

	Officer Key Decision:
	Report to the Corporate Director, Residents and Housing Services (Acting)
Authority to Award Contract for Refurbishment works at Kilburn Library	

Wards Affected:	Queens Park and Brondesbury Park
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	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:	Two: Appendix 1: List of Tenderers Appendix 2: Tender Evaluation
Background Papers¹:	None
Contact Officer(s): (Name, Title, Contact Details)	Amit Bhagat, Head of Libraries, Culture and Heritage Services, Residents and Housing Services 020 8937 3545 Amit.Bhagat@brent.gov.uk Valerie Pearce Director of Residents Services (Interim) valerie.pearce@brent.gov.uk

1.0 Purpose of the Report

1.1 This report concerns the award of a contract for the internal

alterations and refurbishment of Kilburn Library. This report requests authority to award the contract as required by Contract Standing Order 88. This report summarises the process undertaken in tendering this contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

2.1 That the Corporate Director, Residents and Housing Services (Acting):

- Approves the award of the contract for Refurbishment works at Kilburn Library to Ash Special Works for the sum of £746,969.11.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

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.

3.2 Background

- 3.2.1 Kilburn Library and garden are in a poor state and further 'wear and tear' to the building will mean it will become increasingly unsafe and costly. The proposed works under the contract is for the internal alterations and refurbishment of Kilburn Library, including improvement of the general facilities and accessibility of the library, a new children's library, an extension space for hall hire facilities, a flexible space which can be used for multiple purposes i.e. study spaces, exhibitions, polling station etc and a dedicated digital area. The Scope of the works also included, flooring, partial replacement of windows, internal redecorations, fixtures and fittings and refurbishment of existing toilets and kitchen areas.
- 3.2.2 The last refurbishment undertaken at Kilburn Library took place in 2009/10. Structurally, the building is in a poor state. There are large cracks forming in the structure of the building and there is concern that debris may fall. Furnishings are mostly fixed and offer limited flexibility to develop the library offer or adapt the space for different audiences and uses.

- 3.2.3. The works will entail building an extension to the existing building and reconfiguring the layout to create a larger more flexible space. The driver for this is a need to increase engagement with residents in the South Kilburn area and to meet an increased demand and need for services, with a particular focus on digital, learning, culture and health, following the large amount of growth that is currently taking place and expected to take place. The new spaces and design would enable us to increase our programming in these areas and work more with local partners to expand our reach and library usage in the area. The refurbishment will ensure that the library building and garden are safe to use. It will alleviate some of the pressures of cyclical maintenance required to maintain its current condition. This project further strengthens the case for investment in the current site to realise the investment to improve the energy efficiency of the site through the Public Sector Decarbonisation Programme in 2022.

3.3 The Tender Process

- 3.3.1 Advertisements were placed on the London Tender Portal to seek initial expressions of interest, which elicited 62 initial enquiries. All interested contractors were provided with an outline specification and details of the tender approach. They were invited to a complete selection questionnaire using London Tender Portal and 6 contractors subsequently completed the questionnaire.
- 3.3.2 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, with evaluation criteria and weighting of 50% Price, 40% Quality and 10% social value.

Evaluation process

- 3.3.3 The tender evaluation was carried out by a panel of officers from the Library, Property and Asset team and Procurement teams.
- 3.3.4 All tenders had to be submitted electronically no later than 7 February 2025. Following that tenders were opened; 6 bidders were invited. 2 bidders submitted bids while 1 bidder was late, and 2 bidders opted out. 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.
- 3.3.5 The panel met on 17th February 2025 and each submission was marked by the whole panel against the award criteria.
- 3.3.6 The names of the tenderers are contained in Appendix 1 (exempt). The scores received by the tenderers are included in Appendix 2. It will be noted that Supplier 1 was the highest scoring tenderer. Officers

therefore recommend the award of the contract to Supplier 1, namely Ash Special Works.

- 3.3.7 It is anticipated that the contract will commence end of May/beginning of June 2025.

4.0 Financial Considerations

- 4.1 Part 3 of the Council's Constitution states that the Chief Officers have delegated authority to approve award of contracts for works valued at less than £5 million to tender.
- 4.2 The total cost of the project was initially estimated at £765k with approved funding of £534k SCIL and a £231k grant from the Arts Council England (ACE) Libraries Improvement Fund. However, due to delays in starting the project and some omissions from the original budget, an additional £249k SCIL funding was approved by Capital Programme Board on 1 May 2025.
- 4.3 The estimated value of this contract is £746,969.11 and the total project costs £1,014,500.
- 4.4 The budget includes £78,760 contingency (after approval of additional CIL funding of £249k). We have £25,000 contingency for the main contract and £15,000 for the front elevation H&S repairs. In addition to this, we also have £38,760 contingency for overall project. The works have been designed to meet the brief and the only unknowns are around opening up the front elevation as previously discussed and potential undiscoverables in the ground. We have allowed some contingency and consider this adequate based on our assumptions.
- 4.5 The Head of Libraries, Culture and Heritage Services will work in partnership with Property & Assets and the preferred contractor to ensure that the contract is managed appropriately, in that any potential post-contract variations are reviewed in collaboration with the project team and the preferred contractor is held to account.
- 4.6 The terms of the grant require the project to be completed by January 2026. Officers have assessed the conditions within the grant and are satisfied there is low risk that the conditions will be breached.

5.0 Legal Considerations

- 5.1 The contract falls within the definition of 'public works contract' under the Public Contracts Regulations 2015 ('PCR') but as the value of the contract is below the threshold for works under the PCR the award is subject to the PCR in part, and the procurement procedure set out above is consistent with the requirements of the PCR the PCR.

5.2 The award of the contract is subject to the Council's own Standing Orders and Financial Regulations in respect of Medium Value Contracts given that the Contract is valued at £746,969.11. Under Part 3 of the Constitution, at paragraph 9.5 in section 3(a) of the table therein, relevant Corporate Directors have delegated to them authority to award Medium Value Contracts, so far as the contract relates to the service area which they are responsible for. As this contract relates to area which the is responsible for, it is considered that the Corporate Director, Residents and Housing Services has delegated authority to approve the award of the contract.

5.3 The contract will be administered using the JCT Intermediate Building Contract (with Contractor's Design) 2016 with the Council's amendments including a clause to state that to ensure the developer rather than Brent is liable for overspends.

6.0 **Equity, Diversity & Inclusion (EDI) Considerations**

6.1 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.

6.2 Under the Public Sector Equality Duty, 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.

6.3 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.

6.4 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Stakeholders and Ward Members consultation and engagement

- 7.1 The Cabinet Member for Housing and Residents Services was fully briefed and is in support of the project from the outset. An engagement meeting took place with the ward members to update them the timeline of the project and will be kept posted in the future as the project progresses. Key colleagues in the property and procurement teams have also been involved in the development of the project and proposals and will continue to be involved throughout contracting and delivery. Consultation with customers took place on 20 July 2024. Further engagement with the public and community will take place after the supplier and library design team are confirmed.

8.0 Climate Change and Environmental Considerations

- 8.1 The project will improve energy efficiency at the library; sustainable practices and materials will be followed in the development - Climate & Ecological Emergency Strategy. It will strengthen the case for investment in the current site to realise the investment to improve the energy efficiency of the site through the Public Sector Decarbonisation Programme in 2022.

9.0 Human Resources/Property Implications (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.

10.0 Public Services (Social Value) Act 2012

- 10.1 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. 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.
- 10.2 A weighting of 10% is allocated for Social Value and has been included within the final tender documents, this was evaluated as part of the evaluation and scored between 0-5. The commitments are contractually required to be delivered and therefore have a monetary value against each element and will be monitored via the contract manager.

11.0 Communication Considerations

- 11.1 The Cabinet Member for Housing and Residents Services is fully briefed and in support of the project.

- **20th February** – An online meeting took place where cllrs were updated on the refurbishment of Kilburn library including plans and design/furniture of the library.
- **19th March** - Arranged a visit to Kilburn library to go through the plans in person.

11.2 Key colleagues in the property and procurement teams have also been involved in the development of the project and proposals and will continue to be involved throughout contracting and delivery.

11.3 Stakeholders including Public Health, Brent Hubs and The Granville, a community and local enterprise centre have been engaged – see attached their letter of support.

11.4 Community sector engagement took place on 20 July 2024.

Report sign off:

Thomas Cattermole

Corporate Director Resident and Housing Services