

	<b>Officer Key Decision</b>
	<b>Report to the Corporate Director of Partnerships, Housing and Residents Services</b>
<b>AUTHORITY TO TENDER CONTRACT FOR KILBURN LIBRARY REFURBISHMENT PROJECT</b>	

<b>Wards Affected:</b>	Queens Park and Kilburn
<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>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Thomas Cattermole Director of Resident Services <a href="mailto:Thomas.Cattermole@brent.gov.uk">Thomas.Cattermole@brent.gov.uk</a>  Amit Bhagat Head of Libraries, Culture and Heritage Services 020 8937 3545 <a href="mailto:Amit.bhagat@brent.gov.uk">Amit.bhagat@brent.gov.uk</a>

## 1.0 Executive Summary

- 1.1 This report concerns proposed internal alterations and refurbishment works to Kilburn Library. This report requests approval to invite tenders in respect of contract for internal alterations and refurbishment of Kilburn Library as required by Contract Standing Orders 88 and 89.

## 2.0 Recommendation(s)

That the Corporate Director of Partnerships, Housing and Residents Services:

- 2.1 Approves inviting tenders for contract for internal alterations and refurbishment of Kilburn Library on the basis of the pre - tender considerations set out in paragraph 3.4 of the report .
- 2.2 Approves officers evaluating the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.4 of the report.

### **3.0 Detail**

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

- 3.1 The Local Plan (CP23) states that Libraries are key cultural and community facilities, which support participation through their general use, culture and learning provision. The proposed internal alterations and refurbishment of Kilburn Library, one of the Council's vital community resources, and will contribute towards strategic priority 1 (Prosperity and Stability in Brent) of the Borough Plan, through maximising the space available for community benefit, and improving the efficiency and effectiveness of the building. It will also contribute to strategic priorities 3 (Thriving Communities) and 2 (A Cleaner, Greener Future, as a result of dedicated digital workspace areas that will be created, and heating improvement works that will form part of the project.

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

#### **Background**

- 3.2 The council requires the provision of Kilburn Library internal alterations and refurbishment. Officers have considered whether Kilburn Library internal alterations and refurbishment works can be provided by the council itself but have concluded that it is best provided by a contractor.
- 3.3 The Kilburn Library internal alterations and refurbishment works will include all works to internal areas of the ground and first floor including painting, extension of patio area and to increase the library footprint for capacity to deliver events and activities. It will also deliver new community space and garden upgraded to improve accessibility and safety to meet the needs of the local community that come to the library for various activities and those that come to the garden to food growing, health and wellbeing activities. The works will improve upgrade the library facilities and building, including the substantial but underused garden. When completed, the use of the library will be expanded and it will enable hires outside of core opening hours with a dedicated event and learning space which could also be used for community hire.
- 3.4 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations for the procurement of the contract for Kilburn Library Internal

alternations and refurbishment works (the “Contract”) have been set out below for the approval of the Corporate Director, Resident Services:

Ref.	Requirement	Response	
(i)	The nature of the services / supplies / works.	Works	
(ii)	The estimated value.	£665k	
(iii)	The contract term.	January 2025 and be completed by July 2025	
(iv)	The tender procedure to be adopted.	Restricted	
v)	The procurement timetable.		<b>Indicative dates are:</b>
		Invite to tender	14/10/2024
		Deadline for tender submissions	11/11/2024
		Panel evaluation and shortlist review	12/11/2024 – 19/11/2024
		Contract award decision	25/11/2024
		Report recommending Contract award circulated internally for comment	Dec 2024
		Corporate Director of Resident Services approval	Dec 2024
		Contract Mobilisation	Dec 2024
		Contract start date	Jan 2025
(vi)	The evaluation criteria and process.	1. At selection stage shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines by the use of a selection questionnaire to identify	

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		<p>organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.</p> <p>2. At tender evaluation stage, the panel will evaluate the tenders against the following criteria:</p> <table border="1"> <thead> <tr> <th>Technical / quality</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> </thead> <tbody> <tr> <td>Project methodology &amp; programme</td> <td>30%</td> <td rowspan="4">40%</td> </tr> <tr> <td>Project resources</td> <td>30%</td> </tr> <tr> <td>Project communication</td> <td>15%</td> </tr> <tr> <td>Similar experience</td> <td>25%</td> </tr> <tr> <td><b>Total for quality / technical</b></td> <td><b>100%</b></td> <td><b>40%</b></td> </tr> <tr> <td><b>Social Value</b></td> <td><b>100%</b></td> <td><b>10%</b></td> </tr> <tr> <td><b>Commercial (Price)</b></td> <td><b>100%</b></td> <td><b>50%</b></td> </tr> </tbody> </table>	Technical / quality	Area weighting	Overall weighting	Project methodology & programme	30%	40%	Project resources	30%	Project communication	15%	Similar experience	25%	<b>Total for quality / technical</b>	<b>100%</b>	<b>40%</b>	<b>Social Value</b>	<b>100%</b>	<b>10%</b>	<b>Commercial (Price)</b>	<b>100%</b>	<b>50%</b>
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(vii)	Any business risks associated with entering the contract.	No specific business risks are considered to be associated with entering into the proposed Contract. Financial Services and Legal Services have been consulted concerning this Contract – see sections 6 and 7 of the report.																					
(viii)	The Council's Best Value duties.	The Council has a duty under Best Value to secure cost efficient and effective services that meet the needs of the Borough's customers. This will be achieved by inviting bids and awarding the Contract based on Most Economic Advantageous Tender.																					
(ix)	Consideration of Public Services (Social Value) Act 2012	<p>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.</p> <p>See section 11 below. 10% of the evaluation is considered for Social Value.</p>																					
(x)	Any staffing implications, including TUPE and pensions.	See section 9 below.																					
(xi)	The relevant financial, legal	See Financial Considerations at Sections 5 and Legal Considerations at Section 6 below.																					

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	and other considerations.	
(xii)	Sustainability	Contractors will be required to sign and comply with the West London Climate Commitment Charter.
(xiii)	Key Performance Indicators / Outcomes	Appropriate Key Performance Indicators / Outcomes will be included in the Contract.
(xiv)	London Living Wage	The Contract will require the payment of the London Living Wage
(xv)	Contract Management	A contract manager will be appointed and appropriate contract management provisions will be included in the Contract.

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

4.1 The Cabinet Member for Resident Support & Culture is fully briefed and in support of the project. Further engagement needs to be now scheduled with the ward members. Stakeholders including Public Health, Brent Hubs and The Granville, a community and local enterprise centre have also been engaged in the process. Community sector engagement to take place once this report is approved and a temporary location has been confirmed.

#### **5.0 Financial Considerations**

5.1 The estimated value of the works contract is £665k and additional £100k for the fit out.

5.2 The total cost of the project is anticipated to be £765k. The Council has secured £231k from the ACE Libraries Improvement Fund. The remaining £534k will be funded through SCIL.

#### **6.0 Legal Considerations**

6.1 The estimated value of the proposed Contract falls below the threshold for Works under the Public Procurement 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 £665k. For Medium Value Contracts, the Corporate Director must approve the pre-tender considerations set out in paragraph 3.4 above (Standing

Order 89) and the inviting of tenders (Standing Order 88).

- 6.3 Once the tendering process is undertaken, Officers will report back to the Corporate Director 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 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 proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

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

- 8.1 The plans will improve energy efficiency at the library; sustainable practices and materials will be used in the development.

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

- 9.1 The works will be carried out by an external contractor and there are no implications for Council staff from the tendering of the contract.

9.2 The works will take place at Council premises and there will be a requirement for the contractor to minimise disruption for library users during the works. Though the premises will be closed to the public for the duration of the works, the contractor will be expected to minimise this disruption and loss of service through a commitment to deliver the project and enable the library to reopen according to an agreed timeline.

## 10.0 Communication Considerations

10.1 The customers, stakeholders, lead councillor and local councillors will be informed about the project timeline.

**Report sign off:**

**Peter Gadsdon**

Corporate Director Partnerships, Housing, and Residents Services