



Officer Key Decision

**Report to the Corporate Director,
Neighbourhoods and Regeneration
Lead Cabinet Member for
Regeneration, Planning & Property**

AUTHORITY TO AWARD CONTRACT FOR THE SUPPLY OF WATER SERVICES

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
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:	Appendix 1 – Names of Tenderers Appendix 2 – Evaluation Grid
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Name: Jakob Kupferberg Job Title: Energy Projects Manager Email: jakob.kupferberg@brent.gov.uk

1.0 Executive Summary

1.1 This report concerns the procurement of Water Supply Services. 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 Corporate Director of Neighbourhoods and Regeneration in consultation with the Lead Member for Regeneration, Planning & Property:

2.1 Approves the award of the contract for the Supply of Water Services to Wave Utilities Limited for a period of four (4) years in the sum of £1,328,080 ex VAT.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

- 3.1.1 This report sets out proposals to proceed with the authority to award a contract for the Supply of Water Services for the London Borough of Brent. The existing water services arrangement has expired and is no longer fit for purpose and has presented ongoing administrative and operational challenges. The proposed contract will deliver a reliable and closely monitored Water Supply Services, helping save costs, improve quality of services and increase operational efficiencies.
- 3.1.2 The project aligns with the Council's strategic priorities, including our commitment to a Cleaner, Greener Future, a Healthier Brent and Thriving Communities through a strengthened focus on improving the environmental and health credentials of key Council services with dedicated social value outcomes through the proposed contract.

Background

- 3.2 The council requires the provision of Water Supply Services. 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 Water Supply Services (the "Contract").

The Procurement Process

- 3.3 The Contract will be called off from the LASER Water Supply and Sewerage Services Framework Agreement (the "Framework"), using the form of award and standard call off terms and conditions prescribed under the Framework.
- 3.4 A further competition exercise was carried out using the Framework in accordance with its rules.
- 3.5 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

- 3.6 Evaluation of bids was carried out by a panel of officers from LASER and participating boroughs.
- 3.7 All bids had to be submitted electronically no later than 22nd of August 2025. Bids were opened on 25th of August 2025 and 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.

- 3.8 The panel met on 16th of October 2025 and each submission was marked by the whole panel against the award criteria.
- 3.9 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 Contractor A was the highest scoring bidder. Officers therefore recommend the award of the Contract to Contractor A, namely Wave Utilities Ltd.
- 3.10 The Contract will commence on 1st of May 2026 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 Part 3 of the Council's Constitution states that the Corporate Director, Jehan Weerasinghe has delegated authority to approve the award of contracts for Services valued at less than £2 million. The estimated value of the Contract is £1.4M.
- 5.2 The cost of the Contract will be funded from existing budgets within the Water budget B08084.
- 5.3 The total cost for water services under the framework is approximately £332,020 annually, which over 4 years amounts to £1,328,080. Given the cost of water services in the current arrangement amounts to roughly £372k yearly, Brent Council can be expecting an annual saving of approximately £40k.

6.0 Legal Considerations

- 6.1 Officers recommend the use of the Framework to procure the Services. This Framework was procured prior to 24 February 2025 in accordance with the Public Contracts Regulations 2015 ("PCR 2015"). As a result, the PCR 2015 will govern a call off under the Framework.
- 6.2 The estimated value of the Contract over its lifetime is in excess of the PCR 2015 threshold for Services and the award of the Contract is therefore governed by the PCR 2015.
- 6.3 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.

- 6.4 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 Director, Law has advised that participation in the framework is legally permissible. The Director, Law has confirmed that participation in the Framework is legally permissible.
- 6.5 The award of the Contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. The Corporate Director, Neighbourhoods & Regeneration has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.
- 6.6 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 a voluntary 10-day standstill period has been observed. Subject to call-in, officers will seek to implement the decision to award.
- 6.7 There is unlikely to be any Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) implications as there is currently no dedicated group of employees assigned to the contractors serving the Council, and this is unlikely to constitute a service provision change required for the TUPE regulations to be applicable.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The Public Sector Equality Duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The council also internally recognises care experience and socio-economic status as protected characteristics.
- 7.2 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.

7.3 The proposed awarding of a contract for the Supply of Water Services for the council's corporate estate is expected to have positive equality impacts, given the environmental benefits, and the dedicated social value outcomes included in the contract. Officers will monitor the social value activities undertaken by the Contractor, ensuring they are delivering in line with the agreed commitments and reporting regularly on progress. This approach will help demonstrate accountability and maximise the intended benefits for local communities.

8.0 Climate Change and Environmental Considerations

8.1 The proposal provides the best possible impact on the Council's environmental objectives and climate emergency strategy following a rigorous assessment of the bidders' climate commitments.

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 retendering the Contract.

9.2 There are unlikely to be any TUPE implications as there is currently no dedicated group of employees assigned to the contractors serving the Council, and this is unlikely to constitute a service provision change required for the TUPE regulations to be applicable.

10.0 Communication Considerations

10.1 There is no specific communication strategy or campaign required in relation to this proposal.

Related documents:

[Decision - Authority to procure Water Supply Services using a Framework Agreement \(non-key officer recordable decision\)](#)

Report sign off:

Jehan Weerasinghe
Corporate Director Neighbourhoods and Regeneration