

	Decision of Cabinet Member for Regeneration, Planning & Property
	Report from the Corporate Director of Neighbourhoods & Regeneration
	Lead Cabinet Member for Regeneration, Planning & Property - Councillor Teo Benea
Authority to waive the Contract Standing Orders to procure a Contractor for the refurbishment of the Freeman Family Centre	

Wards Affected:	Roundwood
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	0
Background Papers:	0
Contact Officer(s): (Name, Title, Contact Details)	Name: Russell Burnaby Job Title: Head of Facilities Management Email: russell.burnaby@brent.gov.uk Name: Gavin Prime Job Title: FM Operations Manager Email: gavin.prime@brent.gov.uk

1.0 Executive Summary

- 1.1 This report concerns the procurement of a works contract for the refurbishment of the Freeman Family Centre as required by Contract Standing Orders 88 and 89.
- 1.2 The purpose of this report is to seek Cabinet Member approval to waive the contract standing orders (CSO) for procuring a contractor to undertake the refurbishment works at the Freeman Family Centre. The case for inviting tenders from selected contractors is set out in detail below.

2.0 Recommendation(s)

That the Cabinet Member for Regeneration, Planning & Property, having consulted with the Leader:

- 2.1 Approves an exemption pursuant to Contract Standing Order 84(a) the requirement to tender a contract for the refurbishment works at the Freeman Family Centre, in accordance with paragraph 12 of Part 3 of the Constitution for tenders to be sought from selected contractors.
- 2.2 Agree the invitation of bids from up to five experienced contractors for the reasons detailed in paragraphs 3.5 and 3.6 of the report.
- 2.3 Agree the pre-tender considerations for this contract as set out in paragraph 3.6 of the report and officers evaluating the bids referred to in 2.2 above based on the evaluation criteria set out in paragraph 3.7 of the report.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

3.1.1 The refurbishment of the Freeman Family Centre will contribute to Borough Plan priority areas as follows:

- Prosperity and Stability in Brent – through the delivery of this resource which is accessible to the community.
- Thriving Communities – The asset will be multi- tenanted on completion with the local community benefiting from the service offering.

3.2 The Freeman Family Centre was previously leased to Barnardo's with Barnardo's services running at the Centre. Three years prior to present time, there was a significant flooding event which penetrated the lower levels of the building, causing significant damage. Intrusive works were undertaken to relieve the building from water which included drilling bore holes in a large number of sporadic areas across the ground floor area. Doors, equipment, electrics and soft furnishing were all compromised.

3.3 The council has taken back custodianship of the building from Barnardo's. The building is currently unoccupied and requires significant remedial work prior to reoccupation. There is a risk of further deterioration to the building if the proposed refurbishment works are not undertaken in a timely manner.

3.4 Brent Facilities Management appointed a surveyor (OCR Surveying) to manage a water survey, flood mitigations and building refurbishment tender design.

3.5 Due to the nature and specialism of the works, the Council wants to ensure it approaches suitable contractors with relevant experience working in flood risk zones. It is proposed this is achieved by directly approaching up to five pre-

selected contractors. This will ensure the successful contractor is experienced in delivering similar works and will be able to complete the works to the required standards of the Council and Freeman Family representatives.

- 3.6 An alternative procurement route would be the open or restricted tender procedures, involving a more lengthy process, with numerous contractors expressing interest, but possibly without the required experience of working on family centric public buildings in flood risk zones and for which much valuable time would be spent filtering inappropriate contractors. This alternative was discounted due to the requirements detailed in 3.5 above.
- 3.7 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet Member of Regeneration, Planning & Property:

Ref.	Requirement	Response	
(i)	The nature of the services / supplies / works.	Refurbishment of the Freeman Family Centre	
(ii)	The estimated value.	£420,000	
(iii)	The contract term.	Three months with a 12 months defects liability period after completion of the works	
(iv)	The tender procedure to be adopted.	Pre-selected contractors (max. 5) invited to tender	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	10.02.2025
		Expressions of interest returned	17.02.2025
		Shortlist drawn up in accordance with the Council's approved criteria	17.02.2025
		Invite to tender	19.02.25 - 28.02.25
		Deadline for tender submissions	05.03.2025
		Panel evaluation and shortlist review	07.03.2025 - 12.03.2025
		Contract award decision	14.03.2025

Ref.	Requirement	Response	
		Report recommending Contract award circulated internally for comment	19.03.2025
		Director of Property & Assets approval	19.03.2025
		Contract Mobilisation	24.03.2025
		Contract start date	24.04.2025
(vi)	The evaluation criteria and process.	<p>Quality: Weighting 30%</p> <ol style="list-style-type: none"> 1. Project Programme 2. Project Resources 3. Logistics Plan, including working on a main road & flood risk area 4. Project Communications <p>Social Value: Weighting 10%</p> <p>Price: Weighting 60%</p>	
(vii)	Any business risks associated with entering the contract.	No specific business risks are considered to be associated with entering into the proposed contract.	
(viii)	The Council's Best Value duties.	By inviting up to 5 contractors, a competitive tender process can still achieve the Council's best value duties	
(ix)	Consideration of Public Services (Social Value) Act 2012	N/A	
(x)	Any staffing implications, including TUPE and pensions.	See sections 4 and 5 below.	
(xi)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.	
(xii)	Sustainability	Appropriate Sustainability Key Performance Indicators / Outcomes will be included in the contract.	
(xiii)	Key Performance Indicators / Outcomes	Appropriate Key Performance Indicators / Outcomes will be included in the contract.	

Ref.	Requirement	Response
(xiv)	London Living Wage	The Contract will require the payment of the London Living Wage
(xv)	Contract Management	The contract will be managed by officers within the Facilities Management Team

4.0 Stakeholder and ward member consultation and engagement

- 4.1 CYP colleagues, Young Brent Foundation and the Royal Philharmonic Orchestra have all been consulted in connection with the proposed refurbishment works.
- 4.2 This report has been compiled with the engagement of Cabinet Member Councillor Teo Benea.

5.0 Financial Considerations

- 5.1 The refurbishment works at the Freeman Family Centre is expected to cost £420,000.
- 5.2 Works will be funded from the capital budget allocated for the maintenance of the Council's retained estates.

6.0 Legal Considerations

- 6.1 The estimated value of the Contract falls below the threshold for Works under the Public Contracts Regulations 2015 (the "PCR 2015") and the procurement is therefore governed in part only by the PCR 2015.
- 6.2 The procurement is subject to the Council's own Standing Orders and Financial Regulations in respect of Medium Value Contracts given the procurement is valued at £420k. For Medium Value Contracts, CSO 96 provides that tenders should be sought using a Single Stage (Open) or Two stage (Restricted) tender process. Officers are seeking to invite tenders from five selected experienced contractors as opposed to undertaking a tender process in accordance with CSO 96, and agreement of the Cabinet Member in consultation with the Leader is therefore required.
- 6.3 In accordance with paragraph 13 of Part 3 of Brent's Constitution, the Leader has delegated certain functions to Cabinet Members to be exercised within their portfolio area in consultation with the Leader including agreement of waivers of Contract Standing Orders for Medium and High Value contracts and pre-tender considerations. The Cabinet Member for Regeneration, Property & Planning, having consulted with the Leader has authority to agree the recommendations set out in paragraph 2 above.

6.4 Once the tendering process is undertaken, Officers will report back to the Director Property & Assets in accordance with Contract Standing Orders, explaining the process undertaken in tendering the Contract and recommending award.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

7.1 The Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation
- (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,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

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 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.

7.4 The Equalities implications are set out in the Cabinet report from August 2020.

8.0 Climate Change and Environmental Considerations

8.1 The refurbishment work is scheduled to bring back into operation an existing asset and no changes to the asset are anticipated to be made that adversely impact from a climate change/ environmental perspective.

9.0 Human Resources/Property Considerations (if appropriate)

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

10.0 Communication Considerations

10.1 A Communication strategy for the refurbished building is anticipated to be developed in advance of completion of building works.

Report sign off:

Alice Lester

Corporate Director for Neighbourhoods & Regeneration