

	Decision of Cabinet Member for Resident Support and Culture
	Report from the Corporate Director of Partnerships, Housing and Resident Services
AUTHORITY TO AWARD CONTRACT FOR A COMMUNITY WELLBEING SERVICE IN ACCORDANCE WITH PARAGRAPH 13 OF PART 3 OF THE CONSTITUTION	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully 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 – Name of Tenderers (exempt) Appendix 2 – Evaluation Grid
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Marta Portalska Job Title: Change and Improvement Project Manager Email: marta.portalska@brent.gov.uk

1.0 Executive Summary

1.1 This report concerns authority to award a contract for the delivery of a Community Wellbeing Service. 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 Cabinet Member for Resident Support and Culture, having consulted with the Leader and in accordance with paragraph 13 of Part 3 of the Constitution:

- 2.1 Approves the award of the contract for the Community Wellbeing Service to Sufra NW London for an initial 3 year period with a potential extension of yearly periods up to a maximum of 2 years with a contract value of £1,999,399.00, subject to terms being agreed between the Council and NHS Property Services Limited for the Licence to occupy the premises at the New Millennium Day Centre, 1 Robson Avenue, Roundwood, NW10 3SG.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The model of resident support detailed in this report supports the Brent Borough Plan 2023 – 2027 priorities of ‘Thriving Communities’, ‘A Healthier Brent’ and ‘Prosperity and Stability in Brent’, including a focus on achieving the desired outcome of ‘Easing the Cost-of-Living Crisis’ for our residents. This Service also closely aligns with the Health and Wellbeing Strategy 2022 – 2027 ‘Healthy Lives’ priority, and will support the new Brent Food Strategy, which is currently in development.

<https://www.brent.gov.uk/the-council-and-democracy/strategies-priorities-and-policies>

Background

- 3.2 The Council requires the provision of the Community Wellbeing Service. Council officers have undertaken a procurement exercise and identified a contractor providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for the Community Wellbeing Service (the “Contract”).

The Procurement Process

- 3.3 The Contract will be let using Council’s contract terms and conditions for a three year initial period with a potential extension of yearly periods up to a maximum of two years.
- 3.4 Advertisements were placed on the London Tenders Portal, Contracts Finder and Find a Tender Service on 4 July 2024 to seek initial expressions of interest, which elicited 72 initial enquires. Contractors were provided with an outline specification and details of the tender approach and invited to complete the published tender documents comprising of a selection questionnaire, quality questions, pricing schedule and a social value action plan using the Council’s Electronic Tendering Facility.
- 3.5 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 criteria:

Quality	Weighting	Overall weighting
Service Delivery (including Health and Safety)	20%	60%
Project Proposal to meet requirements and outcomes as stated in service specification	15%	
Stakeholder Engagement and Partnership working	15%	
Business Continuity	10%	
Social Value	Weighting	Overall weighting
Social Value	10%	10%
Price	Weighting	Overall weighting
Price	30%	30%
Total		100%

Evaluation process

- 3.6 The tender evaluation was carried out by a panel of officers from Change and Customer Insight and Public Health Services.
- 3.7 All tenders had to be submitted electronically no later than 23 August 2024 at 12 noon. 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.
- 3.8 The panel met on Friday 30th August for moderation and each submission was marked by the whole panel against the award criteria to meet a consensus score with Procurement moderating in the presence of the evaluation panel.
- 3.9 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Contractor A was the highest scoring tenderer. Officers therefore recommend the award of the Contract to Contractor A, namely Sufra NW London.
- 3.10 The Service will be delivered from the New Millennium Day Centre, 1 Robson Avenue, Roundwood, NW10 3SG and the award of the Contract is subject to the approval of the Licence to occupy. Please see section 9 for further details.
- 3.11 The Contract will commence on 1 November 2024 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 6.4 below.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Cost-of-Living Outcomes Based Review process included early stakeholder and community engagement, and co-development of prototype ideas with key stakeholders. The Lead Member and Members are regularly

updated on the actions the Council is taking to mitigate the impact of the Cost-of-Living crisis on Brent residents.

5.0 Financial Considerations

- 5.1 Paragraph 13 of Part 3 of the Council's Constitution states that the Cabinet Member of Resident Support and Culture has delegated authority to approve the award of contracts for services / supplies valued at more than £2 million but does not exceed £5 million. The estimated value of the Contract is under this threshold.
- 5.2 The cost of the Contract will be funded from from a combination of the Public Health reserve and £172k from the UKSPF funding (as the UKSPF funding is for the Community Wellbeing Service only) in year 1, and in remaining years combination of the Public Health reserve (available to a maximum of £400k per annum for 24/25, 25/26 and 26/27 only) and funding for the RSF.
- 5.3 The public health grant reserve is subject to the same grant conditions as the original grant. The development of the Community Wellbeing Service as described in this paper allows the public health grant to be pooled with RSF, UKSPF and any HSF to support the service. The new service will have a more explicit focus on health needs in the eligibility criteria and be open to individuals as well as families. Closer working between Brent Health Matters (BHM), public health and various debt, employment and immigration service offers will be progressed along with the creation of new referral routes with GP Social Prescribers and Public Health Community Support Officers and BHM leads.

6.0 Legal Considerations

- 6.1 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.
- 6.2 Individual Cabinet Members have delegated authority, in consultation with the Leader, to award High Value Contracts in accordance with paragraph 13 of Part 3 of the Constitution
- 6.3 The award of the Contract is subject to the Council's own Standing Orders in respect of High Value Contracts. The Cabinet Member for Resident Support and Culture has delegated power to award High Value Contracts in accordance with paragraph 13 of Part 3 of the Constitution.
- 6.4 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 Cabinet Member for Resident Support and Culture has determined which tenderer should be awarded the Contract, 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 2015. 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.

- 6.5 As the decision that is being sought here is a Key Decision, the decision is subject to a 5 clear day call-in period and Brent will undertake standstill period concurrently. The decision to award may not be implemented until after expiry of the call-in period provided that no call in has been made.
- 6.6 As the decision that is being sought here is a Key Decision, the decision may not be taken by the Cabinet Member unless this matter has been published on the Forward Plan. The Key Decision must be published on the Forward Plan (Paragraph 30 of the Access to information rules) and must be included on the Forward Plan not less than 28 days before the decision is to be made. (Paragraph 34 of the Access to Information Rules). Cabinet Member decisions are to be recorded and published along with the report.
- 6.7 There are no TUPE implications as the Contract is being awarded to the same Provider who is delivering the current services and there will be no Council staff impacted by this decision.

Legal property considerations

- 6.8 The Council has been granted a lease dated 10 December 1979 by The Secretary of State for Social Services of the New Millenium Centre (“the Lease”). The Lease is for a term of 99 years from 25 March 1979.
- 6.9 NHS Property Services Limited is our current landlord (“the Landlord”).
- 6.10 In accordance with the Lease, the Council will need the prior consent of the Landlord to:
- a) undertake the planned works to the property
A licence for alterations or a consent letter from the Landlord is required.
 - b) extend the permitted user clause in the Lease to allow for delivery of the services outlined in this report;
A Deed of Variation to the Lease is required.
 - c) share occupation of the Property with the contractor
The contractor will not have exclusive possession of the property or any part of the property therefore a Licence to Occupy, rather than an underlease, will be granted to them, subject to the Landlord’s prior consent.

- 6.11 Under Part 3, paragraph 11 of the Constitution, the Corporate Director, Finance and Resources or the Director of Property and Assets may acquire or dispose of an interest in land or buildings. The restrictions placed upon such acquisitions or disposals are set out in Part 3 paragraphs 11.2, 11.3 and 11.6 of the Constitution.
- 6.12 The Corporate Director, Finance and Resources may acquire or dispose of leases, licences, and easements in respect of land or buildings except where:
- i) the annual rental value (excluding other outgoings) exceeds £250k
 - ii) if acquired or disposed of at a premium the value would, in his or her view, exceed £1m in value or
 - iii) where the leasehold term exceeds 125 years.
- 6.13 The Corporate Director, Finance and Resource should be advised of any disposal or acquisition undertaken by this delegated authority within three months of any transaction.
- 6.14 The Corporate Director, Finance and Resources may not sell or grant any lease or easement, licence or otherwise dispose of any land or buildings unless the consideration received, as confirmed by them is the best that can reasonably be obtained, whether or not the grant, sale or disposal is covered by a general or specific consent from the relevant Secretary of State.
- 6.15 In acquiring, selling or disposing of any land or buildings or granting any lease, licence or easement in respect thereof regard shall be had to any relevant Corporate Standards on property acquisitions, management and disposals.

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.

7.5 The Community Wellbeing Service forms part of a new longer-term support model which was agreed by Brent Council's Cabinet in February 2024. An Equalities Impact Assessment was carried out for the new model, and identified positive equalities impacts associated with the expanded Community Wellbeing Service.

8.0 Climate Change and Environmental Considerations

8.1 There are none at this stage.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 This service is currently provided by an external Provider and there are no implications for Council staff arising from retendering the Contract.

9.2 The Service will be delivered from the New Millennium Day Centre, 1 Robson Avenue, Roundwood, NW10 3SG. An appropriate license arrangement will be agreed between Brent Council and the successful Provider.

9.3 A short term Licence to Occupy is to be granted to the successful bidder ancillary to the contract at a peppercorn licence fee for the purpose of the performance of the contract for the Community Well Being Service. The term of the licence will be coterminous with the contract extension. The contractor will be responsible for management and maintenance of the licensed area, including any equipment, under the terms of the licence to occupy.

9.4 The Council's Facilities Management Team will provide the upkeep and maintenance of the building to ensure functionality, safety and compliance, save for where these are provided for by the contractor under the Licence.

9.5 Proposals to provide an expanded Community Wellbeing Service from the New Millennium Day Centre took into consideration outcomes from the public consultation that ran from 6 December 2023 – 14 January 2024 which included proposals to end existing arrangements for day support at the centre in 2024. Proposals for the centre align with those in the consultation and support development of a more dynamic day support offer.

10.0 Communication Considerations

10.1 A market warming exercise was completed in May 2024. The tender followed an Open Procedure and was published on the publicly accessible London Tenders Portal. Brent Council and the successful provider will develop new materials and targeted stakeholder campaigns to effectively communicate and raise awareness of the Community Wellbeing Service.

Related Documents:

[5th February 2024, Cabinet Paper – Future of Resident Support Fund \(RSF\) and New Model of Support](#)

26/06/24 - Individual Cabinet Member Decision - Authority to Tender Contract for Community Wellbeing Service

Report sign off:

Peter Gadsdon

Corporate Director Partnerships, Housing and Resident Services