## Cabinet

26 September 2018



Classification: Unrestricted

**Report of:** Zena Cooke – Corporate Director, Resources

**Contracts Forward Plan – Quarter Two (FY2018-2019)** 

Lead Member	Councillor Candida Ronald, Cabinet Member for Resources & the Voluntary Sector
Originating Officer(s)	Zamil Ahmed – Head of Procurement
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice	7 August 2018
Published	
Reason for Key Decision	Significant Financial Expenditure and Significant
_	Impact on two or more wards.
Strategic Plan Priority /	All
Outcome	

## 1. **EXECUTIVE SUMMARY**

- 1.1. The Council's Procurement Procedures require a quarterly report to be submitted to Cabinet, setting out a forward plan of supply and service contracts over £250K in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides the information in quarter two of the current Financial Year. Only contracts which have not previously been reported are included in this report
- 1.2. Annual procurement expenditure analysis for financial year 2017-18 and an update on our performance against the Councils Procurement Strategy is included in Appendix 3 of this report.

# 2. **DECISION REQUIRED:**

Mayor in Cabinet is recommended to:

- 2.1. Consider the contract summary at Appendix 1, and identify those contracts about which specific reports relating to contract award should be brought before Cabinet prior to contract award by the appropriate Corporate Director for the service area
- 2.2. Confirm which of the remaining contracts set out in Appendix 1 can proceed to contract award after tender

- 2.3. Authorise the Divisional Director Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2.2 above
- 2.4. Review the procurement forward plan 2018-2022 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle
- 2.5. Review the annual procurement report 2017-2018 set out in Appendix 3 and note the achievements against the Councils Procurement Strategy

## 3. **REASONS FOR THE DECISIONS**

3.1. The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250K, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after quarter two of the current financial Year.

## 4. **ALTERNATIVE OPTIONS**

4.1. Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

# 5. **BACKGROUND**

- 5.1. Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documentations and guidance to suppliers have been transformed to ensure they reflect best practice in Public Sector procurement. Our efforts in maintaining effective dialogue with our bidders during the procurement process has helped to minimise procurement challenges.
- 5.2. To ensure the Council continues to be recognised for its sound procurement practices and effective engagement with the supply community, it is imperative that delays in contract award are minimised and adherence to the timetable outlined within our Invitation to Tender documentations.
- 5.3. The importance of procurement as an essential tool to deliver Councils wider social, economic and environmental aims has resulted in the need to ensure effective elected Member engagement in the pre-procurement and decision making process as identified in the recent Best Value audit.
- 5.4. This report provides the forward plan for quarter two of the current financial Year in Appendix 1, and gives Cabinet Members the opportunity to select contracts about which they would wish to receive further information, through subsequent specific reports.

5.5. Additionally, the report also includes a Procurement Forward Plan 2018-2022 to provide Mayor and Cabinet members with high level visibility of our planned procurement activity and the opportunity to be engaged in advance of the procurement cycle.

## 6. FORWARD PLAN OF CONTRACTS

- 6.1. Appendix 1 details the new contracts which are planned during the period Q2 of the Financial Year. This plan lists all of the new contracts which have been registered with the Procurement Service, and which are scheduled for action during the reporting period.
- 6.2. Contracts which have previously been reported are not included in this report. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to Cabinet as individual contract reports.
- 6.3. Cabinet is asked to review the forward plan of contracts, confirm its agreement to the proposed programme and identify any individual contracts about which separate reports relating either to contracting strategy or to contract award will be required before proceeding.
- 6.4. Equalities and diversity implications and other One Tower Hamlets issues are addressed through the Council's Tollgate process which provides an independent assessment of all high value contracts, and ensures that contracting proposals adequately and proportionately address both social considerations and financial ones (such as savings targets). The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to procurement.
- 6.5. The Tollgate process is a procurement project assurance methodology, which is designed to assist in achieving successful outcomes from the Council's high value contracting activities (over £250K, for revenue contracts, and £5m, for capital works contracts which have not gone through the Asset Management Board approval system). All Tollgate reviews are presented to Strategic Procurement Board; contracts require approval of the Board before proceeding.

## 7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1. This is a quarterly update report on the Council's contract forward plan for 2018-19 which details the list of contracts that are due for renewal in the next 3-6 months (appendix 1).
- 7.2. There are 19 specific contracts detailed in appendix 1 with a cumulative annual value of £9.8m-£9.9m and total contract value of £45m. The cost of these contracts will be met through existing General Fund and HRA budgets.
- 7.3. Members are directed toward a number of the proposed contracts where they may wish to consider further involvement or make comments:
  - 7.3.1. THH5346 (Fire Risk Assessments) this is a proposed 10 year contract and Members will want to assure themselves that there are valid reasons for this approach, including how inflationary increases will be reflected in order

to ensure that it continues to provide value for money over the life of the contract.

- 7.3.2. G5373 (Community Information Panels [CIP]) The generation of additional income is being considered across the Council as part of the Medium Term Financial; Strategy and budget planning process. Members may want to receive further information before this contract is let to ensure that the council's broader strategic objectives are being fully considered and that therefore the potential benefits are being maximised.
- 7.3.3. CS5367 (Film locations concession) in the same way as for the CIP ensuring that this concession will deliver the maximum benefits to the council is essential particularly in this case as the proposed contract length of 5 years (with options to extend to 7) is relatively long for what may be a fast evolving market. The Council will want to ensure that it does not lose the longer term benefits from regular market testing exercises and whether in that context the proposed contract duration is appropriate.
- 7.3.4. CS5391 (Ready made sandwiches) In the context of the Council's Contract Services financial position members will want to assure themselves that the broader financial considerations for that service have been taken into account in the proposed letting of this contract.

## 8. LEGAL COMMENTS

- 8.1. The Council has adopted financial procedures for the proper administration of its financial affairs pursuant to section 151 of the Local Government Act 1972. These generally require Cabinet approval for expenditure over £250,000 for revenue contracts and £5m for capital works contracts.
- 8.2. Cabinet has approved procurement procedures, which are designed to help the Council discharge its duty as a best value authority under the Local Government Act 1999 and comply with the requirements of the Public Contract Regulations 2015. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed specified thresholds. The arrangements are consistent with the proper administration of the Council's financial affairs.
- 8.3. Pursuant to the Council's duty under the Public Services (Social Values) Act 2012, as part of the tender process and where appropriate, bidders will be evaluated on the community benefits they offer to enhance the economic social or environmental well-being of the borough. The exact nature of those benefits will vary with each contract and will be reported at the contract award stage. All contracts delivered in London and which use staff who are ordinarily resident in London will require contractors to pay those staff the London Living Wage. Where workers are based outside London an assessment will be carried out to determine if the same requirement is appropriate.
- 8.4. When considering its approach to contracting, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Officers are expected to continuously consider, at every stage, the way in which procurements conducted and contracts awarded satisfy the requirements of the public sector equality duty.

This includes, where appropriate, completing an equality impact assessment as part of the procurement strategy, which is then considered as part of the tollgate process.

## 9. BEST VALUE (BV) IMPLICATIONS

- 9.1. The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The Council procures annually some £350m of supplies and services with a current supplier base of approximately 3,500 suppliers. The governance arrangements undertaking such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.
- 9.2. Contracts listed in Appendix One are all subject to the Council's Tollgate process which involves a detailed assessment by Procurement Review Panel and Strategic Procurement Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice.

## 10. ONE TOWER HAMLETS CONSIDERATIONS

10.1. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the tollgate process, and all contracting proposals are required to demonstrate that both financial and social considerations are adequately and proportionately addressed. The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

## 11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

11.1. Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process, and supported through the Corporate Social Responsibility work stream.

## 12. RISK MANAGEMENT IMPLICATIONS

12.1. Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

## 13. CRIME AND DISORDER REDUCTION IMPLICATIONS

13.1. There are no specific crime and disorder reduction implications.

### 14. EFFICIENCY STATEMENT

14.1. Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

## 15. APPENDICES

Appendix 1 – new contracts planned: Q2 of the Financial Year and beyond.

Appendix 2 - Procurement Forward Plan 2018 -2022

Appendix 3 – Annual Procurement Report

### Appendix one – new contracts planned: Q2 of the Financial Year 2018-19

Contract Ref & Title	THH5377 - Water Hygiene Risk Assessments		
Procurement Category:	Construction and FM	Funding:	General Fund Revenue and Capital
Invitation to Tender ⊠ Contract Signature □	August 2018	Contract Duration and Extensions:	2 years
Value P/A:	Circa £350,000	Value Total:	Up to £700,000
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage	New Procurement ocurement of existing Contract

### **Scope of Contract**

This contract will ensure that a competent consultancy and the right infrastructure are in place to support Tower Hamlets Homes' compliance with the current legislation on water hygiene risk assessments and manage risks associated with Legionella. The contract will ensure the health and safety of tenants by keeping water supply and storage systems safe and free from health hazards. The contract will ensure that periodic risk assessments are in place to minimise exposure to Legionella bacteria. The contract will enable THH to complete risk assessments on all housing blocks.

### **Contracting Approach**

The consultancy firm will be appointed through a mini-competition from an existing framework contract. The risk assessments and the resultant actions and works will be completed within a 2 year period.

### **Community Benefits**

This area of work is specialist and not expected to provide huge community benefits. The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the nature and contract size of the contract will be sought from the provider through the tender process.

Contract Ref & Title	THH5347: Repair, Maintenance and Upgrade of Door Entry System and Related Equipment		
Procurement Category:	Construction and FM	Funding:	HRA delegated budget
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£250k	Value Total:	£2.5m
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage □ □Collaboration ⊠ Re-pr	☐New Procurement occurement of existing Contract

#### **Scope of Contract**

The current Repairs & Maintenance, minor improvements to door entry, CCTV, Aerials & any other related work: Contract H3912c has been extended until March 2019. The procurement for the replacement of this contract will be undertaken to put in place a new contract from April 2019. The current and replacement contracts are Qualifying Long Term Agreements.

Competition Board approved a two year extension to this contract in April 2017 limited to 31<sup>st</sup> March 2019. The full term of five years was not granted due poor performance. Performance issues were to be addressed through a tougher contract management approach. Current performance measures demonstrate there has been no improvement in *H3912c* and therefore a further extension of this contract is not recommended.

## Scope:

- Additional and revised price schedules.
- A commitment by the contractor to maintain and undertake minor upgrades to existing older Status (brand) systems.
- Maintenance of the new ETS (Brand) IP/HTTP based Door Entry systems installed under the capital programme.
- Servicing and compliance requirements for Automated Gates
- A life-cycle asset condition report on existing systems to inform future planned maintenance (and capital) programmes.

### Contracting Approach

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

## **Community Benefits**

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	THH4348: Installation, Repairs and Maintenance of TV Aerials, Integrated Reception System, CCTV, and Broadband Systems		
Procurement Category:	Construction and FM	Funding:	Housing Revenue Account
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£350k	Value Total:	£3.5m
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage ∑ □Collaboration ⊠ Re-pr	New Procurement ocurement of existing Contract

#### **Scope of Contract**

Repairs to TV and Broadband Systems are currently undertaken by Openview under the existing H3912c Repairs & Maintenance, minor improvements to door entry, CCTV and Aerial contract which THH intend to conclude at the end of March 2019. There is currently no installation (works) contract in place.

The intention is to include the TV/IRS/CCTV element of the existing H3912c contract in a new Installation, Repairs & Maintenance contract to commence April 2019, scope of works as follows:

- Existing TV aerial Repairs & Maintenance.
- Maintenance and upgrades of existing IRS systems.
- Installation of new IRS systems.
- Infrastructure and cable management, installation and maintenance.
- Maintenance and upgrade of existing CCTV systems.
- Installation of new CCTV systems.
- A life-cycle condition report on existing systems to inform future planned maintenance (and capital) programmes

The contract will be for 4 years with up to 2 number 3 year extension terms. A total of up to 10 years.

### **Contracting Approach**

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

### **Community Benefits**

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	THH5346: Fire Risk Assessment		
Procurement Category:	Construction and FM	Funding:	Housing Revenue Account
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£200k	Value Total:	£2.2m
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage  □ Collaboration □ Re-pr	New Procurement ocurement of existing Contract

## **Scope of Contract**

Following recent industry developments and thinking, the current FRA content requires to be enhanced to include areas not previously covered in adequate detail. The previously completed Savills' FRAs are deemed suitable as a basis for new FRAs. Going forward it is envisaged that FRAs for each block will be adapted and developed over the years as necessary in order that ultimately as much of the block as is possible is inspected to provide thorough identification of the inherent risks and consideration of the impact of ongoing works and improvements to the blocks.

The new FRAs will involve:

Assessment of the common parts of a building.

- Completion of a PAS79+ fire risk assessment template
- Consideration of the external materials of the building
- Consideration of compartmentation between common areas and the flats
- Inspection of a sample of service risers on all floors
- Inspection above a sample of readily accessible demountable false ceilings if present
- Inspection of a sample of flat front doors
- Comprehensive assessment report to include the significant findings, issues identified and actions required

Plus the following in a sample of flats:

- Consideration of compartmentation between flats
- Consideration of the fire resistance of doors between rooms
- Consideration of the means of escape from the flat
- Consideration of the means of fire detection in the flat
- Testing of the smoke alarm (where present) in the flat

- Destructive inspection of the common parts of a building and the flats.
- Inspection of areas of construction in the common parts and the flats by use of a camera and borescope as appropriate
- Inspection of areas of construction in the common parts and the flats opened up as necessary

### **Contracting Approach**

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

### **Community Benefits**

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	P5372: Framework for Retained Development Viability Consultants 2018		
Procurement Category:	Corporate Services	Funding:	Council Resources
Invitation to Tender ⊠ Contract Signature □	01/10/2018	Contract Duration and Extensions:	3 years with the option to extend for 1 year.
Value P/A:	£167,500	Value Total:	£670,000
Reviewed by Competition Board	03/08/2018	⊠London Living Wage □ □Collaboration ⊠ Re-pr	New Procurement ocurement of existing Contract

#### Scope of Contract

The main objective of this commission is to appoint a panel of consultants to a framework agreement which will enable Planning and Building Control the appoint expert consultants to review Financial Viability Assessments in support of planning applications, in a manner that will ensure statutory timeframes concerning the approval of planning applications can be met. The frameworks will mirror the current framework (DR5053) which has been in place since 2016 and is expected to expire later this year.

#### Contracting Approach

Planning and Building Control project that up to the end of the year 2022/23 there will be circa 65 planning applications received by the Council (alongside Financial Viability Assessment's) which will require the appointment of viability consultants. Based on the on the previous expenditure of from the existing framework and taking in to account inflation, officers have estimated that the value of this framework should be £670,000

Based on the Council's Housing Trajectory we have identified 65 sites that will potentially come forward for development over the next 3-5 years. They will require viability reviews to be undertaken and like the current framework, the schemes will vary in sizes from small to large but many will be medium to large strategic sites.

Our intention is to procure this contract through the Open procurement route. A pre-determined set of criteria will be used to identify the most economically advantageous tender. The pricing matrix will be made up of schedules of rates / day rates for relevant assessments. It is intended to appoint 5 suppliers onto the framework.

#### **Community Benefits**

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from providers through the tender process.

Contract Ref & Title	CS5367 Film Location Concessions Contract		
Procurement Category:	Corporate Services	Funding:	Revenue generating
Invitation to Tender □ Contract Signature ⊠	October 2018	Contract Duration and Extensions:	5 years, with option to extend for 1 year plus 1 year
Value P/A:	£500,000	Value Total:	£2,500,000 (£3,500,00)
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage □Collaboration ⊠ Re-	e □New Procurement procurement of existing Contract

Due to the historic nature of the borough and diversity of location we receive a large number of requests from productions for location filming. Under the current contract LBTH has gone from 7<sup>th</sup> busiest borough to 2<sup>nd</sup> busiest borough with over 1300 filming days in 2017.

By maintaining a contract with an established location management company overseeing all aspects of location filming from initial enquiry to permission granted and on site management, LBTH can generate income across a multiple departments. Monies generated through location fees go direct to services such as parking, parks, property services and highways, where the profit share generated covers the costs of managing the contract and supports film related services to residents. We propose the contract to be let for 5 years with an option to extend for 1 year plus 1 year maximising continuity of service resulting in improved service delivery, and established best practice. This will reduce impact of the service on residents business and other council departments.

#### **Market conditions**

This is a very specialised market. Tower Hamlets is becoming one of the most popular boroughs to film in, achieving 1000+ filming days between 2012-2017, managing and maintaining this number of filming days requires, a filming location specialist that operates a dedicated 24/7 responsive service. Such a company will provide a one stop shop for all stakeholders and users of a film location service including parks, parking, highways and property services as well as for productions and residents. This service will also include the marketing of Tower Hamlets as a Film Friendly borough and the adherence to the Film Location Code of Practice of which Tower Hamlets is a signatory.

#### **Contracting Approach**

Since the contract was last let we have seen an increase in income and filming days, therefore based on these results and market knowledge it has been decided that the best route to market is via the OJEU open procedure with the appointment of a single supplier.

#### **Community Benefits**

The income to the Council generated via the Film Location Service supports the council's objectives through the provision of free advice and film focused activities to all communities in Tower Hamlets, supporting film activity as both a leisure pursuit and in professional development. Key objectives for the council are addressed through ensuring local people have access to lifelong learning opportunities, through the delivery of community cohesion projects for our most excluded groups and to those at risk of becoming excluded, support for young people and new business with advice and signposting thus ensuring Tower Hamlets is a place where entrepreneurship and local enterprise is successful.

In addition to the income generated through the profit share there are also substantial fees going to parking, property services, schools, parks and highways. In cases where filming takes place on estates or areas where there is an active and recognised TRA, voluntary donations will be negotiated.

Contract Ref & Title	HAC5383 Mental Health Recovery College		
Procurement Category:	Care and Commissioning	Funding:	General Revenue Funding
Invitation to Tender ⊠ Contract Signature □	October 2018	Contract Duration and Extensions:	3+1+1
Value P/A:	£226,910	Value Total:	£1,134,550
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage □ □Collaboration ⊠ Re-pr	New Procurement ocurement of existing Contract

The Local Authority and the Clinical Commissioning Group jointly commission the Recovery College which is due to be recommissioned in July 2019. The contract value of the service is £226,910 of which the Local Authority contributes £110,000 and the CCG contributes £116,910 per annum. It is currently provided by ELFT.

The contract supports recovery and wellbeing through an educational model targeted at adults with mental health problems, their carers and professionals. The model of delivery is three academic terms a year. The contract delivers an educational model of courses which cover the areas relevant to mental wellbeing and recovery such as 'discover yourself', 'understanding health', 'life skills' and 'getting involved.' The contract is designed to meet the needs of our local community, examples from Summer Term 2018 include Jinns, Black Magic and Evil Eye; Understanding Psychosis; Parenting and Recovery; and Train the Trainer.

### **Contracting Approach**

The preferred procurement approach is to undertake an open OJEU tender. Commissioners will undertake a market engagement/bidders briefing as part of the tender process in September 2018. Representatives from Integrated Commissioning Team, Mental Health professionals and people with lived experience of mental health problems will be invited to be members of the tender panel, who will review and evaluate submissions against the service specification requirements to ensure that the contract delivers maximum value for money.

## **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	HAC5382 Mental Health Recovery and Wellbeing Services		
Procurement Category:	Care and Commissioning	Funding:	General Revenue Funding
Invitation to Tender ⊠ Contract Signature □	October 2018	Contract Duration and Extensions:	3+1+1
Value P/A:	£1.2 million	Value Total:	£6 million
Reviewed by Competition Board	1 113/118/21118	⊠London Living Wage □ ⊠Collaboration ⊠ Re-pr	□New Procurement of existing Contract

The Local Authority and the Clinical Commissioning Group jointly commission the Recovery and Wellbeing Service. The annual contract value is £1.2 million of which the CCG contributes £309,629 and the Local Authority £890,371.

The contract is the borough's main offer for mental wellbeing and recovery. Within the scope of the contract is provision of positive social, educational and personal development opportunities for people with mental health problems. The contract is currently delivered by a consortium of eight third sector mental health providers. These services are comprised of a first point of access service, short and long term support planning, group work and an employment hub.

There is currently a review of services in coproduction which is expected to result in recommendations that refresh the current model in light of national priorities and local feedback.

## **Contracting Approach**

The preferred procurement approach is to undertake an open OJEU tender. We are currently exploring the contractual options. A lead provider model was implemented for the 2016/19 contract and the review will cover the benefits and dis-benefits of this approach. Commissioners will undertake a market engagement/bidders briefing as part of the tender process in September 2018.

Representatives from Integrated Commissioning Team, Mental Health professionals and people with lived experience of mental health problems will be invited to be members of the tender panel, who will review and evaluate submissions against the service specification requirements to ensure that the most economically advantageous bidders are selected.

## **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	HAC5320 - LD Residential Care - Huddlestone Close		
Procurement Category:	Care and Commissioning	Funding:	General Funds
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	5 years (3+1+1)
Value P/A:	£730,000	Value Total:	£3,723,000 to £4m
Reviewed by Competition Board ⊠	03/08/2018	⊠London Living Wage □ □Collaboration ⊠ Re-pr	□New Procurement of existing Contract

# **Scope of Contract**

The Contract supports the delivery of the Adults Learning Disability Strategy, Living Well in Tower Hamlets. The Strategy was approved by the Mayor in Cabinet on 19<sup>th</sup> September 2017 and sets out 6 outcomes areas and a number of improvements that adults with learning disability in Tower Hamlets said were important to them. Developing a greater range of local supported living accommodation and support options was an area of improvement people with learning disabilities felt would make a difference as this would enable them to live in their own accommodation, closer to their families, friendship networks and local community. Due to an undersupply of supported accommodation, people with learning disability are being offered placements outside of the borough.

The borough is therefore seeking to increase the capacity of learning disability supported accommodation as

an alternative to high cost out of borough residential care. We are seeking to reprocure Huddlestone Close as it is currently the only learning disability Residential Care service in the borough. The service is run by Mencap in premises they currently lease from Gateway Housing.

The service is required to deliver residential care and has the capacity to support up to 7 people across three adjoining houses (four in 34 and 35 plus a further three in number 36). The service is much needed and delivers residential care and intensive support to people with learning disability who also have high levels of physical and mobility needs. The service provides tailored and flexible support delivered in accordance with an individual's need 24 hours a day, 7 days a week.

### **Contracting Approach**

The preferred procurement approach is to undertake an open OJEU tender under the Light Touch Regime. A supplier event will be held to allow bidders to seek clarification and guidance on the tender process and their submission. Representatives from Health Adult and Community, the Community Learning Disability Team (CLDT) and the Clinical Commissioning Group will be invited to be members of the tender panel, reviewing the specification and evaluating submissions to ensure that the most economically advantageous tender is selected for future delivery of the service. Service users will be invited to evaluate the service user involvement and choice criterion of submissions which bidders will be asked to produce in easy read format.

The tender will offer a 3 plus 1 plus 1 contract (3+1+1) to give both stability to service users and facilitate changes and focusing to meet future as well as current need. The tender will be aligned to Living Well in Tower Hamlet, The Adult Learning Disability Strategy 2017-2020.

## **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	CS5386 - Short Breaks for Children and Young People with a Disability – Holiday and Weekend		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	3 years
Value P/A:	£422,500 (up to)	Value Total:	£1,267,500
Reviewed by Competition Board ⊠	03/08/2018	<ul> <li>☑London Living Wage ☐New Procurement</li> <li>☐Collaboration ☒ Re-procurement of existing Contract</li> </ul>	

#### **Scope of Contract**

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.

The procurement of provision of short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.

The tender will be for the provision of holiday and weekend short breaks for children and young people with:

- Autistic Spectrum Disorder (ASD) and severe learning difficulties
- Complex health needs. Complex health needs includes children and young people with profound and multiple learning difficulties and complex and severe medical needs who may also have additional physical and/or sensory impairment.

### **Contracting Approach**

We intend to go through an open tender for the service; this is in line with both internal procurement policy and also EU procurement regulations. We intend to tender this service as two separate Lots as block contracts for a period of 3 years commencing on 1<sup>st</sup> April 2019. We will undertake extensive market engagement to ensure a broad range of providers bid for the services. We will also be consulting children and families to inform the service specification. A parent/carer and or young people will take part in the tender evaluation process but will not score the bids.

## **Community Benefits**

Providers will be expected to deliver a range of community benefits. These are likely to include local recruitment, opportunities for volunteers and training opportunities and/or apprenticeship programmes including those for adults with a learning disability where appropriate.

Contract Ref & Title	CS5388 - Short Breaks for Children and Young People with a Disability – Befriending Support		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	3 years
Value P/A:	£220,000	Value Total:	£660,000
Reviewed by Competition Board ⊠	03/08/2018	<ul> <li>☑London Living Wage ☐New Procurement</li> <li>☐Collaboration ☒ Re-procurement of existing Contract</li> </ul>	

#### Scope of Contract

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.

The procurement of provision of short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer. The tender will be for the provision of befriending short breaks for children and young people with SEND. This is currently delivered through a framework agreement with two providers and the existing contracts come to an end on 31st March 2019.

### Contracting Approach

We intend to go through an open tender for the service; this is in line with both internal procurement policy and also EU procurement regulations. We will undertake a market warming event to stimulate the market to ensure a good response to the tender. Young people and parents/carers will be involved in the tender evaluation although they will not score the tenders.

### **Community Benefits**

Providers will be expected to deliver a range of community benefits. These are likely to include local recruitment, opportunities for volunteers and training opportunities and/or apprenticeship programmes including those for adults with a learning disability where appropriate.

Contract Ref & Title	CS5385 - Children's Rights Advocacy Service		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Enter Date	November 2018	Contract Duration and Extensions:	36 months
Value P/A:	Lot 1: £133,480 Lot 2: £50,000	Value Total:	Lot 1: £400,440 Lot 2: £150,000
Reviewed by Competition Board	03/08/2018	<ul><li>□ London Living Wage □ New Procurement</li><li>□ Collaboration □ Re-procurement of existing Contract</li></ul>	

## **Scope of Contract**

Advocacy plays a vital role in safeguarding children and young people, and protecting them from harm and neglect. As such, it is a statutory requirement for all Local Authorities with social services responsibilities to ensure that advocacy services are provided for children and young people making or intending to make a complaint under section 24D or section 26 of the Children Act 1989.

In addition, the statutory guidance on children who go missing from care January 2014 requires Local Authorities to prevent children from going missing and to protect them when they do by offering independent return interviews. This guidance is issued under Section 7 of the Local Authority Social Services Act 1970 which requires local authorities in exercising their social services functions, to act under the general guidance of the Secretary of State.

The <u>Children's Rights Advocacy Service</u> will offer advice and support to all Tower Hamlets' Looked After Children, Care Leavers and Children with Disabilities (CWD) to help empower them to reach their potential and uphold their human rights. The tender will consist of 2 lots, as follows:

- 1. <u>Advocacy:</u> this lot of the Service is to offer children and young people independent and confidential advice, information, representation, and have their wishes and feelings heard and views responded to appropriately. The Service will:
  - Ensure up to 90 Looked After Children & Care Leavers, and CWD per year will have access to an
    independent advocacy worker to support their needs and empower them to help reach their full
    potential, including making complaints.
  - Convene, administer and co-chair two separate Children in Care Council (CiCC) per month for children (0-14 years) and young people (16 years plus).
  - Conduct up to 25 exit interviews with Care Leavers annually resulting in a report that will be submitted to Tower Hamlets Leaving Care Service.
- 2. Return Home Interviews (RHI): this lot of the Service will offer independent Return Interviews for Looked After Children who go missing from home or care. Independent return interviews provide an opportunity to speak to the child in confidence to ascertain the factors that led to the child going missing and any risks they may have been exposed to while missing and enable the Local Authority to implement measures to prevent reoccurrence and to safeguard the child and young person from harm. The Service will:
  - Ensure all Looked After Children who go missing will be offered an independent Return Interview
  - Ensure interviews are carried out as soon as possible, but within 72 hours of the child returning to their care setting.

Be available 7 days a week.

Tower Hamlets requires provider(s) to deliver a Advocacy and/ or RHI Service of high quality in order to safeguard Looked After Children, Care Leavers and CWD, and/ or . The provider(s) must demonstrate fitness of purpose in organisation, financial viability and staff competence.

### Contracting Approach

The preferred procurement approach is to undertake an open tender; this is in line with both internal procurement policy and also EU procurement regulations. The tender will allow providers to either bid for one or both of the above outlined Service Lots. Lot 1: Advocacy

Lot 2: Return Home Interviews (RHI)

## **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	R5389 Stationery and ancillary supplies		
Procurement Category:	Corporate Services	Funding:	Revenue
Invitation to Tender □ Contract Signature ⊠	December 2018	Contract Duration and Extensions:	2 years + 2 years
Value P/A:	£500,000	Value Total:	Up to £2m
Reviewed by Competition Board ⊠	03/08/2018	<ul><li>☑London Living Wage ☑New Procurement</li><li>☑Collaboration ☐ Re-procurement of existing Contract</li></ul>	

#### **Scope of Contract**

Supply of office stationery including general office stationery, office copier paper, electronic office supplies and palletised/print room paper, Office equipment except furniture and Educational supplies and equipment paper.

### Contracting Approach

The project team will consider different options:

- A re-tender collaborative exercise with (London Councils Supply Group (LCSG) who with other London Boroughs create joint consortia
- Use of an available framework via ESPO or Crown Commercial Services a further competition using e-auction.
- A non-collaborative exercise carrying a full OJEU tender lead by the Council

### **Community Benefits**

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	HAC5020 Direct Payments Support Service		
Procurement Category:	Care & Commissioning	Funding:	Core funding
Invitation to Tender ⊠ Contract Signature □	November 2018	Contract Duration and Extensions:	2 + 3 years
Value P/A:	£336,000	Value Total:	£1,680,000

Reviewed by	03/08/2018	⊠London Living Wage □New Procurement
Competition Board ⊠	03/08/2018	□ Collaboration   □ Re-procurement of existing Contract

The scope of this commitment extends to the following groups: adults who are eligible to receive community care services under the NHS and Community Care Act and associated legislation; adults who are eligible to receive a direct payment under the NHS (Direct Payments) (Amendment) Regulations 2013 and disabled children eligible for services under the Children Act and associated legislation. The Council recognises that the provision of such a support service plays a vital role in maximising people's independence, choice, control and wellbeing.

## **Contracting Approach**

The procurement will be undertaken as an open tender under the Light Touch Regime in accordance with the Public Contracts Regulations and EU Procurement rules. The tender will offer a two year contract, with the option to extend for up to three years. The potential five year contract will provide stability to the service, and allows the council to meet current and future needs. The Council will be procuring the service with the Tower Hamlets Clinical Commissioning Group, with the Council acting as lead commissioner.

## **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, work placements and volunteer opportunities.

Contract Ref & Title	HAC 5393 Weight Management Service		
Procurement Category:	Health and Social care	Funding:	PH Grant
Invitation to Tender ⊠ Contract Signature □	24/09/2018	Contract Duration and Extensions:	3 years plus 2
Value P/A:	£487,000	Value Total:	£1.461m (3years), £487k for each additional year of plus 2
Reviewed by Competition Board	03/08/2018	<ul><li>☑London Living Wage ☐New Procurement</li><li>☐Collaboration ☒ Re-procurement of existing Contract</li></ul>	

#### **Scope of Contract**

Provision of weight management services to residents of Tower Hamlets to enable them to achieve and maintain a healthy weight funded as part of the Public Health Grant. This will consist of a tiered approach reflecting the amount of weight loss needed and complexity of social circumstances. This replaces existing contracts which have expired. MTFS savings have been applied.

## **Contracting Approach**

Competitive procurement of lots to reflect different tiered approach

## **Community Benefits**

The successful provider(s) will need to meet the council's requirements for community benefits commensurate with a contract of this size and will include requirements for local procurement of services.

Contract Ref & Title	CS5376 DPS for Education Support Workers Supply		
Procurement Category:	Corporate Services	Funding:	Department for Education Pupil Premium Plus Grant
Invitation to Tender ⊠ Contract Signature □	24/09/2018	Contract Duration and Extensions:	60 months
Value P/A:	£320,000	Value Total:	£1,600,000
Reviewed by Competition Board ⊠	03/08/2018	<ul><li>☑London Living Wage ☑New Procurement</li><li>☐Collaboration ☐ Re-procurement of existing Contract</li></ul>	

The Virtual School is seeking to secure supply staff to meet the needs of children in care, these are extremely varied e.g. age specific, subject specific or special needs specific and can be needed for long term support or extremely short term intervention. Staff would be needed anywhere in the UK but with a focus on London. The majority of staff required will be tutors, teaching assistants and QTS teachers with specialist skills.

## Contracting Approach

The Virtual School will secure staff to achieve this work by using a Dynamic Purchasing System (DPS) which will enable the Council to secure the required services from a range of vetted providers in an open competitive market place created by the scheme and contract conditions.

### **Community Benefits**

The benefit to looked after children will be that the Virtual School can quickly source vetted DBS staff to meet their needs. Reduced costs will mean that the Pupil Premium Grant will be effectively spent to create a greater impact on outcomes. It is also envisaged that the tendering process can be across London promoting inter-LA links and collaboration on projects to the benefit of all looked after children.

Contract Ref & Title	CS5391 Ready-made sandwiches		
Procurement Category:	Corporate Services	Funding:	Department for Education Pupil Premium Plus Grant
Invitation to Tender ⊠ Contract Signature □	02/07/2018	Contract Duration and Extensions:	24 months
Value P/A:	£160,000	Value Total:	£320,000
Reviewed by Competition Board ⊠	03/08/2018	<ul><li>☑London Living Wage ☑New Procurement</li><li>☐Collaboration ☐ Re-procurement of existing Contract</li></ul>	

## **Scope of Contract**

Provision of ready-made sandwiches, snack & hospitality platters for Secondary Schools and LBTH Cafes managed by Contract Services. This contract will be a new commission for 2 years through the YPO Framework in collaboration with LBBD and Greenwich securing better rates for the participating boroughs.

### **Contracting Approach**

LBTH intend to collaborate with LBB&D and Greenwich on a tri-borough Call-off with Tiffins. By collaborating with local boroughs for the provision of sandwiches the combined total spend will be higher and will assist in the negotiation process of driving product prices down and therefore contribute to overall savings for all.

Contract Ref & Title	CS5387 Semi-Independent Living Framework		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Invitation to Tender ⊠ Contract Signature □	October 2018	Contract Duration and Extensions:	36 months
Value P/A:	£3,083,000	Value Total:	£9,249,000
Reviewed by Competition Board ⊠	03/08/2018	<ul><li>☑London Living Wage ☑New Procurement</li><li>☐Collaboration ☐ Re-procurement of existing Contract</li></ul>	

Tower Hamlets has a statutory duty to provide care, support and accommodation for Looked After children and Care Leavers. One such type of provision is Semi-Independent Living placements, these placements offer accommodation and support, and are a crucial part of the Children and Young People's Commissioning Pathway. Tower Hamlets currently commission these placements on a spot-purchase basis; this approach does not offer value for money and obstructs the Council from managing the market and assessing the quality and outcomes provided through placements.

In 17/18 Tower Hamlets commissioned 3625 weeks of SIL placements, from 27 different providers, across the Children's placements Team and the Leaving Care Services, at a total cost of £3,083,387. Through 17/18 131 children and young people utilised Semi-Independent Living placements, and there was a total 147 placements agreed.

Through a competitive tender process organisations will bid to become accepted providers of the Semi-Independent Living (SIL) Framework for Tower Hamlets. Successful providers will have achieved the required quality assurances as set out by Tower Hamlets through the submission of quality assessed method statements. Providers will also submit a framework cost for each placement they are able to provide to Tower Hamlets, this will ensure the brokerage of placements is agreed for the duration of the framework and not negotiated on a case by case basis at the point of referral.

Providers successfully being accepted onto the framework will provide accommodation and support to both Looked After Children and Care Leavers. Placements will support children and young people to achieve independence by increasing their life skills, promoting health and wellbeing and securing the safety of children and young people in their care. Framework providers will, through their practise promote placement stability and continuity for children and young people to achieve their goals and aspirations in a safe and secure environment.

The framework will at a minimum consist of 3 Lots reflecting the needs of Tower Hamlets looked After/Care Leaver population:

- Lot 1: Accommodation and Support delivered to those exhibiting high and complex needs. Service must be staffed 24/7.
- Lot 2: Accommodation and Support delivered to those with medium level of support needs.
- Lot 3: Accommodation and Support delivered to Unaccompanied Asylum Seeking Children.

### Contracting Approach

We intend to procure the framework via an open tender procedure; this is in line with both internal procurement policy and also EU procurement regulations.

**Phase 1-** The framework will replace current practise of spot purchasing from a large pool of providers, the objective is to reduce the number of providers used by Tower Hamlets and in doing so better manage the market place. The tender process ensures all successful providers have been quality assured via their submissions, and that the costs of each placement are agreed prior to the need to refer, whilst promoting effective budget management.

**Phase 2 -** Tower Hamlets will 'call-off' the framework either through direct award or a mini-competition with a view to block purchasing placements at substantially reduced costs. This approach has been successful across a number of other London boroughs and as well as further savings be achievable it also and allows Tower Hamlets to further influence the type of placement being provided. The proposed duration of the framework is 36 months; any block purchase arrangements would not exceed this timeframe.

## **Community Benefits**

The framework will highlight community benefits including, and where possible, local recruitment and local resourcing. As it is anticipated that many of the SIL Framework providers may be based outside of Tower Hamlets to meet the needs of our children and young people, we expect at a minimum that all providers accepted onto the Framework commit to local recruitment and ensure that current and former service users, are supported to apply for internal apprenticeships, traineeships, volunteering and employment opportunities.

Contract Ref & Title	G5373 Community Information Panels		
Procurement Category:	Services	Funding:	Concession
Invitation to Tender □ Contract Signature □	25/07/2018	Contract Duration and Extensions:	3 + 2years
Value P/A:	Approx £200,000	Value Total:	£1,000,000
Reviewed by Competition Board □	03/08/2018	□London Living Wage □ □Collaboration □ Re-pr	New Procurement ocurement of existing Contract

### **Scope of Contract**

Council currently has 43 x 6 sheet size advertising sites across the borough all of which are traditional static sites not offering digital solutions. The purpose of this procurement exercise is to re-procure our expired Community Information Panels (CIP) advertising contract across the borough securing the most possible coverage while also ensuring the best value for money for the Council

Currently the exposure received from these is 50% for the council via coverage wholly on one side while the reverse is used entirely for external advertisers. We will request suppliers that show an interested to put forward a proposal to extend the current number of units to 60, and look to convert as many as possible to digital units. Any additional CIPs identified will need planning permission as well as any static sites that are to be converted to digital sites.

We are proposing a 5 year contract (3 + 2) enabling any suppliers tendering for this contract to maximize their income to cover any costs for new digital units and the conversion of current static units to digital units. We will look to identify possible sites to change the number of units from 43 to 60 alongside the planning team, and identify which units are best placed for digital conversion.

## **Contracting Approach**

A restricted EU procedure has been proposed to shortlist effectively and make best use of available resources. We will plan to run the tender process, which will be a concession contract, over a 2/3 month period to maximise the opportunity for potential bidders to work with the Council Planning Department to understand the planning requirements so that this might feed into their bid and so minimise mutual levels of risk in that regard.

### **Community Benefits**

Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	R5402 – Early Payment Service		
Procurement Category:	Corporate Services	Funding:	General Fund /Concession
Invitation to Tender ⊠ Contract Signature □	September 2018	Contract Duration and Extensions:	5 years
Value P/A:	-	Value Total:	Circa £2.1m
Reviewed by Competition Board ⊠	20/08/2018	<ul><li>□ London Living Wage □ New Procurement</li><li>□ Collaboration □ Re-procurement of existing Contract</li></ul>	

The purpose of this contract is to appoint an early payment service provider to work with the council over a five year term to help generate additional income though payment of supplier invoices quicker than the standard 30 days payment term.

The implementation of early payment software has potential to generate income without affecting service quality with any minor implementation costs being more than covered from income generated. Suppliers would also benefit from earlier payment which could reduce their debt management costs.

# **Contracting Approach**

The early payments service provider will be appointed through an existing framework contract.

## **Community Benefits**

Community benefits commensurate with the nature of the contract will be sought from the provider.