

	<b>Officer Key Decision</b>
	<b>Report to the Director of Housing Services</b>
	<b>Lead Cabinet Member for Housing</b>
<b>AUTHORITY TO AWARD CONTRACT FOR THE PROVISION OF TECHNICAL CONSULTANCY SERVICES</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>	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>	Appendix 1 – List of Bidders (exempt) Appendix 2 – Evaluation Grid
<b>Background Papers<sup>1</sup>:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Name: Giuseppe Coia Extension 2652 Job Title: Major Works and Refurbishments Manager Email: Giuseppe.Coia@brent.gov.uk

## 1.0 Executive Summary

1.1 This report concerns the provision of technical consultancy services which includes: technical consultancy services to provide support for the Council’s Integrated Asset Management contract and other Council contracts and upcoming frameworks. The service provision includes the surveying and scoping of required works, contract administration, principal designer services, party wall management, and preparing valuations and final accounts for planned maintenance works; fire safety works; electrical works; cost audits; and other ad-hoc projects.

This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and, following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

## **2.0 Recommendation(s)**

That the Director, Housing Services in consultation with the Cabinet Member for Housing:

- 2.1 Approves the award of contract for the provision of technical consultancy services to Arcus Consulting LLP for the duration of one (1) year with the option to extend for a period of up to one (1) further year in the sum of £769,108 (first year value only) excluding VAT.

## **3.0 Detail**

### **Contribution to Borough Plan Priorities & Strategic Context**

- 3.1 These services contribute to the Borough Plan and other strategic policies as follows:
  - 3.1.1 A Cleaner, Greener Future – the technical design will include specifications that are sustainably sourced. There will be high levels of energy efficiency in the properties that will lead to reduced fuel usage and bills for residents.
  - 3.1.2 Thriving Communities – the technical consultants have committed to providing support to the local community in terms of work experience and computer equipment.
  - 3.1.3 A Healthier Brent – the works will assist in eliminating the issues of water penetration and dampness within properties.
  - 3.1.4 Climate & Ecological Emergency Strategy – the design and resultant works will contribute to the Council achieving its climate emergency targets.
- 3.2 These priorities re-affirm the Council's ambition to continue building new Council homes with a target of 1,700 homes by 2028 and improving the quality of housing across the private sector and in the Council's own housing stock. Housing is also a key stakeholder in the delivery of Green Neighbourhoods both through the engagement with Registered Providers and investment in Council owned homes, specifically retrofitting poorly performing housing. It is acknowledged that whilst Housing is not specified in the remaining priorities set out in the borough plan, a safe, suitable, and secure place to call home is a foundation for Thriving Communities, The Best Start in Life, and a Healthier Brent.

3.3 Other strategies that are relevant to Housing, and thus the services, include.

- Black Community Action Plan
- Climate and Ecological Emergency Strategy
- Homelessness and Rough Sleeper Strategy
- Equality Strategy
- Health and Well-being Strategy
- Procurement Strategy
- Local Plan
- Inclusive Growth Strategy

3.4 Future strategies due for delivery this financial year that will also provide context are the Private Housing Strategy, Tenant and Leasehold Engagement Strategy and overarching Housing Strategy.

### **Background**

3.5 The Council requires the provision of technical consultancy services (the “Services”). Council officers have undertaken a procurement exercise and identified a contractor providing the most advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for technical consultancy services to Arcus Consulting LLP (the “Contract”).

The Services include technical consultancy services to support for the Council’s Integrated Asset Management contract and other Council contracts including the Council’s planned Framework for Housing Refurbishment Works, Contract for Responsive Repairs, Voids and Planned Maintenance, both of which are currently in the process of being tendered.. The Service provision includes the surveying and scoping of required works, contract administration, principal designer services, party wall management, and the preparation of valuations and final accounts for planned maintenance works; fire safety works; electrical; cost audits; and other ad-hoc projects.

### **The Procurement Process**

3.6 The Contract will be called off from the Fusion 21 Consultants Framework (Lot 1- Lot 1 - Programme, Project Management & Multi-Disciplinary Works) (the “Framework”), using the form of award and standard call off terms and conditions prescribed under the Framework with minor amendments.

3.7 A further competition exercise was carried out using the Framework in accordance with its rules.

3.8 In compliance with the Framework further competition guidance, the evaluation of bidders was on the basis of the evaluation criteria detailed in Appendix 2.

### **Evaluation process**

- 3.9 Evaluation of bids was carried out by a panel of officers from Housing Operations.
- 3.10 All bids had to be submitted electronically no later than 21st February 2024 by 12pm. Bids were opened on February 21st, 2024 and three (3) valid bids were received. Each member of the evaluation panel read the bids and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the bids.
- 3.11 The evaluation panel scored the responses individually against the published award criteria, the panel then met on 22nd March, 2024 and each submission was assessed by the panel in a moderation session, resulting in a single score awarded for each quality question.
- 3.12 The names of the bidders are contained in Appendix 1. The scores received by the bidders are included in Appendix 2. It will be noted that Arcus Consulting LLP was the highest scoring bidder. Officers therefore recommend the award of the Contract to Arcus Consulting LLP.
- 3.13 The Contract will commence on Monday 8<sup>th</sup> May or as soon before or thereafter subject to the Council's observation of the requirements of a voluntary standstill period noted in paragraph 6.6 below.

#### **4.0 Stakeholder and ward member consultation and engagement**

- 4.1 N/a

#### **5.0 Financial Considerations**

- 5.1 The estimated value of the Contract is £0.77m for one year and will be funded from existing budgets in the Housing Revenue Account (HRA) totalling £18m for repairs and maintenance and £26m for planned maintenance in 2024/25.

#### **6.0 Legal Considerations**

- 6.1 The 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.
- 6.2 Officers recommend the use of a framework to procure the Contract. The PCR 2015 allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full procurement process. Call offs under the framework agreement need to be carried out in accordance with the framework rules, to include using evaluation criteria specified in the framework agreement and utilising the terms and conditions set out in the framework agreement.

- 6.3 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Corporate Director or Director and provided that the Corporate Director, Law and Governance has advised that participation in the framework is legally permissible. The Corporate Director, Law and Governance Governance has confirmed that participation in the Framework is legally permissible.
- 6.4 The award of the Contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. The Director, Housing Services has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 and paragraph 9.7 of Part 3 of the Constitution.
- 6.5 The decision to award the contract will be subject to call-in as provided for in the Council's Constitution. As the procurement of the Contract is from a framework, there is no requirement for the Council to observe a 10 day standstill period under the PCR 2015 although Officers intend to observe a voluntary 10 day standstill period. Subject to no challenge preventing award, Officers will seek to implement the decision to award.
- 6.6 Part 3 of the Council's Constitution states that the Director Housing Services has delegated authority to approve the award of contracts for services valued at less than £2 million.

## **7.0 Equity, Diversity & Inclusion (EDI) Considerations**

- 7.1 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,
- 7.2 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.
- 7.3 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.

7.4 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.

## **8.0 Climate Change and Environmental Considerations**

8.1 N/A

## **9.0 Human Resources/Property Considerations (if appropriate)**

9.1 N/A

## **10.0 Communication Considerations**

10.1 N/A

**Report sign off:**

Spencer Randolph  
Director of Housing