they could meet the criteria. It was also agreed to include in the tender short periods for festivals a limited number of lamppost banners to be used annually (to cut costs and be sustainable) on the condition it would not unduly affect commercial bookings.

The Senior Contracts Manager for Parking and Lighting was consulted about the continuing use of lamp columns – there is an approval system in place before a banner is installed, this was also stated in the tender document.

The Environmental Enforcement Manager was consulted about the continuing use of roundabouts – the main issue was to ensure the signs would be installed and maintained/repaired, especially in the case of accidents, this will continue in the new contract.

The Head of Highways Management was also consulted and had no objections to the tender.

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

- 8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the Contract.
- 8.2 There are no property / accommodation implications.

## **9.0 Public Services (Social Value) Act 2012**

- 9.1 The Council is under a 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 Social Value made up 10% of the evaluation score and the preferred tenderer will reuse or recycle advertising materials and also aims to reduce landfill throughout the supply chain. They have also set themselves an ambitious company target to be carbon neutral by 2025. Members of their marketing/business team will dedicate 20 hours per month business development time to support Brent voluntary and community organisations. In addition, they aim to increase BAME representation in their own workforce and will actively encourage their suppliers to follow this lead.

**Report sign off:**

**Peter Gadsdon**  
Corporate Director Resident Services