

 Brent	Decision of Cabinet Member for Housing, Homelessness and Renters
	Report from the Corporate Director, Resident and Housing Services
AUTHORITY TO TENDER CONTRACT FOR DISABLED FACILITIES INSTALLATION AND REPAIR OF ADAPTATION WORKS IN COUNCIL RESIDENTIAL PROPERTIES 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: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Appendix 1 – Equality Impact Assessment
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Name: Triza Handa Job Title: Head of Private Housing Services, Residents and Housing Services E-Mail: Triza.Handa@brent.gov.uk

1.0 Executive Summary

- 1.1 This report concerns the installation and repair of disabled facilities adaptations in Council-owned residential properties. This report requests approval to invite tenders in respect of the adaptation works as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

That the Cabinet Member for Housing, Homelessness and Renters, having consulted with the Leader, and in accordance with paragraph 13 of Part 3 of the Constitution:

- 2.1 approves the Council's inviting of tenders for the installation and repair of adaptation works in the Council's residential properties, 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 paragraph 2.1 above on the basis of the evaluation criteria set out in paragraph 3.4 (vi) of the report.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

The proposed Framework Agreement addresses the strategic priorities and outcomes in the **Borough Plan 2023 -2027** designed to ensure safe, affordable housing for our residents with disabilities and to provide localised services in accordance with localised needs as part of Strategic Priority No.5 – A Healthier Brent.

- (a) In relation to the relevant priorities and outcomes within the Borough Plan, the following are specifically relevant:
- Strategic Priority 1; Prosperity and Stability in Brent – Desired Outcome 2: Safe, Secure and Decent Housing; The adaptation service provided by this contract directly improves the quality of housing in Brent’s own housing stock in relation to tenants.
 - Strategic Priority 1; Prosperity and Stability in Brent – Desired Outcome 3: Brent for Business; This contract supports community wealth building by encouraging selection of locally-based companies, and use of a locally-based supply chain.
 - Strategic Priority 5; A Healthier Brent– Desired Outcome 1: Tackling Health Inequalities – This contract enables a service that works with our local NHS partners to address health inequalities in housing and to deliver priorities in the Health and Wellbeing Strategy relating to reducing risk of injury in the homes of council tenants with significant disabilities and delaying need for residential care.
 - Strategic Priority 5; A Healthier Brent– Desired Outcome 1: Tackling Health Inequalities – This contract enables a service that provides disability related adaptations to Brent council tenants with care and support needs; it is integrated with the NHS, Adult Social Care, Children’s services and local GPs, through which tenants are able to access our services, which are focussed and responsive to individual clinical need.
 - Strategic Priority 5 A Healthier Brent - Desired Outcome 2: Localised Services for Local Needs - This contract enables a service that provides support to Brent residents with significant disabilities, including those with complex needs, so that they can continue to live at home

independently and so that they can continue to be cared for closer to home,

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

3.2 Background

- 3.2.1 The Council requires the provision of installation and repair of disabled facilities adaptations in Council-owned residential properties (“**works**”). Officers have considered whether the works can be provided by the Council itself but have concluded that the Works are best provided by external contractors.

Private Housing Services (“**PHS**”) designs facilitates and manages the installation and repair of disabled adaptations for disabled residents in Council properties throughout Brent.

PHS currently orders these works from one of two Contractors. These Contractors were appointed in 2021 to a Council-let Framework Agreement for the works described above. The works are allocated to one of the two contractors, usually alternately at any given time, on a planned and on an “as and when required” basis.

The Framework Agreement currently in use within the Council expires on 4 October 2026. The Framework Agreement for which permission to tender is now sought will replace that tender and will permit new orders for works to be placed within a very short period of the expiry of the current Framework Agreement.

A Framework Agreement offers flexibility in terms of Council expenditure because the Contractors are not guaranteed a set amount of work from the start of the Agreement. The Council is able to place such work as is required, when it is required.

The Contractors are also bound to charge rates that they quote when bidding for the Contract, which are market-tested and evaluated against statutory award evaluation criteria relating to the quality, social value, sustainability and price offered by Bidders. Para. 3.4 (vi) of this Report sets out the award evaluation criteria that Officers propose to use for the purposes of the Framework Agreement for which permission is sought under

Having considered other contractual models such as a Council-let services contract with one Contractor or the use of a third party-let Framework, Officers consider that a new Council-let Framework Agreement for 4 years plus a rolling annual extension of up to 2 years would be the best vehicle for the Council to enable it to let the works as flexibly, economically and efficiently as it has been able to do since 2021.

Officers have undertaken a Preliminary Market Engagement exercise in 2026 with the Council's Procurement Team, to help them understand the current nature of the Contractor market, current market rates for the work required to enable them to estimate the value of the new Framework Agreement and this exercise has also helped them gain an updated knowledge of the market generally in relation to these works. The results of the Preliminary Market Engagement have assisted Officers to design the nature of the tender process that they now propose to undertake including the tender specification, and award criteria described at para 3.4 of this Report.

3.2.2 Pre-tender Considerations

In accordance with Contract Standing Orders 88 and 89, pre-tender considerations for the procurement of the contract for disabled facilities adaptation works in Council properties (the "Contract") have been set out below for the approval of the Cabinet Member:

Ref.	Requirement	Response	
(i)	The nature of the Goods / Services / Works.	The installation and repair of disabled facilities for Council owned residential properties.	
(ii)	The estimated value.	£ 3,600.000.00 for the Framework exclusive of VAT for the four-year term of the Framework Agreement and for those rolling annual extensions of up to two years, provided for under the Contract	
(iii)	The contract term.	6 years in total (48 months +12 months +12 months)	
(iv)	The tender procedure to be adopted.	Below Threshold Tender (based on the one-stage competitive Open Tender Procedure designed flexibly in accordance with the Procurement Act 2023)	
v)	The procurement timetable.		Indicative time periods are:
		Receipt of Approval to Tender	TBC (after approval)
		Publication of Below Threshold Notice and Tender documents	Wednesday 2 nd September

Ref.	Requirement	Response	
		Deadline for the receipt of Clarifications	Thursday 17 th September 12pm (noon)
		Issue of final Clari Please detail your approach to achieving 'Right First Time' (RFT) delivery for this contract. Your response must specifically outline: The proactive quality assurance processes and tools you will use to prevent defects and rework. The Key Performance Indicators (KPIs) you use to measure RFT rates, including your target thresholds. A case study from a similar contract demonstrating how your RFT approach successfully minimized delays and cost overruns Word count: Maximum 3 Sides A4 (font size 11) fications	Tuesday 22 nd September 4pm
		Submission of Tenders	Monday 28 th September 12pm (noon)
		Individual Evaluation of PSQ Responses	Monday 12 th October
		Evaluation of Tender Responses	Tuesday 20 th October
		Moderation Meeting of Evaluation Responses for award	Tuesday 27 th October
		Report recommending Contract Key Decision to Award circulated internally	Wednesday 11 th November

Ref.	Requirement	Response	
		Key Decision for award of the Contract	Friday 20 th November
		Publish intention to award in Forward Plan	Friday 20 th November
		Voluntary standstill period and a 5 day Call In Period after the making of a Key Decision	Tuesday 1 st December
		Contract Mobilisation [if any]	Monday 1 st March 2027
		Contract start date	Thursday 1 st April 2027
		Publication of the Contract Details Notice	Within 90 days of the key Decision to award the Contract
(vi)	The evaluation criteria and process.	1. Because this is a Below Threshold procurement shortlisting is not permitted under a separate selection stage. Procurement Specific Questionnaires (PSQs) including Conditions of Participation are to be evaluated immediately before evaluation of awards. Only those qualifying Tenderers who have satisfied the Council's financial, technical capacity and technical expertise and are not debarred or excluded from bidding for public contracts are to be taken through to evaluation for award. 2. At tender evaluation stage, the panel members will individually then jointly evaluate the tenders against the following criteria. The joint evaluation stage will take the form of a moderation of the scores allocated by each panel member individually for the following award criteria: ➤ Price (weighting 50%); The contract Schedule of Rates covers a wide range of work, giving flexibility to cover a wide range of requirements. However, this criteria will be evaluated specifically in relation to the types of work contractors will predominantly be required to do. This helps ensure the council can maximise the value for money it really achieves. • Quality (weighting 30%);	

Ref.	Requirement	Response
		➤ 5% relating to a delivery statement describing how contractors propose to effectively manage the works and maintain high standards; ➤ 5% relating to Health & Safety, Safeguarding and exercising additional care and skill in relation to working in properties occupied by people with disabilities and vulnerabilities; ➤ 5% relating to resources, requiring a method statement outlining the resources available, which will enable contractors to efficiently undertake and complete required type and volume of works. ➤ 10% Working in occupied homes, describing approach to undertaking works in occupied residential properties where residents may be ➤ 5% Right First Time, detailing approach to achieving 'Right First Time' (RFT) delivery for this contract Social value (weighting 10%); Contractors are required to commit to a total social value of 10% of the total contract value. Of which 3% relates to attendance at a minimum of two annual careers fairs or similar events, within the Borough of Brent; 3% in relation to sourcing materials and building products from businesses located within the Borough of Brent; and 4% annual monetary donation to support foodbanks in the Borough of Brent. Sustainability (weighting 10%); 4% for providing an acceptable sustainability method statement in relation to reducing carbon emissions; 3% for providing an acceptable sustainability method statement in relation to the circular economy principle of waste management; 3% for providing an acceptable sustainability method statement in relation to use of the Brent local supply chain. 3. Because the Council's procurement of this Framework Agreement for works falls below the

Ref.	Requirement	Response
		current procurement threshold for works, namely £5,193,000.00: (a) the Council is not obliged legally to observe a standstill period before entry into the Contract, and (b) the Council is not obliged legally to provide feedback to unsuccessful tenderers though it may do so voluntarily if it chooses so to do.
(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.	For the reasons set out in Section 3 it is considered that Direct Award will result in the Council achieving best value. Quality and cost and the use resources with economy, efficiency, and effectiveness will be achieved as a result of this tender which includes improvement in terms of key performance standards.
(ix)	Consideration of Public Services (Social Value) Act 2012	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 and social value forms 10% of the evaluation score.
(x)	Any staffing implications, including TUPE and pensions.	There are no TUPE or pensions implications as a result of the tender of the Framework Agreement. There will be no relevant transfer of staff by way of service provision change for the purposes of TUPE.
(xi)	The relevant financial, legal and other considerations.	See Financial Considerations at Sections 6 and Legal Considerations at Section 7 below. Officers consider that risks will be significantly reduced by in-house design and closer performance management of Works through KPIs and performance reporting and monitoring and greater customer service liaison obligations on the part of Contractors

Ref.	Requirement	Response
(xii)	Sustainability	As part of their bid submissions, Bidders will be required to demonstrate that their delivery of the works is to be performed sustainably.
(xiii)	Key Performance Indicators / Outcomes	(a) Reporting: Complete and issue within five business days of the end of month, a client report to include: - Defect free handover rate: 95% of deliverables accepted by the client with zero snags or defects on the first submission. - Where projects are handed over with defects, time taken to respond to and resolve defects; within 5 working days. (b) Latent Defect Management: Latent defects to be resolved and closed within 10 working days once advised by clients (c) Customer service: No reasonable complaints concerning the supplier's service to be upheld. (d) Customer service; Overall, 75% positive feedback of responses received from residents to the Brent's customer feedback questionnaires subject to a minimum 25% response rate being achieved. (e) Lead in time: Once a project has been issued to the contractor, lead-in time to not exceed 6 weeks.
(xiv)	Policy requirements including the National Procurement Policy Statement; prompt payment; London Living Wage; modern slavery; and carbon reduction	The winning suppliers will be required, under the Framework Agreement, to provide works in accordance with all relevant policy requirements, to including those detailed in the National Procurement Policy Statement, prompt payment of creditors, to pay the London Living Wage, to comply with modern slavery legislation and to demonstrate compliance with sustainability and carbon reduction during contract delivery.
(xv)	Sharing information to allow understanding of the Council's procurement policies and decisions	The tender documentation includes an Invitation to Quote ("ITQ") which contains reference to the Council's policies and a link to the Borough Plan. The ITQ also contains a description of the tender process that the Council is following from start to finish.
(xvi)	Steps undertaken to remove or reduce barriers	Officers have considered whether any steps can be taken to remove or reduce barriers for SME participation in the procurement. It is considered that

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	for SME participation in the procurement	the procurement process recommended is appropriate for works required and upholds the principles of equal treatment, transparency, and non-discrimination.
(xvii)	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 N/A

4.1 Forward Plan Publication of Intention to Procure this Contract [Key Decision]

- 4.1.1 Under the Council's Access to Information Rules in the Council's Contract Standing Orders, Officers are obliged to publish their intention to procure this Contract, subject to internal Council approval, in the Council's Forward Plan before submitting this Report to the Lead for signature, at least 28 days after such publication. This is because the Council's expenditure on the Works will exceed £500,000.
- 4.1.2 Officers confirm that they published their intention to procure this Contract on the Council's Forward Plan in May 2026 and that therefore more than 28 days have elapsed since then.

5.0 Financial Considerations

- 5.1 The estimated value of this Contract is £3,600,000 across 6 years. There is no commitment to spend under this contract, and officers will need to manage any spend within existing budgets.
- 5.2 New adaptations under the contract will be funded by an existing capital budget for Council-owned adaptations. The budget for 2026/27 is £1,100,000. It is funded through the Major Repairs Reserve and the exact allocation varies every financial year based on the requirements of the HRA capital programme. The annual allocation is usually £800,000. Future budget allocations will need to take this contract into account.
- 5.3 This is relevant capital expenditure as installation of disabled facilities are long-term improvements to Council-owned assets.
- 5.4 The VAT on any expenditure incurred as a result of this framework is recoverable under the Council's usual VAT recovery process.

6.0 Legal Considerations

- 6.1 The estimated value of the proposed Contract falls below the threshold for Works under the Procurement Act 2023 (the “PA23”) and the procurement therefore falls within the rules for Below Threshold procurement under the PA23.
- 6.2 The procurement is also subject to the Council’s own Standing Orders and Financial Regulations in respect of Medium Value Contracts given that the procurement is valued at £3.6 Million. In accordance with paragraph 13 of Part 3 of the Council’s Constitution, the Cabinet Member for Housing having consulted with the Leader, has delegated power to approve the pre-tender considerations set out in paragraph 3.4 above (Standing Order 89) and the inviting of tenders (Standing Order 88) for Medium Value Contracts.
- 6.3 Once the tendering process is undertaken, Officers will report back to the Cabinet Member in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award, and they will seek further approval for the award of the Contract.

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 primary group affected by this procurement are residents with disabilities, who share a protected characteristic under the Equality Act 2010. The continued provision of adaptations and repair services is expected to have a positive impact by helping to remove or reduce barriers experienced by disabled residents and supporting their independence, wellbeing and access to suitable housing.
- 7.4 Older residents may also particularly benefit from the service, as they are more likely to require adaptations to support independent living. The procurement relates to the continuation and improvement of an existing service and no adverse equality impacts have been identified at this stage for other protected characteristic groups.

- 7.5 An Equality Impact Assessment is being completed and will be appended to the final report. The findings of the assessment should be taken into account by the Cabinet Member when considering the recommendations set out in this report.

8.0 Climate Change and Environmental Considerations

- 8.1 The proposals will have a positive impact on the Council's environmental objectives and climate emergency strategy: Alignment of Brent's ambitions with the London-wide ambitions set out in the London Councils' Transport and Environment Committee & London Environment Directors' Network (LEDNET) Joint Statement on Climate Change, and the London Councils' Green Recovery Plan; When evaluating tender submissions from prospective contractors, a 10% weighting is given in consideration of sustainability in relation to reducing carbon emissions, employing the circular economy principle of waste management and maximising use of the Brent local supply chain.

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.

<u>Report Sign-Off:</u> <i>Spencer Randolph</i> Director of Housing Services
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