

To: EXECUTIVE MEMBER FOR ADULT SERVICES, HEALTH AND HOUSING
28 AUGUST 2023

**Temporary Accommodation Compliance, Void and
Reactive Maintenance Contract
Executive Director: People**

1 Purpose of Report

- 1.1 The purpose of this report is to seek approval to award the Temporary Accommodation compliance, Void and Reactive Maintenance Contract to tenderer Y, as identified in the attached confidential tender evaluation report, Appendix A.

2 Recommendation(s)

- 2.1 That the Temporary Accommodation compliance, Void and Reactive Maintenance Contract due to commence on 1st September 2023 is awarded to Tenderer Y. As Tenderer Y's bid submission which was based on a combined cost and quality assessment, obtained the highest overall scores resulting in tenderer Y being the preferred supplier. Tenderer Y also demonstrated that they have the skills and experience to deliver the contract having previously working with the council.

3 Reasons for Recommendation(S)

- 3.1 In accordance with the recommendation set out in the Strategic Procurement Plan, which the Executive agreed to support at its meeting on 25 January 2022, that delegated the authority for the contract award to the Executive Member for Adult Services, Health and Housing for approval.

4 Alternative Options Considered

- 4.1 A combined contract approach with Property Services has not been successful.

5 Supporting Information

- 5.1 The existing contract for the maintenance of corporate assets, is not specific to the specialised needs of temporary accommodation which are very different from the standard property portfolio of buildings, such as Schools, Libraries and Community Centres. A specialist contractor is required who can provide a direct work force at reasonable cost and deliver a wide range of maintenance services and compliance inspections. Performance needs to be measured more closely in the areas of statutory compliance, voids works and reactive repairs. More opportunity is required to analyse the costs and types of void works in order to deliver better outcomes both financially and in speed of delivery.
- 5.2 It was therefore felt appropriate to re-procure the Temporary Housing maintenance contract in order to ensure that services are responsive; accountable; deliver excellent customer service; and ensure that the council is able to maintain the temporary accommodation stock cost effectively and efficiently.

6 Consultation and Other Considerations

Legal Advice

6.1

- a. Legal are satisfied that Public Contracts regulations 2015 have been complied with.
- b. The Regulation 69 (Abnormally Low Tender) considerations have been appropriately considered and explained. The preferred supplier has worked in a sub-contractor capacity at times during the current contract and are aware of what the work entails. In addition, it is expected that the current incumbent will have been charging a management fee for the sub-contracted elements which, when those fees are removed, would result in a lower bid compared to, for example, any bid submitted by the current incumbent which could reasonably be expected to continue to include a management fee for the sub-contracted work.
- c. A Specimen JCT Measured Term ("JCT-MT") form of contract has been flyby reviewed as it is understood this is the intended form of document to use, which Legal agree is the appropriate form.
- d. There has been no opportunity for Legal to determine `` if all Amendments/Additions and Options appropriate to this contract, that should be populated in the creation of the final JCT-MT document for signature, were included in the Tender. Legal will need to review the final JCT-MT document as part of the sealing process.
- e. Before the JCT-MT is sealed as a Deed, the Department needs to:
 1. reassure themselves that the Specification fits appropriately into the JCT-MT document dynamics, is still correct and up to date bearing in mind the estimated final lifetime contract value and the date of the previous Specification in relation to delays in the Procurement timeline.
 2. provide a light touch risk/insurance assessment confirmation and ensure the insurance levels and liability caps are appropriate for the contract, were represented correctly in the Tender and are set out in the JCT-MT document to all mirror each other (understand the insurance levels of bidders were all checked at SQ stage).
 3. TUPE is a selected option for the final JCT-MT document.

Financial Advice

- 6.2 This is within the Budget available and taking account to the inflation uplifts and development of a planned programmes will demonstrate value for money

Other Consultation Responses

- 6.3 Council Officers including Properties Services and Procurement were consulted and considerations have been incorporated into the strategic procurement plan.

Equalities Impact Assessment

- 6.4 The equality impact issues were considered as part of the tender process and an EIA screening was completed as part of the approved Strategic Procurement Plan, with no full impact required.

Strategic Risk Management Issues

6.5

Climate Change Implications

6.6 The recommendations in Section 2 above are expected to:

Reduce emissions of CO₂/Increase emissions of CO₂/Have no impact on emissions of CO₂.

The reasons the Council believes that this will reduce emissions/have no impact on emissions are/To reduce the impact of this increase, the Council will

Health & Wellbeing Considerations

6.7

Background Papers

Tender Evaluation Report – confidential

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