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Cabinet Background documents



8. Investing in our Borough (Pages 3 - 46)

Cabinet Member: Cabinet Member for Resources & Financial

Governance, Councillor Callton Young

Officer: Executive Director of Resources, Jacqueline Harris Baker

Key decision: no

JACQUELINE HARRIS BAKER Council Solicitor and Monitoring Officer London Borough of Croydon Bernard Weatherill House 8 Mint Walk, Croydon CR0 1EA Victoria Lower 020 8726 6000 x14773 020 8726 6000 victoria.lower@croydon.gov.uk www.croydon.gov.uk/meetings





For General Release

REPORT TO:	Cabinet 25 November 2020
SUBJECT:	Estate Management and Valuation Services
LEAD OFFICER:	Stephen Wingrave, Head of Asset & Estate Management
CABINET MEMBER:	Councillor Callton Young Cabinet Member for Resources and Financial Governance
WARDS:	All

CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON

The service is aligned with the Corporate Plan objectives including the following:

- Business moves here and invests, our existing Businesses grow
- Everybody has the opportunity to work and build their career
- Good, decent homes, affordable to all
- To be open and transparent and put communities at the heart of decision making
- People live long, health, happy and independent lives

Additionally, the Ambitions for Croydon 2018 also committed to:

- Working to bring empty properties back into use
- Working to ensure more businesses relocate to Croydon, and that our existing businesses grow and remain in the borough
- Deliver Council's commitment to the London Living Wage
- Deliver the Council's commitment to delivering Social Value opportunities.

The contract award will enable the Council to implement long term service provision arrangements for the provision of Estate Management and associated services.

FINANCIAL IMPACT

The Estate management and valuation services contract is for 3 years with an option to extend for a further twelve months. The existing budget for the Estate Management and Valuation services is £200k for the proposed contract term and this is likely to increase due to related services that may be required to support Capital funded projects therefore, the maximum budget will be £500k.

FORWARD PLAN KEY DECISION REFERENCE NO: N/A

1. RECOMMENDATIONS

The Leader of the Council has delegated to the Cabinet Member for Resources & Financial Governance the power to make the decisions set out in the recommendations below:

1.1 The Cabinet Member for Resources & Financial Governance in consultation with the Leader is recommended by the Contracts and Commissioning Board to approve the award of a contract for the provision of Estate Management and Valuation services for a period of 3 years, with an option to extend for further twelve months, to the bidder named in the Part B report and for value stated therein.

2. EXECUTIVE SUMMARY

- 2.1 On 19th March 2020, the Contract commissioning board endorsed the recommended Estate Management and Valuation services strategy (Ref: CCB1559/19-20), as part of the Council's Capital Investment fund for the asset valuation, acquisition and disposal of property.
- 2.2 The purpose of this report is to recommend an award to appoint the selected bidder to deliver Estate Management and Valuation related services to the Council. Exempt information is provided within the associated Part B report.
- 2.3 The proposed contract is critical to supporting the Asset Management service and in particular with valuations and income generating initiatives. An accredited chartered surveying firm is to provide a Valuation and Estate Management related professional services. This will consist of a range of residential and commercial buildings related matters including rent reviews, lease renewals, valuations, acquisition advice on the disposal of land and property, building surveying and strategic asset management on behalf of the Council.
- 2.4 The proposed contract term will be for a period of 3 years commencing from November 2020 with an option to extend for further twelve months. This will be delivered in accordance with the Council's standard terms and conditions for professional services.
- 2.5 The contents of this report details the procurement process undertaken and advises the recommendation that Bidder A (named in the part B report), be awarded the contract following the outcome of a robust procurement process; including submission and receipt of an invitation to tender pack, evaluation, moderation process to support the selection of the contractor and recommendation of award.
- 2.6 The content of this report has been endorsed by the Contracts and Commissioning Board

CCB Approval Date	CCB ref. number
CCB1624/20-21	29/10/2020

3. DETAIL

- 3.1 The Council implemented a 'Corporate Landlord Operating Model' in April 2016. The revised operating model has enabled the service to focus on continually improving asset utilisation and the efficient management of property related resources. The revised operating model means the Asset Management Team has a clear emphasis on strategic asset management tasks ensuring the Council's property estate is fit for purpose, efficient and supports the Council's core objectives and service delivery.
- 3.2 In accordance with Croydon's Corporate Plan 2018-2022 and following the pre-market engagement exercise which led to the approved RP2 How We Buy strategy report, the OJEU Open procedure was deemed the most suitable procurement route for this contract.
- 3.3 The planned commissioning outcome is the development of a single contract with a professional service Provider as a partner, for the provision of Estate Management and Valuation services. The pre-determined outcomes to be achieved from this provision of service that may be required on an ad-hoc basis are:
 - To ensure the Council is compliant with its Financial Management Arrangements and has a fit for purpose and cost effective estate.
 - To enable the Council to have an operational and investment estate that generates income, whereby the assets are well used and cost effective.
 - As a responsible Landlord and Land Holder in Croydon, to enable property and land to be available to support regeneration and growth.
- 3.4 This contract will make provision for supporting the Asset Management and Facilities Management teams to deliver day to day operational business and also complex and strategic tasks. The scope of services to be provided from this proposed contract include the following: -
 - Commercial valuation for acquisition and investment
 - Residential and redevelopment valuation advice for acquisition and investment
 - General Valuation
 - Estate Management including rent reviews, lease renewals, commercial including wayleaves, easements, service charge advice
 - Estate Management Telecom masts & Advertising
 - Building Surveying including dilapidations, claims and general advice
 - Feasibility surveys, early development and stratev.
- 3.5 In accordance with the agreed procurement strategy (CCB Ref:159970/19-20), the Council issued an OJEU Open invitation to tender exercise (Ref: 2020/S 068-162899).

Procurement process:

- 3.6 The Council received ten tender submissions which were then subject to the agreed published evaluation criteria and scoring allocation arrangements. Three bids failed to meet the minimum quality thresholds for their tenders to be considered further. The successful/unsuccessful bidders will receive feedback relating to the tender submission including where they did not meet the qualitative threshold, having scored a '1' in one or more questions. Specific details as to the qualitative benefits of the preferred Bidder's tender are contained in Part B.
- 3.7 On completion of the quality assessment, the price element of the tender submissions was conducted and evaluated with the lowest tender price scoring the highest percentage sub-weightings. For further details of the breakdown based on the total 50% Tier One weighting, reflecting the applied Tier Two and Three sub-weighting criterion, please refer to the attached Appendix A. Specific details as to the commercial bids obtained are contained in Part B.
- 3.8 The result of the respective bidder's scores for each sub-weighting criteria were then added together to give the total score. The bidders were then ranked by their total combined quality and price score with the highest ranked Bidder A scoring 70.70% as outlined below. Notably, Bidder A received the highest evaluation score for price and ranked 4th out of 7 bidders for quality, whilst achieving acceptable response demonstrating ability of meeting the Council's requirements. Also obtained a good score with added value demonstrated relating to Social Value.

Tier 1 Criteria Tier Two E		Bidder						
	Weighting	Α	В	С	D	E	F	G
Qualitative	50%	32.80%	40.40%	37.40%	27.20%	23.20%	35.80%	27.40%
Quantative (Tier One)	50%	37.90%	19.16%	15.83%	14.00%	27.27%	29.40%	19.16%
Total	100%	70.70%	59.56%	53.23%	41.20%	50.47%	65.20%	46.56%

3.9 Based on the outcome of a robust evaluation process, it is recommended for Bidder A to be awarded the contract, as its tender submission demonstrated the most economically advantageous tender.

4. CONSULTATION

- 4.1 The Council undertook a pre-market engagement with the potential providers to inform its final procurement strategy and to enable local SMEs to have the opportunity to tender, also to enhance competition.
- 4.2 The project team members were established to enable appropriate and relevant disciplines within the Council to evaluate the tender submissions and determine which tender fulfils Council's requirements, offering the most economically advantageous bid.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2020/21	2021/22	2022/23	2023/24
	£'000	£'000	£'000	£'000
Revenue Budget available	50	50	50	50
Expenditure Effect of decision from report Expenditure	15			
Remaining budget	35			

As the provision of services will be instructed as and when required by the Council, there is no obligation to commit to any spend. The existing estates budget include an allowance for professional consultancy work which would be used to cover costs incurred under this contract for general work.

The contract will also be utilised to provide valuation, rent reviews, acquisition and appraisal advice in connection with specific capital projects that have an allocated budget for professional advice such as the ETA3 project. The available budget for such projects is not known at present therefore cannot be reflected within the above table however, the capital related projects that may require Estate Management and valuation services, is likely to increase the contract expenditure.

5.2 The effect of the decision

The effect of the decision to award contract to Bidder A which will enable the Council to commission the Estate Management and Valuation related services on an ad-hoc basis (if instructed and/or successful), within the allocated budget of £50k per annum and a potential increase of £75k per annum for additional instructions deriving from Capital projects (a maximum budet total of £500k over a contract term of three years with option to extend for further twelve months).

Commitment to apply the Council's PSP agreement has also been demonstrated by the recommended Bidder. If instructed and/or successful, all fees will be paid on successful completion of service and/or transaction of sale.

5.3 **Risks**

The project of the valuation and Estate management risks:

Risk	Detail	Mitigation	RAG
Costs higher than allocated budget	Every effort was made to ascertain the market rates. The Council's requirements were tested via pre-market engagement activity.	Pre-market engagement activity has been undertaken and informed that the OJEU Open procedure offers better opportunity for competitive tender submissions to be received.	
The Council's projected demand for these services may change during the next four years.	The level of demand may significantly change during the next four years, therefore need to ensure the expectations are managed. The volume and scope of requirements are still unclear however every effort is being made to ascertain and future proof the Council's requirements.	The Council's related requirements and demand for the services has been reflected within the ITT pack which has enabled flexibility to allow for such projected change. The contract also include no guarantee of business.	
Lack of contract being in place.	This will prevent the Council from delivering business as usual services or support corporate initiatives and projects such as the valuation of land for purchase for housing development or valuations for the purchase of property for investment.	Implementation of a long term contract that will be compliance with the Public Contract Regulations 2015 and the Council's Tender and Contract Regulations.	
Service provision delays	This will impact the Council's ability to obtain prompt Estate Management and Valuation related advice to help inform its short and medium term financial strategy.	Effective contract management will ensure works are delivered within the agreed timeframe.	
Performance issues	This will impact the Council's ability to obtain quality and prompt Estate Management and Valuation related advice to help inform its short and medium term financial strategy.	Implement Key Performance Indicators and ensure that these are monitored closely each month. Progress reporting to be maintained in accordance with Council's contract management framework.	

5.4 **Options**

Following the outcome of the tender evaluations, Bidder A has demonstrated its bid offering the most economically advantageous tender. Should the Council not proceed with the award, this will impact the Council's drive to enable impartial and transparent valuations to be carried out in accordance with financial management regulations and maximize income generation. Without a formal contract in place and instructing Estate Management and valuation services on an adhoc basis, is likely to incur increased charges whereby the total spend may exceed the OJEU threshold. Therefore, subsequently place the Council at risk of breaching PCR2015.

5.5 Future savings/efficiencies

Following the outcome of tender evaluations, Bidder A offers 8.5% efficiency overall in their price offer in comparison with the second ranked Bidder F (Price score of 29.20% and total quality/price combined score of 65.20).

Approved by Felicia Wright, Head of Finance (Place and Resources)

6 LEGAL CONSIDERATIONS

6.1 There are no additional legal considerations directly arising from this report.

Approved by Sonia Likahri, Solicitor, on behalf of the Director of Law and Governance.

7 HUMAN RESOURCES IMPACT

7.1 This report does not invoke the effects of the Transfer of Undertakings (Protection of Employment) 2006 and no Human Resource impact for Council staff.

8 EQUALITIES IMPACT

- 8.1 Equality considerations were taken into account as part of the requirements defined within the final ITT document (including the Terms and Conditions of Contract), including the need to comply with CDM 2015 and Building Regulations 2018 which includes consideration for Equality Act. The Bidder is expected to pay the London Living Wage as a minimum and demonstrated commitment to deliver social value outcomes.
- 8.2 The Equality Policy 2016 20 sets out the Council's commitment to equality and its ambition to create a stronger, fairer borough where no community is held back. The policy reflects the council's statutory duties under the Equality Act 2010 and is supported by the equality objectives set out in the Opportunity and Fairness Plan 2016-2020.

- 8.3 The equality objectives for 2016-20 are aligned to and will support the delivery of the Council's business outcomes set out in its Corporate Plan particularly in relation to:
 - Growth creating growth in the local economy and ensuring that all residents in the borough are able to share the benefits
 - **Independence** taking on an enabling role to help residents to be as independent as possible
 - **Liveability** creating a welcoming, inclusive and pleasant place in which local people want to live and work and feel safe.
- 8.4 An Equality Impact Assessment has been undertaken and no further action deemed necessary.

9 ENVIRONMENTAL IMPACT

9.1 In accordance with the contract terms and where required, Bidder A will be required to comply with environmental legislations and regulations. There will also be a requirement to support the Council's vision and aims which will contribute to reducing Croydon's CO2 emissions.

10 CRIME AND DISORDER REDUCTION IMPACT

10.1 There are no immediate adverse Crime and Disorder impacts arising from this report.

11 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

11.1 Bidder 'A', has achieved the overall highest combined score of 70.70% therefore demonstrated the most economically advantageous tender whilst meeting the Council's requirements as set out within the invitation to tender pack.

12 OPTIONS CONSIDERED AND REJECTED

12.1 Other options for the proposed service provision were considered and has been reflected within the original CCB approved procurement strategy report, including the agreed recommendation to carry out the procurement exercise via the OJEU Open procedure. Further details with regards to the commissioning options explored are outlined within Section 4 (4: Options) of this report.

CONTACT OFFICER:

Name:	Stephen Wingrave
Post title:	Head of Asset & Estate Management
Telephone number:	020 8726 6000 Ext 62512

BACKGROUND PAPERS: None

APPENDICES: Appendix A



Appendix A Breakdown of Pricing Evaluation Criteria

<u>ltem</u> <u>No.</u>	<u>Service</u>	Price (excl VAT)	Tier 3 Weighting
1	Price per instruction / valuation (Valuation up to £500k)	-	100%
	Negotiation for Residential Acquisition (Tier 2 wei	ghting 5%)	
<u>Item</u> <u>No.</u>	<u>Service</u>	Price (excl VAT)	Tier 3 Weighting
1	Price per instruction / valuation (Valuation up to £500k)	-	<u>100%</u>
Acqui	sition of Freehold & Leasehold Property (including Co	mpulsory F	Purchase (
Aogun	<u>Tier 2 weighting 5%)</u>		
Item No.	<u>Tier 2 weighting 5%)</u> <u>Value Band (at conclusion)</u>	Price (excl VAT)	<u>Tier 3</u> Weightii
Item No.			
<u>Item</u> <u>No.</u>	Value Band (at conclusion)	(excl	Weighting <u>g</u>
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<u>Item</u> <u>No.</u> 1 2 3	<u>Value Band (at conclusion)</u> <u>£0 - £499,999</u> <u>£500,000 - £999,999</u>	(excl	Weighting 20%
<u>Item</u> <u>No.</u> <u>1</u> <u>2</u>	<u>£0 - £499,999</u> <u>£500,000 - £999,999</u> <u>£1,000,000 - £5,000,000</u>	(excl	Weighting 20% 20% 20%
<u>Item No.</u> <u>1</u> <u>2</u> <u>3</u> <u>4</u>	<u>£0 - £499,999</u> <u>£500,000 - £999,999</u> <u>£1,000,000 - £5,000,000</u> <u>£5,000,001 - £10,000,000</u>	(excl	Weighting 20% 20% 20% 20% 20%

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Etem	1	£0 - £999 999	VAI)	
Section Sect			-	
Lem			-	
Total Tier 2 score Total Tier 3 score			-	
Total Tier 3 score			-	
Total Tier 2 score (total tier 3 score/100*5 (tier 2)	<u>5</u>		-	<u>20%</u>
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Item Value Band (at conclusion)		Total Tier 2 score (total tier 3 score/100*5 (tier 2)		
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1	£0 - £49,999		20%
2	£50,000 - £249,999		20%
<u>3</u>	£250,000 - £499,999	<u> </u>	20%
4	£500,000 - £999,999	-	20%
<u>5</u>	£1,000,000 and over	-	20%
<u> </u>	21,000,000 and over	-	2070
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Commercial	Estate Management Services - Lease Rene tenant or landlord) (Tier 2 weighting		Council as
<u>Item</u>	Value Band (at conclusion)	Price	Tier 3
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		<u>VAT)</u>	<u>g</u>
1	£0 - £49,999		20%
2	£50,000 - £249,999		<u>20%</u>
3	£250,000 - £499,999	-	20%
4	<u>£500,000 - £999,999</u>	-	<u>20%</u>
<u>5</u>	£1,000,000 and over	_	<u>20%</u>
	Estate Management Services - Lease Renew tenant or landlord) (Tier 2 weighting	g <u>2%)</u>	
<u>Item</u> <u>No.</u>	Value Band (at conclusion)	Price (excl VAT)	<u>Tier 3</u> <u>Weightin</u> <u>g</u>
1	<u>£0 - £49,999</u>	-	20%
2	£50,000 - £249,999		20%
3	£250,000 - £499,999		20%
4	£500,000 - £999,999		20%
<u>5</u>	£1,000,000 and over		20%
_		-	
Commer	cial Estate Management Services - Lettings	G (Tier 2 weightin	ng 5%)
Item No.	Value Band (at completion)	Price (excl VAT)	Tier 3 Weightin

1	£0 - £49,999	-	<u>20%</u>
<u>2</u>	£50,000 - £249,999	=	<u>20%</u>
<u>3</u>	£250,000 - £499,999	=	<u>20%</u>
<u>4</u>	£500,000 - £999,999	=	<u>20%</u>
<u>5</u>	£1,000,000 and over	-	<u>20%</u>

General Valuation, Commercial Estate Management, Development Consultancy & Strategic Property Advice (Tier 2 weighting 10%)

ltem No.	Value Band (at completion)	Hourly Rate (excl VAT)	<u>Tier 3</u> Weightin g
1	Professionally qualified Lead Partner/Director (with at least 10 years post qualification experience)	-	<u>20%</u>
<u>2</u>	Professionally qualified Partner/Director (with at least 10 years post-qualification experience.)	-	<u>20%</u>
<u>3</u>	Professionally qualified Associate Partner/Director (with at least 5 years post-qualification experience.)	-	<u>20%</u>
<u>4</u>	Professionally qualified Senior Surveyor	=	<u>20%</u>
<u>5</u>	Graduate or Assistant Surveyor	=	<u>20%</u>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted



Cabinet 25 November 2020

Contract Award Report (Part A)

Date of meeting	25 November 2020
Ву	Becky Saunders, Category Manager – Environment, C&P
Title	Telephone Parking Contract Award
Project Sponsor	Steve Iles, Director of Public Realm
Lead Member	Councillor Muhammad Ali – Sustainable Croydon
Key Decision	N/A

1. Recommendations

The Leader of the Council has delegated to the Cabinet Member for Sustainable Croydon the power to make the decisions set out in the recommendations below:

The Cabinet Member for Sustainable Croydon, in consultation with the Cabinet Member for Resources and Financial Governance are recommended by the Contracts and Commissioning Board to approve the recommendation to award a contract for Telephone Parking to the provider and for the contract value described in the part B report, for a period of 4 years.

2. Background & strategic context

Current Position & Summary of the Background

Cashless parking is slowly becoming the preferred method of parking in the borough and standard for other boroughs. A new contract is needed to ensure business continuity and also support the case in favour of a move towards cashless only parking over the next few years as part of Croydon Council's strategic approach to parking. The Council are currently using RingGo (trading as ParkNow), under the previous contract for this service, in 2018/19 the Council spent £360,418 with RingGo.

The strategy for this project CCB1584/20-21 was approved under the emergency Covid-19 process. In July 2020 the Council via the London tenders portal conducted a mini-competition via the ESPO 509 Parking Management Framework. The ESPO framework process for the mini competition was followed.

Once in contract the Council will get better rates from the provider, as currently the service is out of contract. Parking Services will also be able to contract manage the provider to ensure they deliver a good service. The sooner the award is approved, the quicker savings can be made for the Council. Parking Services can also progress with new initiatives to increase usage and income as well benefits to customers.

The Council will pay a fixed rate for the contract and retain the income from the parking charges.

A DPIA has been carried out and approved by the Information Management Team.

3. Financial implications

Details	Internal		Period	of	External		Period	of
Details	Capital	Revenue	funding		Capital	Revenue	funding	
Cashless/Telephone		Detail in	4 Years					
parking – including		Part B of						
Service + variable		the part						
transactional costs		report						

On average under normal circumstances (pre-covid) this contract will generate over £300,000 per month parking income for the Council. Telephone parking is vital part of the on/off street parking offering we provide to customers, this service is now more important than ever as the only fully contact free way of paying for parking on street.

4. Supporting information

The tender process was carried out via the London Tenders Portal in line with the ESPO 509 Parking Management Solutions Framework. Two providers submitted a tender response. The tenders were evaluated under 60/40% quality/price. The quality and price scores for the two providers are set out below:

Supplier	Quality	Price	Total	Rank
Provider A	60%	39%	99%	1
Provider B	54%	39.55%	93.5%	2

Moderation was held on the 17th August 2020 and 2nd September 2020 with the Customer Service and Policy and Performance Manager, Infrastructure Manager, Performance Officer and Service Delivery Officer with the Category Manager for Environment and Category Officer for Environment moderating the sessions.

Provider A submitted the most economically advantageous tender and therefore are recommended for contract award.

TUPE does not apply to this contract.

Social Value was include in the tender (with a specific question), Parking Services will ensure Provider A commits to the suitable values submitted in the tender through regular contract management. Details of Social Value commitments are detailed in Part B of the report.

An initial Equality Analysis has been undertaken and a full Equality Analysis is not required as the new contract will not have any impact on protected groups.

Provider A are a Living Wage Foundation accredited employer and pay the London Living Wage.

Provider A have been contacted about the PSP and they have declined to join the scheme.

The contract will be managed by Infrastructure Manager and Performance Officer in Parking Services, with quarterly meetings with Provider A.

Options considered and rejected:

- 1. Do Nothing telephone parking makes the Council income, this is not a viable option, and there is no contract in place.
- 2. Extend the current contract this was rejected because there is no formal contract/arrangement place and leaves the Council at risk.
- 3. Direct Award this was rejected because it does not allow for competition and best value.
- 4. Award via Mini competition (recommended) this is recommended as it allows for a competition in the market and value for money for the Council.

5. Conclusion and reasons for recommendations

The recommendation for this report is to approve:

 The contract award recommendation for Cashless Parking Solutions to Provider A from the ESPO 509 Framework for 4 years.

The reasons for the recommendation are; the Council called off from a PCR 2015 compliant framework agreement which it has access to use. It was carried out in accordance with the approved procurement strategy and represents good value for money.

6. Outcome and approvals

Outcome	Date agreed				
	Service Director – Steve Iles	30/09/20			
	Legal Services – Sonia Likhari	29./09/20			
	Head of Finance – Felicia Wright	01/10/20			
CCB1625/20-21	Human Resources (if applicable)	N/A			
0001023/20-21	C&P Head of Service – Scott Funnell	17/09/20			
	Lead Member – Cllr King	06/10/20			
	ССВ	CCB1625/20-21 29 th October 2020			

7. Comments of the Council Solicitor

There are no additional legal considerations arising from this report.

Approved by Sonia Likhari on behalf of the Director of Law and Governance

8. Chief Finance Officer comments on the financial implications

See part B.

Approved by Felicia Wright, Head of Finance on behalf of the Chief Finance Officer



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted



Contracts & Commissioning Board (CCB)

Contract Award Report

Date of meeting	16 th September	
Ву	Katharyn Jones on behalf of Ed Humphreys	
Title	Inter Authority Agreement- Pan London Mortality Management	
Project Sponsor	Julia Pitt, Director of Gateway Services, Health, Wellbeing & Adults	
Lead Member	Cllr Lewis – Cabinet Member for Culture and Regeneration	
Key Decision	N/A	

1. Recommendations

The Chair of CCB is requested to:

1. Approve to enter into the Pan London Mortality Management Services Agreement with Westminster City Council and pay the contractual commitment of £692,646 to the London Borough of Camden who are holding the sink fund on behalf of all London Borough Councils, in accordance with Regulation 19.3 of the Councils Tenders and Contracts Regulations.

2. Background & strategic context

There is an urgent need to put in place arrangements to secure pan-London mortuary provision for the coming months and plan for a potential second wave of Covid 19 cases and the increase in related deaths. As we start to enter into the autumn/winter months of the year, there will be an increase on mortality services to deal with the usual seasonal death increase. As there is no way to know the number of additional Covid related deaths due to the second wave across the whole of London, the Councils for Westminster and Camden have agreed to oversee these arrangements on behalf of all London Boroughs. They have requested that all Boroughs enter into a formal commitment to recognise the shared responsibility and commitment of all to ensure the proposed temporary arrangements for future pan-London mortuary provision are sufficient in the coming months, through to March 2021.

The Council's Gold Response had agreed on 9th September 2020 to enter into the pan London agreement and agreed to pay the commitment based on the sums listed in the agreement document, in order to provide additional capacity for the London South Coroner Area (of which Croydon is the lead on behalf of Bromley, Bexley & Sutton) should the continuing 'business as usual' arrangements the Council has in place for mortuary services become overwhelmed.

During the first wave of Covid-19 pandemic the Coronial Areas capacity which is supported by CUH, the Council and Funeral Directors was stretched. However in other parts of London the capacity was overwhelmed, which led to the first attempt of a pan London solution. This was led initially by the London Excess Death Mortality Management Group: chaired by Westminster City Council and then handed onto London Resilience. The plans that were initially put in place were based on planning assumptions regarding Covid-19 excess deaths. LMMG had to react quickly to put in place contingency and London Councils had to fund, despite not being based on individual councils needs at the time.

It should be noted that during the first wave, DWP claims for the Funeral Social Fund increased its usual response rate from 2-3 weeks to up to 16 weeks, this means that bodies are remaining in cold storage for longer whilst funeral arrangements are eventually put in place. There is a continuing concern that as more persons are unemployed and especially when the 'furlough' scheme finishes, there were will be an increase to demand on the Council to provide services as its statutory duty under the Public Health Act 1984 to provide storage of bodies which could take up to 30days. The current prediction is this second wave could last up to 30 weeks, which puts pressure on the facilities in already in place.

The Council's team is closely monitoring the hospital admissions for Covid, whilst relatively low this could increase rapidly. They have also been in communication with the various funeral directors within the London South Area to ensure they are prepared for a second wave, as well as the Council has increased its capacity to provide facilities. Although Croydon has, so far, had enough capacity to manage demand without relying on the pan London service, all boroughs can be required to meet demand if other boroughs are struggling. As such, a pan London arrangement is required to ensure a sufficient number of mortuary hubs are available across London to meet demand.

These arrangements and costs will be subject to a further review in 2021 to confirm how they will be wound up or extended as needed.

All London boroughs have been asked to enter into an Inter Authority Agreement and contribute to a sinking fund in order to ensure there is enough capacity for mortality management across London in the event that there is a second wave of increased deaths due to COVID-19. The amount of the contribution has been based on population and not based on use. The cost to Croydon Council will be £692,646. The total estimated cost of temporary mortuary provision for London is £16,150,000 which includes the following:

- Commercial and contracts- including contract charges and novation costs on existing contracts
- Structures (Hubs)- cover costs relating to the re-commissioning and use of two hubs to bolster capacity at the anticipated January 2021 Wave 2 peak
- Logistics and Resources- costs to move bodies to and from the Hubs
- Supplies- costs relating to metal body trays
- IT- costs relating to licenses for power BI
- LA coronial costs- based on the cumulative local authority cost position at 13th August 2020
- Contingency

The agreement seeks to formalise and refine the arrangements that were required at the start of the pandemic to ensure preparedness if there is a second wave, and will continue until March 2021. Westminster City Council took over full management of the Pan-London Mortality Management, the agreement started 25th September 2020 and only a couple of the London local authorities are in continued discussions regarding their contributions due to outstanding issues from the first wave.

Governance arrangements from the agreement for WCC

In accordance with Clause 6 of the Pan London Agreement, Westminster City Council will be responsible and accountable to London council leaders for mortality management decision-making and expenditure. In effect, the London Councils' Leaders' Committee will act as the client and will take all steps necessary to ensure that Westminster City Council is able to fulfil its obligations under the contract and is fully reimbursed.

Westminster City Council will ensure that all London local authorities are briefed about the decision-making and finances of mortality management, so there is transparency of how decisions were made. This briefing will be undertaken through a monthly report to London local authority leaders and chief executives. The Finance Oversight Cell will ensure transparency of any expenditure in relation to the temporary mortuary provision

Expenditure will be vetted by the Finance Oversight Cell that has now been established as part of the transition management arrangements. These costs will be reported to the leaders and chief executives of all London local authorities on a monthly basis.

When the mortality management function is no longer required, any funds not used in the sinking fund (plus any interest) will be reimbursed back to London local authorities on the same basis on which payments were made into the sinking fund (Clause 8.2.2.(ii)).

If pan-London mortality management is required for a period beyond March 2021, then another upfront investment by January 2021 prior to the extension of the contract will be required for Westminster City Council to continue its stewardship of mortality management. In the event this occurs, the further funds will be requested from London authorities to be invested in London Borough of Camden's sinking fund. The sinking fund must cover the expected period of the contract

3. Financial implications

Details	Internal		Period of	External		Period of funding	
Details	Capital	Capital Revenue	funding	Capital	Revenue	i chod or fullding	
COVID-19		£692,646	September				
			2020- 31 st				
			March 2021				

2. Supporting information

Westminster City Council is acting as the central purchasing body for the relevant Councils for the provision of mortuary and mortality management services, as such the Councils Tenders and Contracts Regulations (TCR) apply. London Borough of Camden are holding the sinking fund account 'MMG London Sinking Fund' on behalf of all the London local authorities. The Agreement confirms that the Council has taken its own legal advice in relation to the Public Contracts Regulations 2015 (PCR) and its own procurement and contract regulations as well as confirming that there is no delegation of functions. The Overview report confirms that Westminster will be relying on Regulation 32(2)(c) of the PCR to run a competitive procurement without prior publication on grounds of urgency. The agreement itself confirms that the Council has taken advice on procurement – given the lack of details for the procurement(s), this can only be general advice i.e. the Cabinet Office guidance PPN 01/20 confirms authorities can rely on Regulation 32(2)(c) of the PCR 2015

The Council will be seeking to use TCR Reg.19.3 to approve entering into this agreement as an emergency. The rationale being that these mortuary services may be needed in the event of a sudden spike in deaths due to COVID-19 and that all London boroughs are required to assist and prepare immediately in light of growing daily cases. Therefore, the approval can sit with Julia Pitt and Sarah Warman in accordance with Regulation 19.3, with a report to the Cabinet Member thereafter.

The Agreement is also drafted as a deed and therefore would require sealing in any event (unless it is agreed to be entered into it as a simple agreement). The Council can seek to rely on the Regulation 19.3 to approve entering into this agreement as an emergency. The rationale being that these mortuary services may be needed in the event of a sudden spike in deaths due to COVID-19 and that all London boroughs are required to assist and prepare immediately in light of growing daily confirmed cases and the recent measures that have been put in place.

3. Conclusion and reasons for recommendations

To note the Council will enter into a Pan London Agreement with Westminster City Council and the London Borough of Camden at a cost of £692,646, in order to ensure the London South Coroner Area has the ability to call off services should the a second wave of Covid increase the requirement substantially above the area's own resource.

4. Outcome and approvals						
Outcome	Date agree	Date agreed				
Approvals of all are not necessary at	Service Director - Julia Pitt	01/10/2020				
	Legal Services - Sonia Likhari	13/10/2020				
	Head of Finance - Matthew Davis	28/09/2020				
this stage in accordance with TCR	Human Resources (if applicable)	N/A				
Reg.19.3.	C&P Head of Service – Ed Humphreys	01/10/2020				
	Lead Member Cllr Lewis	07/10/2020				
	ССВ	CCB1622/20-21 (14/10/2020)				

5. Comments of the Council Solicitor

Legal advice has been given on the form of the agreement, which has been noted.

Approved by Sonia Likhari on behalf of the Director of Law and Governance

6. Chief Finance Officer comments on the financial implications

Approved by Matthew Davis on behalf of the Chief Finance Officer

Cabinet 25 November 2020

Contract Award Report

Date of meeting	25 November 2020			
Ву	Paul Connolly, Strategic Category Manager, Commissioning & Procurement (Adults, Health and Integration)			
Title	Award of Extension - Emergency Accommodation at Lansdown Hotel			
Project Sponsor	Yvonne Murray, Director of Housing Assessment and Solutions			
Lead Member	Councillor Alison Butler (Cabinet Member for Homes & Gateway Services)			
Key Decision	n/a			

1. Recommendations

The Leader of the Council has delegated to the Cabinet Member for Homes and Gateway Services in consultation with the Cabinet Member for Finance and Resources the power to extend by way of variation in accordance with Regulation 30 of the Council's Tenders and Contracts Regulations:

1. The COVID 19 Response Emergency Accommodation contract awarded to the Lansdowne Hotel contract for an extension period of 7 months from the 31 October 2020 to the 31 May 2021 at an additional cost of £378,420 for a maximum aggregated contract value of £765,275

2. Background & strategic context

The purpose of this report is to seek an extension of the existing agreement with Lansdowne Hotel to continue providing emergency accommodation for those who are homeless with complex needs until 31 May 2021.

BACKGROUND

In an emergency response to COVID-19, the Council originally provided emergency accommodation and meals for residents suffering from COVID-19 that were homeless. This was to enable residents at risk of rough sleeping to adhere to the Government's infection control guidance and social distancing guidance. The Council secured rooms at the Lansdowne Hotel from 17 April 2020. The Council secured 42 rooms with basic facilities and due to the rooms not having appropriate cooking facilities or food storage, arranged for the provision of two meals (microwaveable food packs) each day for a minimum period of 12 weeks, at a total value of £199,430

A letter received from the Minister for Rough Sleeping & Housing on 28 May 2020, in relation to arranging move-on accommodation, stated the Council must continue to:

- 1. Explore sustainable options, including through partnership with housing associations and the private rented sector
- 2. Encourage people sleeping rough to stay with friends or family (where appropriate/possible)
- 3. Where no move-on possibility exists, the Council must provide short-term accommodation whilst looking at longer-term options

To meet part three of the guidance during the ongoing pandemic the contract was subsequently extended from 18 July to 31 October 2020 for a value of £187,425. Following the relaxation of self-isolation rules, there was no longer a requirement to provide meals, and therefore this element of the contract was not renewed. There is a bottleneck of supply of longer term temporary accommodation currently so move-on options are limited which is why this hotel is still required.

The proposed modification does not fall within the permitted modifications under PCR 2015 as the increase in value exceeds 50%. However, it is not considered that there is a significant risk of the extension being challenged and the risk of not being able to meet the Council's statutory duties by ensuring vulnerable homeless residents are accommodated during the COVID-19 pandemic is greater.

COST OF EXTENSION

To date the Lansdowne Hotel has been contracted by Croydon Council from the 17 April to 31 October 2020 for the total aggregated value of £386,855. The split of this contracts can be seen below:

1. Lansdowne Hotel Contract Details 17 April to 31 October 2020						
Term	No. of	Total cost £	Catering	Total Cost £	Combined total	
	rooms				cost £	
17/04/2020-17/07/2020	42	£151,130 (£42.50	2 meals each day	£48,300	£199,430	
(92 days)		per room)	(separate contract)			
18/07/2020- 31/10/2020	42	£187,425 (£42.50	No meal provision	n/a	£187,425	
(105 days)		per room)				
Total Aggregate spend to date £386,					£386,855	
2. Proposed Lansdowne Hotel Contract Extension Details 31 October 2020 to 31 May 2021						
Term		No. of rooms	Unit price per room	£	Total cost £	
31/10/20- 31/05/2021 (21	2 days)	42	42.50 £378,420		£378,420	

The agreement for the Lansdowne Hotel includes the management of the rooms including security and cleaning. The security is managed by the same company that currently manages the adjoining hostel accommodation. It is noted that the actual expenditure relating to this provision is likely to fluctuate, however, this will be closely monitored by both the Head of Asset Management & Estates, and Finance. A copy of the agreed terms and conditions with the Lansdowne Hotel is currently with the Head of Asset Management & Estates. The nightly rate of £42.50 is slightly above the night rate of emergency accommodation in hotels across the borough though the pandemic has seen increased costs.

THE PROVIDER

The Lansdowne Hotel is a 3-star hotel built in 2010 and remodelled in 2012. The property is situated in the centre of Croydon, in easy reach of Croydon University Hospital, which is about 1.7 km away.

RATIONALE FOR THE CONTRACT EXTENSION

Support during second peak - The recommendation is to extend the COVID-19 Response Emergency Accommodation contract to ensure the Council's continued response to the COVID-19 pandemic, in accordance with central government guidance. As stipulated the extension is recommended for a period of 7 months from the 31 October 2020 to 31 May 2021. Internal stakeholders have identified that this period would provide us additional cover over the coming winter, through a second wave in the COVID-19 pandemic as well as allow enough time for alternative options to become operational (the current intention to replace this capacity) and allow for Lansdown to be decanted.

Meeting COVID related demand – The Lansdowne hotel is made up of double rooms and are therefore can only be occupied by one adult plus one child or a single person. The occupancy levels have range between 90 – 100%. When a vacancy is identified it is quickly allocated. Over this COVID-19 period demand for nightly let accommodation has averaged 20 placements per week with the average no of households leaving accommodation at approximately 15 over the same period. We have seen an increase of 5 extra placement per week over this period, equating to 130 additional households needing accommodation.

Providing continuity for service users - Extending the current contracts for a period of 7 months will provide stability for service users whilst future commissioning intentions are finalised. The hotel has been full consistently since introduced. Furthermore the Lansdown is a local provider who, due to the pandemic, was unable to open their business.

Meeting legislation requests - Under housing legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless. The council must continue to provide short term accommodation during the pandemic while looking for longer term options for individuals. If legislation changes, six week notice has been negotiated with the Lansdown Hotel to decant residents to hostels or other accommodation.

FUTURE COMMISSIONING INTENTIONS

On average approximately 700 people at risk of homelessness use nightly accommodation via hotels. Emergency accommodation should only be used in emergencies and the council needs sufficient supply of decant accommodation. The council is reviewing the pathway and its use of emergency accommodation, temporary accommodation and supported housing, with the results of the review and options for commissioning intentions being reported to Members and CCB by December.

There are four solutions being explored for emergency accommodation:

- 1. Repurpose building(s) for emergency accommodation.
- 2. A framework or Dynamic Purchasing System (the most popular solution with London boroughs)
- 3. Croydon sources a single third party organisations that would procure, allocate and manage private rented and leased properties on behalf the council.
- 4. Formal tender for hotel accommodation if the above options are not satisfactory.

CONSULTATION

Consultation with key senior stakeholders has taken place including Head of Gateway Housing Need, Housing Assessment and Solution, Emergency Accommodation Team Manager and Director of Housing Assessment and Solutions, Housing Assessment and Solution. Stakeholders are in agreement that service delivery needs to be maintained in order to meet statutory duties to accommodate vulnerable service users whilst these implications are clarified.

The current service provider has been consulted and they are agreeable to the 7 month extension of the above mentioned individual contracts. Further consultation will form part of any re-commissioning of the contracts in the future. This will include market engagement and consultation with all stakeholders.

3. Financial implications

Details	Internal			External		Period of funding
	Capital	Revenue	funding Capital	Revenue	ı .	
C13402 (31/10/20- 31/05/21)		£378,420 (gross) Expected income £270,510	October 2020 to May 2021	·		
MHCLG COVID Funding		£107,910 (net)				

Whilst the forecast position is for an underspend in Emergency Accommodation of £202,000, the overall homelessness service is forecasting a pressure of £754,000 at the end of period 5 and entering this contract at this rate will not help address that overspend as the nightly room cost is £42.50 against an average cost of a double B&B room used for homelessness accommodation of £38.25 in the first 5 months of 2020/21.

However, this spend is Covid related and it can be expected that Croydon will recover housing benefit at Local Housing Allowance rates against the costs leaving a residual cost of around £8.75 per room per night plus any unrecovered debt. If all income is collected the cost of this extension will be approximately £77,910, plus estimated debt costs of between £13,000 and £30,000 totalling around £107,910. This net cost of this service will allocated to Covid-19 MHCLG funding.

The occupancy rate of the rooms is 95% and is likely to continue at this rate. If occupancy drops, a reduction in the number of paid rooms will be arranged with Lansdown Hotel.

4. Supporting information

ORIGINAL PROCUREMENT METHOD

This contract was procured using the negotiated procedure without prior publication which is allowed under Reg 32 (2) (c) of PCR 2015. This procurement was deemed necessary for reasons of extreme urgency brought about by COVID-19 which in itself is an unforeseeable event that did not allow Croydon to comply with the time limits for the open or restricted procedures or competitive procedures with negotiation.

As stated above the proposed modification does not fall within the permitted modifications under PCR 2015 however the conditions for the original procurement have not changed and the, ever changing, extreme urgency still remains. Therefore this contract extension will need to be made to ensure our continued response to the COVID 19 pandemic.

OPTIONS CONSIDERED AND REJECTED

Re-procuring the services for 7 months: For reasons set out above as consequences of the COVID-19 pandemic, it has not been possible to achieve a formal procurement within the given timescales. There are also ongoing provision requirements which would be interrupted by a change in provider at this time and would impact vulnerable residents.

'Do Nothing': The provision of emergency accommodation is a statutory service requirement and central government has advised the Council to continue to deliver this provision. Furthermore the Emergency Accommodation Team Manager has informed that currently demand for emergency accommodation outweighs supply and sudden termination of the Lansdown contract would leave a number of services without appropriate accommodation.

Extend the contract with the incumbent provider for 7 months via contract variation: Undertaking an extension of the contract with the Lansdowne Hotel for the provision of emergency accommodation is recommended to ensure the Council responds to the COVID-19 pandemic in accordance with central government guidance.

CONTRACT MANAGEMENT AND OWNERSHIP

The service is currently closely monitored by the Emergency Accommodation Team who work with the provider on a weekly basis. Contract management will be led by Gateway Housing Need, Housing Assessment and Solution. They will be supported in contract management by Health, Wellbeing and Adults, Commissioning and Procurement.

EXIT ARRANGMENTS AND TRANSITION PLAN

Through consultation with the Emergency Accommodation Team Manager it is estimated that it would take the team four weeks to decant the Lansdown, therefore it was agreed that any extension of the contract would need to factor this period as well as the time to re-purpose any existing stock.

The provider has agreed to a six week termination clause.

EQUALITIES

Due to the nature and haste of the procurement an equalities assessment was not completed prior to procurement. However, a new assessment will be completed as part of the programme to open up alternative options.

SOCIAL VALUE

It is believed this contract maximises the benefit for our local community as this contract is with a local provider, employing local staff at London living wage during a time.

LONDON LIVING WAGE

The Provider is currently paying all their staff the London Living Wage

5. Conclusion and reasons for recommendations

Croydon Council is required to continue its statutory duties to prevent and relieve homelessness and to ensure that Croydon is able to continue to meet the demands placed on it by the current pandemic. The recommendation is to extend the contract with the incumbent provider for 7 months via contract variation to allow for stability of current service delivery whilst enabling enough time to deliver a long term and a sustainable alternative.

1. Outcome and approvals						
Outcome	Outcome Date agreed					
	Service Director	Yvonne Murray 8/10/20				
Annual	Legal Services	Sonia Likhari, 6/10/20				
	Head of Finance	Lisa Taylor, 4/11/20				
	Human Resources (if applicable)	Not applicable				
Approved	C&P Head of Service	Ed Humphreys, 13/10/20				
	Lead Member	Cllr Butler, 13/10/20				
	ССВ	CCB1630/20-21 05/11/2020				

2. Comments of the Council Solicitor

Approved by Sonia Likhari on behalf of the Director of Law and Governance

3. Chief Finance Officer comments on the financial implications

Approved by Lisa Taylor, Director of Finance, Investment and Risk and S151 Officer

