



C A B I N E T P R O C U R E M E N T A N D I N S O U R C I N G C O M M I T T E E

Monday 5 June 2023
at 5.00 pm Committee Room 102,
Hackney Town Hall, Mare Street, London
E8 1EA

Live stream link:

Main: <https://youtube.com/live/m4SP0IAfdb8>

Backup: https://youtube.com/live/T_ejZxTu7Ug

Members of the Committee:

Councillor Robert Chapman, Cabinet Member for Finance, Insourcing and Customer Service (Chair)

Councillor Mete Coban MBE, Cabinet Member for Environment and Transport

Councillor Christopher Kennedy, Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

Councillor Caroline Woodley, Cabinet Member for Families, Parks and Leisure

Ian Williams

Acting Chief Executive

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Cabinet Procurement and Insourcing Committee

Monday 5 June 2023

Order of Business

1 APPOINTMENT OF CHAIR FOR THE MUNICIPAL YEAR 2023/24

To note the confirmed appointment to the position of Chair - Councillor Robert Chapman for the Municipal Year 2023/24, as agreed by Full Council at its Annual Meeting on 17 May 2023.

2 APOLOGIES FOR ABSENCE

3 TERMS OF REFERENCE OF THE CABINET PROCUREMENT AND INSOURCING COMMITTEE (Pages 11 - 12)

To note the Terms of Reference of the Cabinet Procurement and Insourcing Committee for the Municipal Year 2023/24.

4 URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. Late items of Urgent Business will be considered under the agenda item where they appear. New items of unrestricted urgent business will be dealt with under Item 10 below. New items of exempt urgent business will be dealt with at Item 14 below.

5 DECLARATIONS OF INTEREST

Members are invited to consider the guidance which accompanies this agenda and make declarations as appropriate.

6 NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATION RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS

On occasions part of the Cabinet Procurement Committee meeting will be held in private and will not be open to the public if an item is being considered that is likely to lead to the disclosure of exempt or confidential information. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 (the "Regulations"), members of the public can make representations about why that part of the meeting should be open to the public.

This agenda contains exempt items as set out at Item 13 and 14.

No representations with regard to these have been received.

This is the formal 5 clear day notice under the Regulations to confirm that this Cabinet Procurement Committee meeting will be partly held in private for the reasons set out in this Agenda. Information) (England) Regulations 2012 (the “Regulations”), members of the public can make representations about why that part of the meeting should be open to the public.

This agenda contains exempt items as set out at Item 13, and 14:

No representations with regard to these have been received.

This is the formal 5 clear day notice under the Regulations to confirm that this Cabinet Procurement Committee meeting will be partly held in private for the reasons set out in this Agenda.

7 DEPUTATIONS/PETITIONS/QUESTIONS

8 UNRESTRICTED MINUTES OF THE PREVIOUS MEETING OF CABINET PROCUREMENT COMMITTEE HELD ON 2 MAY 2023 (Pages 13 - 28)

To confirm the unrestricted minutes of the meeting of Cabinet Procurement Committee held on 2 May 2023.

9 CHE S220 CYCLE HANGARS - SUPPLY, INSTALLATION AND MAINTENANCE (Pages 29 - 48)

10 ANY OTHER UNRESTRICTED BUSINESS THE CHAIR CONSIDERS TO BE URGENT

11 DATE OF FUTURE MEETINGS

Meetings will be held at 5.00pm on:

3 July 2023
4 September 2023
9 October 2023
6 November 2023
4 December 2023
8 January 2024
5 February 2024
4 March 2024
8 April 2024

12 EXCLUSION OF THE PUBLIC AND PRESS

Note from the Governance Services Manager

Item 12 allows for the consideration of exempt information in relation to items 13 and 14.

Proposed resolution:

THAT the press and public be excluded from the proceedings of the Cabinet Procurement Committee during consideration of Exempt Appendix at item 13 – Cycle Hangars on the agenda on the grounds that it is likely, in the view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended.

- 13 CHE S220 CYCLE HANGARS - SUPPLY, INSTALLATION AND MAINTENANCE EXEMPT APPENDICES (Pages 49 - 50)**
- 14 ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

Public Attendance

Following the lifting of all Covid-19 restrictions by the Government and the Council updating its assessment of access to its buildings, the Town Hall is now open to the public and members of the public may attend meetings of the Council.

We recognise, however, that you may find it more convenient to observe the meeting via the live-stream facility, the link for which appears on the agenda front sheet.

We would ask that if you have either tested positive for Covid-19 or have any symptoms that you do not attend the meeting, but rather use the livestream facility. If this applies and you are attending the meeting to ask a question, make a deputation or present a petition then you may contact the Officer named at the beginning of the Agenda and they will be able to make arrangements for the Chair of the meeting to ask the question, make the deputation or present the petition on your behalf.

The Council will continue to ensure that access to our meetings is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice. The latest general advice can be found here - <https://hackney.gov.uk/coronavirus-support>

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to

respect the wishes of those who do not wish to be filmed or photographed. Failure to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil

partner, or anyone living with you as if they were your spouse or civil partner;
or

- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. **You may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

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Terms of Reference of the Cabinet Procurement and Insourcing Committee

Cabinet Procurement and Insourcing Committee is responsible for the functions set out below:

1. The Committee is authorised by Cabinet to give detailed consideration on all issues relating to procurement practice and policy and to award all high-risk contracts. The Committee may also reserve to itself the consideration contract award of any other procurement identified on the Forward Procurement Plan
2. The Committee will exercise the following functions and those matters which flow from them, which are executive functions and advise, as appropriate on:
 - Improving the quality of public services to better meet the needs of all local Citizens through the skilful use of procurement as a function to support Council priorities;
 - Ensuring the Council's procurement processes deliver Value for Money (VFM) outcomes where VFM is defined as the optimum combination of both whole life costs and quality (or fitness for purpose)
3. The Committee will oversee the progress of all contracting activities on the Forward Procurement Plan.
4. The Committee will oversee those procurements put before it under the Gateway process to ensure:
 - They are consistent with Hackney's procurement policy and procedures and the Council's statutory obligations as advised by Officers;
 - The "make or buy" decision is robust and consistent with achieving best value for the Council, where best value is defined as providing services that are efficient, effective and Value for Money.
 - The procurement approach will achieve best value for the Council, promoting procurement options that, where consistent with this duty, have regard to opportunities for collaborating with partners at local, regional, and national level, are designed to deliver a mixed economy of service provision, with ready access to a diverse, competitive range of suppliers providing quality services, including small firms, social enterprises, minority businesses and voluntary and community sector groups.
 - Contract awards are made having regard to identification of the most economically advantageous tender (MEAT), considering issues such as quality, performance, delivery, continuity of supply and whole life costs.
 - That the Benefits Realisation of contracts are considered and that lessons learned are captured.
5. The Committee will give consideration to proposals for insourcing of existing outsourced contracts as part of options appraisal for future service provision. Where there is a clear demonstration that this option will consistently achieve best value for the Council and its

residents, the Committee will have the power to approve the insourcing of contracts.

6. The Committee will review contract variations as set out in Contract Standing Orders

7. The Committee will be responsible for considering any procurements that are referred by the Chair of Hackney Procurement Board (an officer panel established in accordance with Contract Standing Orders).

8. The Committee has the discretionary right to refer any Gateway 2 or 4 review for decision by Cabinet

9. The Committee will also consider and advise, as appropriate, on:

- a) A corporate approach to best value in Procurement and ensuring all departments of the Council comply with these principles;
- b) Value for Money studies following consideration by those bodies with appropriate responsibility for the specific area of work;
- c) The use of procurement to support the Council's wider Equalities, Environmental, In-sourcing Services, Social and Community Benefit objectives

10. The Committee will be responsible for considering any procurements that arise from the acceptance of an Expression of Interest under Section 81 of the Localism Act 2011.

The quorum for the Cabinet Procurement and Insourcing Committee shall be two elected Councillors.



MINUTES OF A MEETING OF THE CABINET PROCUREMENT AND INSOURCING COMMITTEE

TUESDAY 2 MAY 2023

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:
<https://youtu.be/Q2p8Qb-Mh5k>

Chair	Councillor Robert Chapman in the Chair
Councillors Present:	Deputy Mayor Anntoinette Bramble and Cllr Christopher Kennedy
Apologies:	Cllr Caroline Woodley
Officers in Attendance	Rotimi Ajilore (Head of Procurement), Stephen Jepson (External Hadron Consulting), Rabiya Khatun (Governance Officer) Julie Simpson (Interim Project Manager, Leisure, Parks & Green Spaces)
Officers in Attendance Virtually	Merle Ferguson (Procurement Strategy and Systems Lead) Carol Gayle (Operations Manager) Leila Gillespie (Procurement Category Lead Commissioning Manager) Ian Jones (Legislation, Strategy and Projects Officer) Georgia Lazari (Senior Lawyer) Timothy Lee (Public Health Commissioning Manager) Divine Ihekwoaba (Category Lead - Construction and Environment) Jeremy Martin (Head of Energy and Carbon Management) Jade Mercieca (Procurement and Commercial Manager) Tessa Mitchell (Governance Team Leader), Pritesh Parmer (External SCAPE Framework) Donna Thomas (Head of Early Years)

1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillor Woodley.
- 1.2 Apologies for lateness were received from Deputy Mayor Bramble.

2 Urgent Business

2.1 There were no items of urgent business.

3 Declarations of Interest

2.1 There were no declarations of interest.

4 Notice of Intention to Conduct Business in Private, Representations Received and Response to Such Representation

4.1 There were no representations received.

5 Deputations/Petitions/Questions

5.1 There were no deputations, petitions or questions received.

6 Unrestricted Minutes of the Cabinet Procurement and Insourcing Committee

RESOLVED: That the minutes of the previous meeting held on 13 March 2023 be agreed as a true and accurate record of proceedings.

6.1 Matters arising

In relation to Action Tracker Reference 4(2) - General Exception AHI S192 City and Hackney Enhanced Health Visiting Service Contract Award from 17 April 2023, the Committee noted the briefing note circulated to members prior to the meeting.

7 CHE S191 London Fields Lido Teaching Pool - Appointment of Works Contractor

7.1 The Interim Project Manager introduced the report seeking approval for the appointment of Supplier B initially for pre-construction phase 1 to develop the new London Fields Teaching Pool. If completed satisfactorily the contract would progress to stage 2 - the building contract.

7.2 The report sets out the process for the procurement of the works contractor through a two-stage design and build procurement route using the Scape Framework and recommended the appointment of the preferred Contractor.

7.3 In response to questions from members in relation to the report, the Interim Project Manager replied as follows:

- It was clarified that the budget of £4.5m had been split into construction costs and fees. £3.9m had been budgeted for construction works and £600k to cover fees such as design fees, surveys, ground studies etc and contingencies such as client contingency.
- The UK market had very few contractors with a track record and experience of undertaking swimming pool projects and during the market testing the lack of demand for the single stage route and the need to have a good quality contractor capable of undertaking a high risk project such as a swimming pool had been the reason for selecting the two-stage design and build procurement route using the Scape Framework and in particular the experience of the contractors on this framework.

- It was emphasised that discussions were currently taking place between the teams after delivery on the logistics and the additional design work for installing and integrating the Ground Source Heat Pumps. Progress had been made but there were still issues with the logistics such as the need for a new substation and also consideration of the cabling route into the new building due to the mature London planes.

RESOLVED:

1. That Cabinet Procurement & Insourcing Committee (CPIC) approves the selection of the preferred contractor (Contractor B), as noted in the Exempt Appendix A, and the issue of the Scape 'Project Request' form to Contractor B to carry out the Feasibility Study to develop the new teaching pool and ancillary facilities at London Fields Lido.

2 Subject to the satisfactory completion of the Feasibility Study, that CPIC agrees to delegate the approval to enter into a 'Pre-Construction Services Agreement' with Contractor B referenced in paragraph 5.15, to the Group Director, Climate, Homes & Economy Directorate in consultation with the Group Director of Finance and Corporate Resources.

3. That CPIC agrees to delegate the approval of the Contract Award for the appointment for the main works (subject to agreement being reached with the Contractor B on price and supporting information for the building contract) to the Group Director, Climate, Homes & Economy Directorate in consultation with the Group Director of Finance and Corporate Resources.

4. Subject to the award of contract in paragraphs 3.1 and 3.3 above, that CPIC agrees to authorise the Director, Legal, Democratic and Electoral Services to agree and enter into all necessary legal documentation in relation thereto.

Reasons For Decision

1. The Council has long recognised the impact that sport and physical activity can have on the achievement of its vision / priorities and, in recent years, has made improvements to both the quality and operation of its sport and leisure facilities. However, we are now at a watershed in terms of having to make some decisions about how the facilities will continue to meet the demands and expectations of the community, within the context of a changing population and reducing resources.

2. The future of the Council's Sport and Leisure provision has been re-evaluated over recent years, given the expected changing population, increasing customer expectations and age and condition of the leisure buildings. The review process adopted an integrated approach towards the Council's leisure facilities that sought to:

- Improve the quality of provision to ensure it continues to meet the demands and expectations of the community;
- Remove barriers, improve access and increase participation;
- Improve the financial and environmental sustainability of provision; and
- Identify opportunities to attract inward investment to fund the new or improved sport and leisure provision.

3. This Report relates to the appointment of a preferred works contractor following completion of a procurement exercise using the Scape Framework, for the development of the new teaching pool at London Fields Lido.

4. As previously mentioned, in September 2022, a multi-disciplinary consultant team was appointed to project manage and design the development of a new enclosed teaching pool at London Fields Lido. The new pool will provide a valuable new facility that can be used by the whole community throughout the year and will complement the existing and extremely popular open air 50m main Lido. The new facility needs to be sustainable, both financially and economically, and reduce carbon emissions.

5. The Project is logistically challenging, being built within a live site, as both the Lido and adjacent Parks' depot will need to remain in use. The new pool and associated accommodation will also need to be connected to the existing building and will require structural alterations. Pool projects are inherently difficult, specialist developments and it is therefore important to employ a contractor with suitable experience of this type of project.

6. The total Project Budget is £4.5m, with £3.9m of this being the construction cost. This is below the Public Contract Regulations - 'Public Works' threshold of £4,447,447, excluding 20% VAT. There are no additional revenue costs to the Council associated with the development of the new teaching pool and ancillary facilities, as London Fields Lido is already included within the leisure management contract with GLL and any increase in operational costs will be offset by the additional income generated by the new teaching pool.

7. COVID, Brexit, and most recently the war in Ukraine and the cost of living crisis, are all having a significant impact on the construction market, with an upturn in construction activity coinciding with a lack of available materials and resources. This has led to significant price increases and contractors will therefore prioritise well run, low risk projects, with a high probability of them going ahead.

8. A potential recession may slow down construction activity, however this is only likely to see a levelling of the market, rather than a wholesale reduction in prices, and it will inevitably put contractors under financial strain. It will be important, therefore, to select a contractor that is both experienced in the delivery of wet leisure facilities and financially stable.

9. As reported to HPB, the original preferred route for the procurement of a works contractor for the London Fields Lido teaching pool was to appoint the contractor through a single stage design and build procurement utilising an established framework such as Constructionline. However, the final decision would depend on the available frameworks, and the appetite of the contractors for this project and a single stage design and build procurement route. To confirm the procurement route, soft market testing of this approach was carried out to assess the level of interest and experience of the contractors available i.e. good leisure and swimming pool experience.

10. The results of the soft market testing confirmed that:

- There was no appetite for a single stage procurement route from

contractors with suitable leisure/pool experience;

- The contractors approached are still busy with a good pipeline of opportunities and are only interested in a two-stage procurement route;
- The project is too small for some of the contractors; and
- Without being prompted, interested contractors suggested the use of an established framework and subsequently confirmed their interest in bidding through the Scape Framework.

11. A 'Two Stage Develop and Construct' procurement route was therefore chosen for the project, with the Building Contract being procured through the Scape Framework (England and Wales, £0-£7.5m), which fully complies with Regulation 28 of the Public Contracts (England, Wales and Northern Ireland) Regulations 2015.

12. Two contractors were appointed to this Framework. Tenders were requested from both contractors who were also invited to a Post Tender Presentation Meeting. The tenders were assessed on a quality only basis, following assessment of both their tender documents and their post tender presentation (see Exempt Appendix A for details of the Scape Framework contractors).

13. The Contractors on the Framework were provided with as much information about the project as possible and posed 3-4 questions, such as team/track record, methodology/programme, added value and social value. The contractors prepared a presentation in response to the questions and presented this to our evaluation panel. The topics/questions were weighted to help with the scoring and selection, as per the ITT documents that Procurement issued via ProContract.

14. This process will allow the selection of a preferred Contractor to work with the Council's project team during the pre-construction phase (Stage 1).

15. Once the Contractor has been appointed, the Scape 'Project Request' form will be issued to the Contractor to complete a Feasibility Study, which will include their view on design, enabling works, demolition, surveys, utilities, programme, risk, construction logistics etc., and will provide a cost estimate and confirm their pre-construction fees in line with the Scape Framework Agreement. Assuming this is satisfactory, the preferred contractor will be appointed under a Pre-Construction Services Agreement (PCSA), to work with the Council's project team and price the works once the design has been developed in sufficient detail (for this project it will be at the end of Stage 4). This will be carried out on an open book basis where the contractor obtains 3-4 quotes for each package. The agreed Overhead & Profit and management rates set out in the Framework Agreement are then added to this and the quotations for each package will be scrutinised by the cost consultant (F+G) to ensure the Council achieves best value. This is broadly the same process that the Council followed for the development of the new Britannia Leisure Centre, albeit through a different Framework.

16. The Building / Works Contract will then be entered into with the preferred Contractor upon completion of the pre-construction period, tendering the sub-contractor packages and agreeing a fixed contract sum for the works (Stage 2). There is no obligation to enter into the Building / Works Contract if an agreement cannot be reached with the preferred Contractor during the pre-construction period.

17. As outlined in recommendations 3.2 and 3.3, delegated approval is being

sought for the reasons outlined below:

- Once the contractor's Feasibility Study has been completed and considered satisfactory by the Council's project team, it's important that the preferred contractor is appointed under a Pre-Construction Services Agreement (PCSA) without delay, to work with the Council's project team to develop the design in sufficient detail to allow the preferred contractor to tender their subcontractor packages and agree a fixed contract sum for the works.

Completion of the contractor's Feasibility Study is a very quick exercise, taking 3 weeks and would normally be done under a PCSA. However, the Scape Framework requires this to be two separate instructions, hence the need to be able to move quickly and seamlessly into the PCSA following the successful completion of the Feasibility Study.

- Due to the current volatility of construction costs, the contractor's supply chain needs to be engaged as soon as possible, to keep costs low and ensure the project is delivered within budget. It's worth noting that the cost of the teaching pool project has increased by more than 20% since the project was approved and funding included in the Council's capital programme. Any delay in the reporting and approval process could result in further cost increases which could render the project undeliverable.

Alternative Options (Considered and Rejected)

1. Alternative options considered and rejected for the procurement of the works contractor for the new teaching pool at London Fields Lido were outlined in the Business Case report presented to HPB:

Options outlined at pages 23 and 24 of the agenda pack.

8 FCR S193 Decarbonisation of Heat in Commercial Buildings (PSDS3b)

8.1 The Head of Energy and Carbon Management introduced the report summarising the process used to procure Asset Plus within the ReFit Framework as supplier to the Council for decarbonisation and energy savings in Corporate buildings including schools, libraries, tenanted buildings and the core Corporate Campus and operational sites.

8.2 The total projects value was estimated at £16.8m and a grant award of £12.m had been received with the balance being made available through internal capital. The three sites would require Ground Source Heat Pumps and a permit from the Environmental Agency could take up to 12 months to obtain. Officers were working to get the best scheme across the two sites rather than prioritising anyone scheme.

8.3 In response to questions from members in relation to the report, the Head of Energy and Carbon Management replied as follows:

- The installation of the ground source heat pump (GSHP) to decarbonise heating in council buildings had many advantages, in particular the aquifer underground in London provided access to warm water that could be pumped out at an ambient 15 degrees and be used in the heat pumps to heat the sites of London Fields Lido, Clissold Leisure Centre and Stoke Newington Town Hall and Library. There would be one system managing both buildings and the systems would provide extra capacity to be used in future heat

network projects. All installations would be planned for future heat network connection to facilitate using heat networks as they developed over the borough and to be able to be used for plant replacement at the appropriate time. The ability to link up buildings would create a multi-nodal heat network with advantages of resilience. The GSHP attracted larger grants due to the increased carbon savings and the full cost of the alternative option of one big source through an Energy entre project distributing heat to multiple sites would not be covered under the Public Sector Decarbonisation Scheme.

- With regard to the ongoing management and maintenance costs especially with this new technology, it was stated that the Council would be using a third of the energy after transferring to the GSHP, however, the electricity price was three times higher than gas resulting in no cost savings but significant carbon savings. This would also lead to a displacement of 8m kilowatts of gas with 1.6m kilowatts of electricity. In terms of the maintenance and running costs, it was expected that the servicing costs for the new equipment would be similar to the service and costs of the old equipment. The grant would go towards covering the extra cost of installing a low carbon system. It was expected that the running costs would be broadly cost neutral but the ground source heat pump would be expected to last longer than the equivalent boiler system or any air source heat pump.

8.4 The Chair noted the important contribution this system would make towards carbon savings and meeting the Council's 2030 climate target.

RESOLVED:

- 1. To Note the process used for the selection of Asset Plus (using the GLA ReFit Framework) as the delivery partner for the decarbonisation of heat in the Council's Corporate Buildings including appointment as Principal Designer and Principal Contractor for CDM Regulations.**
- 2. To award a 2 year contract to deliver the Public Sector Decarbonisation Scheme 3b Sites project to Asset Plus at a value of £16.6m and for the Council to continue to work with Asset Plus across the whole portfolio of Corporate properties.**
- 3. To note that as further projects are developed through the work that will be undertaken to assess the heating systems in other Corporate Buildings, they will be brought back to this Committee, Hackney Procurement Board or approved by officers in line with the Gateway Process and financial scheme of delegation.**

Reasons For Decision

1. Decarbonisation of Corporate Properties is a vital step in reducing carbon across the Council's operations identified in both Manifesto commitments and in the forthcoming CAP which is due to be presented for adoption in June 2023.
2. On completion, this project will replace largely end of life gas powered heating equipment in nine buildings with heat pumps displacing 8m kWh gas with 1.6m kWh electricity thereby saving in excess of 1,545 tCO₂e.
3. The project will also act as a demonstrator that the Council takes decarbonisation seriously and is investing in Climate Change mitigation measures thereby acting as a beacon for other businesses to follow.

4. The project will decarbonise heating through the installation of Ground Source Heat Pumps (GSHP) at London Fields Lido, Clissold Leisure Centre and Stoke Newington Town Hall and Library (one system managing both buildings) and Air Source Heat Pumps (ASHP) at Queensbridge Leisure Centre, Trowbridge Centre and 3 schools.
5. The project will take 2 years to deliver with the ASHP sites delivered in the first year and the GSHP in the second. Completion is expected around December 2024 leaving a 3 month contingency before grant monies expire. The main reason for the protracted delivery is that the GSHPs will require permits from the Environment Agency as heat will be extracted from the aquifer below ground under the sites.
6. The project will cost £16.8m of which £16.6m will be awarded to Asset Plus to competitively procure, deliver and complete the installations. The remaining £200k will fund a Project Manager appointed to manage the project working with Asset Plus, the local sites and property management and the Grant Funder, Salix Finance.
7. In developing the Investment Grade Proposal (IGP) project costs have been estimated based on quotes obtained in August 2022 based on concept designs, estimates for grid upgrade and contingency. The Council has included a further contingency to allow for some price movements in the market between the cost estimates used for grant application and the final pricing fixing through procurement stages described below (14). The quotes used to establish project costs were obtained after most of the recent construction cost inflation had been incurred in the market.
8. The £12.2m Grant has been provided by Salix Finance through the Public Sector Decarbonisation Scheme 3b (PSDS) and will be complemented by £4.6m internal capital allocation approved through the Capital Programme.
9. Procurement of the project was completed in the second half of 2021 through a competition within the GLA Re:Fit Framework where the 12 pre-procured contractors on the GLA ReFit Framework were invited to provide terms against a portfolio of Council buildings.
10. Three suppliers on the framework responded to the competitive tender issued. The bids were scored using a 90% quality score and 10% price with Asset Plus scoring highest in Quality and joint highest in price. The 90% quality also included suppliers ability to secure competitive pricing through their supply chain for the cost of the installations which forms the bulk of the cost of the project
11. Pricing within the Re:Fit Framework is based on a fixed cost for surveys up to IGP Stage with an open book process through installation based on tendered construction/installation costs plus a pre-agreed margin. Work completed by Asset Plus through the programme (design, project management, training, handover etc) is based on pre-agreed labour rates assessed during the competition.
12. Asset Plus offered a zero cost survey and IGP stage with competitive labour rates and margins. As such, they were appointed as the supplier for surveys and IGP services under the Re:Fit Framework.
13. Asset Plus provides a cost and savings performance guarantee. Costs are

guaranteed after the final contractor procurement stage described below (14) whilst savings in kWh are guaranteed at a 90% of predicted performance level adjusted for weather, site use variations etc. The guarantees will operate at a project portfolio level rather than at a sitespecific level and will be subject to the Council reporting significant changes of use within the buildings.

14. The project will be delivered in stages with a design phase followed by procurement through Asset Plus' established supply chain. These contractors have a track record of delivery of this type of equipment. At least 3 quotes for each site will be gathered by Asset Plus with the award being made to the most economically advantageous offer. The selection will be by Asset Plus within the Re:Fit Framework working with Council Officers with judgements made on price, quality, programme and social value. If possible, local contractors or those using local subcontractors will be favoured but it should be noted that these installations involve specialised technical equipment and experience in successful delivery must be paramount.

15. The procurement of contractors for the project will be split according to technology with the 3 GSHP sites awarded to one contractor and the 5 ASHP contracts awarded to another. This reflects the different types of technology and the different timescales for delivery following the permitting stage required for GSHP.

16. Grid upgrades are expected only on one site (London Fields Lido) and will be coordinated with the project working to install the new teaching pool to minimise cost and site disruption. The project teams have been coordinating for the last 9 months on this approach. All sites will be reviewed with the Distribution Network Operator, UK Power Networks (UKPN) and, where required for capacity or for technical reasons such as harmonics, the supply will be upgraded. As the local statutory monopoly supplier, these upgrade contracts will be awarded to UKPN under their terms and conditions including pre-payment.

17. Following the installations, the Council is required to monitor and report on savings to the Funder with a more detailed International Performance Measurement and Verification Protocol (IPMVP) based process available from Asset Plus at extra cost should this be required. This level of detail is not required by Salix as the funder.

Alternative Options (Considered and Rejected)

1. Alternative options considered include:

- Do nothing. All of the buildings identified have fossil fuel heating systems that are at or nearing their end of life and will need replacing. Therefore doing nothing will result in emergency replacements after failure which could occur at any stage. In some sites, especially Leisure Centres, the costs of emergency works are increased by loss of revenue if heating systems fail as the sites often have to close due to no hot water, inadequately heated swimming facilities etc). Doing nothing is not considered a viable option.
- Like for Like Replacement. Replacement of boilers would cost substantially less overall but would not attract external funding and would not achieve carbon savings of any magnitude. Given the impact of the grant where the Council contribution is largely defined by the like for life replacement costs, the grant makes the full project cost only a little more than the full Low Carbon project recommended.

- ASHP throughout. It would be possible to deliver the projects using ASHP rather than GSHP which are substantially more expensive. ASHP would have been difficult to progress at Clissold due to noise concerns and at London Lido due to planning requirements for the size of equipment required. GSHP attracts larger grants due to the increased carbon savings and the systems will provide extra capacity to be used in future heat network projects making the ASHP option less attractive.
- Re-procure a different principal contractor. Asset Plus were appointed following a procurement exercise within the terms of the Re:Fit Framework which therefore meets the regulatory and governance requirements.

2. Insourcing was not considered a viable option due to the specialised nature of the equipment to be installed. As the market matures and more qualified and experienced staff become available in the market this option may be able to be reconsidered for maintenance and for future installations and replacements.

(Deputy Mayor Anntoinette Bramble joined the meeting at 3.20pm)

9 CE S173 Children's Early Years Catering

9.1 The Head of Early Years, Early Help & Wellbeing introduced the report seeks to approve an 18 month extension to the existing call off contracts in place for catering provision for Hackney Children's Centres. The purpose of the extension is to allow for the review concerning the development of Children and Family Hubs to be completed by Summer CE S173 2023, and for the results of the review and recommendations to be implemented over a phased period from 2023 to 2024/25.

9.2 It was emphasised that the Council has not been approached by any alternative providers in the last year in relation to any intention to tender. The original open tender opportunity had attracted three responses including the incumbent and previous extensions to this agreement have gone unchallenged with the current provider.

9.3 In response to questions from members in relation to the report, theThe Head of Early Years, Early Help and Wellbeing replied as follows:

- With regard to the legal comments and the potential risk of challenge from alternative providers, the Head of Procurement clarified that this risk could be effectively managed. There had been two options available, the first was to allow the contract to continue without taking no action which could potentially leave the Children's Centres at risk of a non-contracted service provision whilst the reviews were being finalised and no recourse if there were any issues with the service provider's performance. The other option had been to extend the contract for a further period of 18 months which would enable sufficient time for the review to be undertaken of the Children's Centres and transform some centres into Children and Family Hubs as well as finalising the future configuration of the Children's Centre nurseries and their service needs. In addition, the extension would have enabled the Council to work with the Centres and the contractor to provide a continuing good service and to go back to market to procure a longer term contract after the review had concluded.
- With regard to the ongoing consultation and consideration of insourcing the contracts for catering services for nurseries and schools and encouraging early

access, it was emphasised that the insourcing of services would depend on the providers that remained following the review and who would be leading the Centres and what they required. However, as the providers were autonomous organisations if the providers remained under the local authority the Council could engage with them regarding insourcing and also look at the right fit for the services without increasing the pressures of managing contracts for Centres and nurseries, which primarily delivered education in early years foundation stage curriculum. The service was committed to insourcing future contracts but it was not currently in a position to insource this contract.

9.4 The Committee noted the Head of Procurement's response to a potential risk of a legal challenge and also added that the service needed to consider developing proposals for the insourcing of future contracts.

RESOLVED:

To agree to the extension of the Early Years Catering Service Contracts for a further 18 months (from 1st February 2023 until 31st July 2024) to allow sufficient time for the project for the Development of Children and Family Hubs to be completed.

Reasons for Decision/Options Appraisal.

1. The Early Years catering service framework was procured by Hackney Education in 2016 to support Hackney's children's centres. The catering service complies with the School Food Trust recommendations for food and drink for under 5s, and the Government Buying Standards for Food and Catering which relate to sustainable food procurement.
2. The original framework was in place for 4 years between the 1st August 2016 and 31st July 2020. All 6 council-managed centres used the framework, and each centre contracted individually with the service provider under the framework's call-off terms. Two Children's Centres accessing the Service are school-based. Please refer to 5.6 below for further detail.
3. There have been two extensions authorised for the provision of the services. The second extension was provided to 31st January 2023 to enable alignment of commercial catering contracts and the finalisation of the Insourcing Review. There is currently a review ongoing in relation to the commercial catering contracts, in addition to the review of children's centres and the development of Children and Family Hubs to provide integrated services for families with children 0 - 19. In addition, an independent commission into affordable childcare commenced in March 2023. As a result Hackney Education is seeking approval for a further extension to enable the landscape of children's centres to be co-designed, and agreed.
4. The further extension period of 18 months will enable sufficient time for the transformation of a number of children's centres into Children and Family Hubs, and the future configuration of children's centre nurseries and their service needs to be agreed.
5. The extension will mitigate the risk of a non contracted service provision whilst the reviews are being finalised. The extension will enable the Council to work with the Centres and the Contractor to provide a continuing good service including support for staff and families.

6. The extension will enable any findings, learnings and strategies coming out of the work being undertaken by the Free School Meal task force to be considered and built into the work with the children's centres.

7. Due to the whole life value of the contract being in excess of £3,000,000, the department is seeking approval to further extend the call off contracts from Cabinet Procurement and Insourcing Committee. If extended, this service will continue to be paid for within the existing budget and no additional funding will be necessary. The cost of the meals is included within the childcare fees. The supplier is paid directly from each Children's Centres budget.

8. The Children's Centres and Nursery Schools with active call off contracts in place with the contractor are listed below:

- Ann Tayler Children's Centre (Council)
- Clapton Park Children's Centre (Council)
- Comberton Children's Centre (Council)
- Fernbank Children's Centre (Primary School - Jubilee)
- Hillside Children's Centre (Council)
- Linden Children's Centre (Council)
- Woodberry Down Children's Centre (Council)
- Comet Nursery School (Maintained Nursery School)

Alternative Options (Considered and Rejected)

1. OPTION 1 - Do Nothing: The Council lets the call off contracts expire on the 31st January 2023 and takes no further action – this was considered and rejected as the centres need to provide catering services to the community to meet their obligations to parents who pay for a service. The Council has a declared commitment to support children and young people, the Centres provide a hub for local families to meet, engage and get support from a range of services.

2. OPTION 2 - Re-tender: The centres re-tender to renew the contracts – this option was considered and rejected at this moment in time. The option to re-tender is to be done in line with the assessment and outcome of the Children and Family Hub review and any Insourcing assessment.

3. OPTION 3 - Insourcing: - The Insourcing Review was not completed as the Early Years review was ongoing and has now been updated to feed into the Children and Family Hubs review and the review of affordable childcare. An Insourcing option will form part of the review and determination of any future tender for Centre catering provision.

10 Any Other Unrestricted Business the Chair Considers to be Urgent

10.1 There was no other business that the Chair considered urgent.

11 Exclusion of the Public and Press

THAT the press and public be excluded from the proceedings of the Cabinet Procurement Committee during consideration of Exempt items 12, 13 and 14 on the agenda on the grounds that it is likely, in the view of the nature of the business to be

transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended.

12 CHE S191 London Fields Lido Teaching Pool Appointment of Works Contractor - EXEMPT Appendix A

12.1 The Committee noted the exempt appendices.

13 FCR S193 Decarbonisation of Heat in Commercial Buildings (PSDS3b) - EXEMPT Appendices A and B

13.1 The Committee noted the exempt appendices.

14 CE S173 Children's Early Years Catering - EXEMPT Appendix A

14.1 The Committee noted the exempt appendices.

15 Any Other Exempt Business the Chair Considers to be Urgent

15.1 There was no other exempt business that the chair considered urgent.

Duration of the meeting: 3.00 - 3.40 pm

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CABINET PROCUREMENT AND INSOURCING COMMITTEE

ACTIONS TRACKER as at 25/5/23

Ref	Meeting Date	Agenda Item	Action	Assigned to	To be completed by	Status
1	16/1/23	AHI S162 - Integrated Mental Health Network	<p>Senior Public Health Practitioner to share the lessons learned report with Committee Members when available.</p> <p>Update 03/02/23: internal lessons learned session already taken place and report will follow once a session with external stakeholders has been held.</p>	Jennifer Millmore	Tbc - March 2023	Pending
2	13/3/23	CE S174 SEND DPS Transportation Contract Award Approval	Action - Head of SEND : That a report back to a future meeting on the development of performance indicators and processes to ensure compliance with the commitment to the use of low emission vehicles and alternative fuels to reduce the environmental impact.	Joe Wilson	No Specific Date	Pending
3	17/4/23	AHI S150 Adult Social Care Transformation - Business Case	(1) Assistant Director Strategic Commission for Adult Social Care & Public to present proposed contract award to the Committee in July 2023 once the tender process has been completed.	Jenny Murphy	May 2023	Outstanding

			<p>(2) Officers to ensure that the contract award is listed for key decision on the Council's Executive Meetings Key Decision Notice as appropriate.</p> <p>(3) The Assistant Director Strategic Commission for Adult Social Care & Public Health to provide a written response to Cllr Binnie-Lubbock.</p>			
4	17/4/23	General Exception AHI S192 City and Hackney Enhanced Health Visiting Service - Contract Award	<p>(1) Consultant in Public Health to follow up with the provider on support for young parents and capturing the outcomes.</p> <p>(2) To prepare a briefing note in consultation with the Procurement team addressing the sustainability issues.</p>	Carolyn Sharpe	<p>May 2023</p> <p>2 May 2023</p>	<p>Outstanding</p> <p>Completed</p>
5	17/4/23	FCR S180 Procurement of Core Insurance Provision Contract Award (Officer Key Decision) - For Noting	(1) Senior Insurance Officer to provide a briefing note to the Committee that provides further detail on the Council's green ambitions, the KPIs referenced in the report and innovation.	James Whitehouse	May 2023	Outstanding



CABINET PROCUREMENT & INSOURCING COMMITTEE

CONTRACT AWARD REPORT

Contract Award Report	
Title of Report	Cycle Hangars - Supply, installation and maintenance
Key Decision No.	CHE S220
CPIC Meeting Date	5 June 2023
Classification	Open
Ward(s) Affected	All Wards
Cabinet Member	Councillor Mete Coban
Key Decision	Yes Affects two or more wards and spending level
Group Director	Rickardo Hyatt Group Director, Climate, Homes and Economy
Contract value, <u>both</u> Inclusive of VAT and Exclusive of VAT (for the duration of the contract including extensions)	It is projected that the contract will cost around £4 million in total, but because the spend is flexible, the requirements must stay within the financing ceiling. The initial upfront capital needed is £2.8m which has been approved as part of the Capital spend and budget approval process, and it is funded from Directorate reserves. An estimated 675 cycle hangars will be delivered in the first 3 years.
Contract duration (including extensions e.g. 2 yrs + 1 yr + 1 yr)	The tender will be for a 15 year contract (5+2+2+2+2)

1. Cabinet Member's Introduction

- 1.1. Hackney Council has over the last 8 years installed over 650 cycle hangars across the borough, providing secure cycle parking for 3,900 cyclists.
- 1.2. However, despite this work - which has seen the number of hangars increase by a third in the last three years - demand for the spaces has continued to far outstrip supply, and consequently the waiting list for a space stands at over 5,000 residents.
- 1.3. The calculated waiting time for those on the waiting list today now stands at over 11 years, with many cycle hangars having a waiting list of over 40 residents, and space turnover averaging between one and two spaces per hangar per year.
- 1.4. The Labour 2022 Manifesto recognised the need to address this capacity gap.
- 1.5. “We already have the highest number of secure bike hangers in London and we will commit to more than doubling the number of annual installations with another 200 hangers by 2026 - helping another 4,000 households who may lack the storage space at home to keep a bike.”
- 1.6. Following this commitment, officers have been working hard to procure a supplier capable of partnering with us to deliver on this ambition, and I'm delighted to introduce this CPIC Award of Contract report, which recommends awarding a long term contract to Supplier B.
- 1.7. This contract, which creates a long term partnership between Supplier B and Hackney Council, will enable us to deliver our ambitious manifesto commitment, which will double the number of cycle hangars in Hackney by the time of the next election.
- 1.8. Doing so will remove a major obstacle to cycling for thousands of Hackney residents, and again demonstrates this administration's firm commitment to making it easier for Hackney's residents to cycle in the borough.

2. Group Director's Introduction

- 2.1. This report seeks approval for the award of a 15 year contract (5+2+2+2+2+2) for a supplier to provide cycle hangars, together with the ongoing supply of parts, following a comprehensive tendering exercise jointly carried out by Parking Services and Streetscene, with support from Procurement.

- 2.2. This award of contract will enable Hackney Council to deliver one of its key transport manifesto commitments, and will ensure that for years to come, additional hangars can be installed swiftly where funding is available. In addition, the contract sets out clear requirements for the successful supplier to maintain a stock of parts, and to deliver them to Hackney Council swiftly as and when required, so that we can continue to respond quickly to maintenance issues, and deliver a high standard of service to our customers.
- 2.3. The funding to deliver this manifesto commitment, through the installation of a further 675 hangars, was secured via a successful CPRP bid for capital investment of £2,835k over a 3 year period (2023/24 - 2025/26), which was approved in July 2022.
- 2.4. Delivery of this expansion will:
 - 2.4.1. help 4,000 residents currently awaiting a space on street and on estates obtain a space in a secure cycle storage;
 - 2.4.2. Reduce the resident waiting lists from 11 years to less than 2 years;
 - 2.4.3. Unlock significant cycling potential by removing a major obstacle to cycling more (the lack of storage for a bike in many people's homes); and
 - 2.4.4. Enable significant income growth that will ensure that future investment in new cycle hangars can be self-funded.
- 2.5. The full details of the tendering exercise are contained within the main body of the report with the appendix showing the outcome of the various submissions.

3. Recommendations

- 3.1. **Cabinet Procurement and Insourcing Committee is recommended to:**

Approve the award of contract for the Supply, Installation and Maintenance of Cycle Hangars to Supplier B.

4. Related Decisions

- 4.1. A report seeking approval for a competitive tender to be conducted for the procurement of a new Cycle Hangar supply and installation contract was approved by Hackney Procurement Board (HPB) in December 2022. The

report can be viewed by the following link: [HPB Report Business Case - Cycle Hangar Supply Contract \(Medium Risk\)](#)

- 4.2. In order to fund the Manifesto Commitment to deliver a further 4,000 secure cycle parking spaces by 2026, a CPRP bid for £2,835k over a 3 year period (2023/24 - 2025/26), which would enable the purchase of 675 hangars, was submitted. Details of the bid for capital investment, which was approved in July 2022, can be viewed via the following link: [Mayoral Manifesto Commitment - Cycle Hangar expansion - CPRP Bid](#)

5. Reason(s) For Decision / Options Appraisal

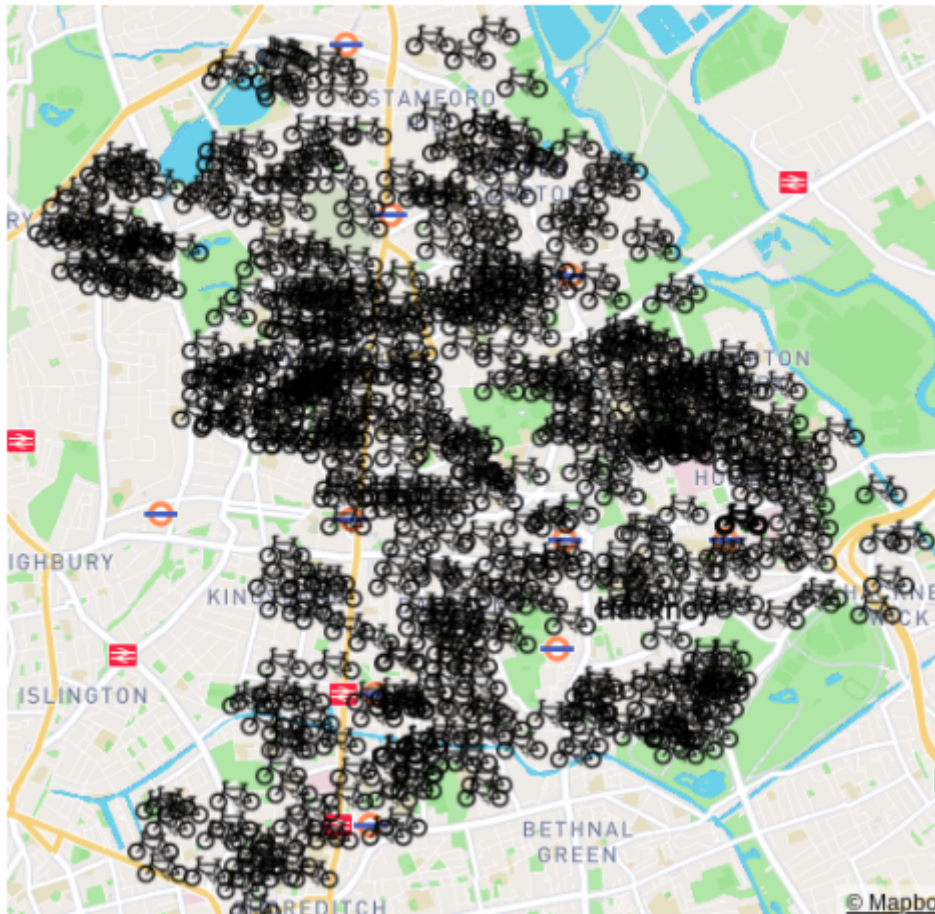
- 5.1. Over the last decade Hackney Council has incrementally expanded its cycle hangar scheme, with the speed and scale of expansion driven by the availability of external funding pots (primarily LIP funding from TFL). As a result of this funding setup, procurement of new hangars has historically been reactive, with small-scale tenders for the provision and installation of hangars being carried out on an ad hoc basis. While this arrangement has met the primary objective of ensuring that the funding available was spent within the necessary spend window, the approach has not been as successful in enabling Hackney to meet the enormous demand for hangars from residents, nor has it provided the necessary contract framework to ensure a high standard of after sales support.
- 5.2. Furthermore, the in-house management of cycle hangars has enabled a strong understanding of the design requirements necessary to minimise the risk of theft, reduce the level of routine maintenance required, and limit vehicle collisions, all of which have been fed into the updated requirement specification.
- 5.3. Strategic Context:**
- 5.4. The lack of secure cycle parking has been identified as a barrier to cycling in both Hackney's transport strategy and within the Mayor of London's transport strategy. The reason for this is simple - more than half of Londoners said that one of the main factors that deters them from cycling is a lack of cycle parking¹. Furthermore, the proportion of people who do not have access to a bicycle is highest amongst people living in flats, where space is limited, and lowest amongst people living in detached houses.²
- 5.5. The provision of cycle hangars allow our residents to access a mode of transport that can save them significant amounts of their weekly budgets by lowering their transport expenses and help improve their health.

¹ Attitudes to Cycling, TfL, autumn 2017

² London Travel Demand Survey, 2015/16-2016/17

- 5.6. Hackney's cycle hangar scheme has been phenomenally successful since its launch, growing primarily through TfL LIP funding to its current scale, which sees 647 hangars located in a combination of on-street locations and on Hackney's estates.
- 5.7. The hangars are sited in the carriageway and do not form an obstruction to the use of the footway. Each hangar typically replaces a pre-existing car parking bay. Locations are chosen to respond to demand and with an even spread across the borough to ensure equitable access to the scheme.

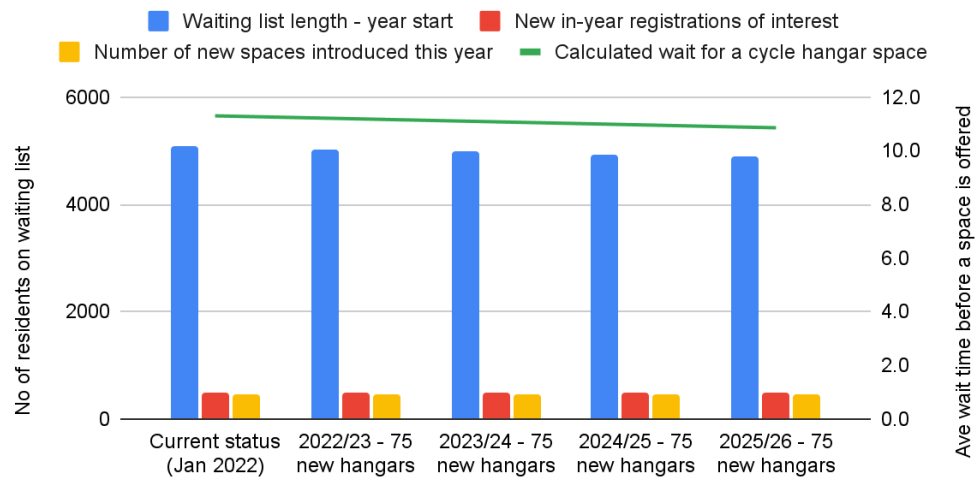
Locations of cycle hangars in Hackney, Jan 2022



- 5.8. Demand continues to far outstrip supply of spaces
- 5.9. Whilst Hackney's cycle hangar scheme is the largest in London, the levels of demand from residents for a space in a cycle hangar has continuously out-stripped our capacity to provide it.
- 5.10. At the time of writing the waiting list for a space in a Hackney Cycle Hangar stood at 5,034 residents. Not only is there huge demand for spaces, but it is continuing to grow at a rate of over 500 people per year.

5.11. The TfL LIP funding, which has typically facilitated the growth of the scheme until now, has enabled an average of 75 hangars a year to be installed. However, the levels of interest in a space are now so high that our modelling shows that the average wait time for a space now sits at 11 years, which is an unacceptably long time for residents to be able to secure a space in one of the borough’s flagship sustainable transport initiatives. In many areas, hangars have over 40 residents waiting for a space in each one, with an average of 1-2 spaces per hangar per year being vacated.

Waiting list modelling - current expansion plan (75 hangars per year)



5.12. These points are made to highlight quite how far short of meeting demand the current scale of the service is, and the pressing need to significantly scale up the offer to better meet the needs of residents who want to be able to cycle. The true demand is greater, but is masked somewhat by a restriction of one registration of interest per customer, meaning that very often families can’t apply for a space for all their bikes.

5.13. The shortfall in secure on-street cycle parking provision is already the source of significant frustration amongst many residents, and this will only grow as waiting lists continue to lengthen, and people realise that it could be more than a decade in some areas before a space becomes available unless greater investment is made.

5.14. Furthermore, there are question marks about the level of LIP funding for future years due to TfL's well publicised financial difficulties.

5.15. **Policy Context:**

5.16. The Hackney Transport Strategy outlines that by 2025, residents will not need to own a private car because of the ease of using alternative modes of transport. The Council is committed to increasing the overall number of journeys made by bicycle to 15% by 2025. As part of achieving these

aims, the Council has committed to reallocate road space away from privately owned vehicles and towards cycle infrastructure.

- 5.17. One of the Mayor of Hackney's manifesto commitments is to provide cycle parking to make Hackney's streets the most cycle-friendly in London. The provision of safe and secure Cycle Parking - as part of a range of integrated measures - enables more people to cycle more often". Cycle theft is a significant barrier to encouraging cycling uptake in Hackney. Figures released from the Metropolitan Police in 2021, showed that Hackney had an increase in cycle theft, to 2451 stolen cycles between July 2020 and July 2021.
- 5.18. The Cycle Hangar scheme provides residents with a higher degree of secure cycle storage compared to regular on-street cycle parking, like Sheffield Stands. Hackney has the largest portfolio of Cycle Hangars in London, currently over 575 borough wide, The delivery of this scheme aims to reduce the likelihood of cycles being stolen. It locates cycle parking in the carriageway and signifies the Council's commitment to active and sustainable transport by reallocating car parking spaces to cycle parking spaces.

5.19. Proposed Contract Duration

- 5.20. The proposed duration of the contract (5+2+2+2+2+2 - max 15 years) is long by the standards of most contracts, but there are sound reasons for this.
- 5.21. Firstly, the contract will cover not just the procurement of hangars, but also the ongoing provision of parts to ensure that Hackney Council is able to maintain this in the long term. To ensure that the hangars bought under this contract are supported with the necessary after-sales support, it is necessary to ensure that Hackney Council has the option to continue to hold a supplier to account under the terms of the contract for the long term.
- 5.22. Secondly, it will mean that Hackney is swiftly able to take advantage of any internal or external funding opportunities, by utilising the proposed contract to purchase and install hangars at pace, meeting the needs of users, and saving significant time and resource when compared to regular one off procurements as has previously been the standard approach.

6. Alternative Options (Considered and Rejected)

- 6.1. **Use of existing frameworks available from other LAs** - There are a number of frameworks available to local authorities that provide a way for councils to tender for suppliers on those frameworks for the provision of

cycle hangars. For the last 4 rounds of procurement for cycle hangars Hackney has used the Waltham Forest framework.

- 6.2. However, for this procurement, this route was not opted for. This was because the way the frameworks are set up do not provide the necessary flexibility on price negotiation, or the right mix of services that match our aspiration for a long term partner. This applies not only for the provision of cycle hangars, but also the long term supply of parts.
- 6.3. Furthermore, due to the scale of the procurement that Hackney is able to commit to as a result of the funding secured, officers believe that an open tender provided a better approach to deliver the best value for money across the lifespan of the contract. Given the Council's experience in procuring cycle hangars over the last 4 years, Option 1 was not considered the best approach.
- 6.4. **Option [2]- Production and installation of hangars in-house**
- 6.5. This option was not considered viable, as Hackney Council does not have the capacity or capability to design, manufacture and install its own cycle hangars.
- 6.6. It should be noted that Hackney Council insourced the management of its cycle hangars in 2019, when responsibility for customer management (including rental fees, key issuance, and customer support), maintenance, and installation project management transferred from Cyclehoop to Parking Services.
- 6.7. Officers do not believe that there are any remaining areas where it is viable, either in the short or long term, to insource further aspects of the cycle hangar service.

7. Project Progress

7.1. Developments since the Business Case approval

None

7.2. Whole Life Costing/Budgets

- 7.3. Funding for meeting the Labour Manifesto Commitment has already been secured, which will see sufficient resources to introduce a further 4,000 spaces for residents to rent.
- 7.4. The installation cost of the winning provider will be £2.7m, based on the per-hangar cost.
- 7.5. Beyond this, the procurement whole life costings provided suppliers the opportunity to provide fixed costs for the provision of parts, that - based on

known attrition rates - Hackney factored into the overall cost assessment over the lifespan of the contract.

- 7.6. It's important to stress that beyond the initial procurement, the proposed contract, which will provide the option to run up to 15 years, will ensure that Hackney Council can quickly and easily purchase and install additional hangars beyond those initially committed to, as and when additional pots of funding become available in years to come.

Cycle Hangar expansion - modelled costs, income and expenditure				
	2022/23	2023/24	2024/25	2025/26
Capital and Project Costs				
Proposed number of new hangars introduced each year	0	225	225	225
Hangar purchase and installation - per hangar	-£4,000	-£4,000	-£4,000	-£4,000
Hackney Project costs - per hangar	-£400	-£400	-£400	-£400
Total capital expenditure (purchase and installation)	£0	-£900,000	-£900,000	-£900,000
Total hackney project costs (planning, consultation, project management, quality assurance)	-£70,000	-£90,000	-£90,000	-£20,000
PARKING CAPITAL COSTS - SUBTOTAL	-£70,000	-£990,000	-£990,000	-£920,000
Project impact on scheme capacity and waiting list length				
Hangars on-street by year end	551	723	895	1067
Hangars on estates by year end	171	224	277	330
Net change in in-year registrations of interest	250	250	250	250
Number of new spaces introduced this year	0	1350	1350	1350
Available spaces vacated by existing residents	400	400	400	400
Waiting list length - year end	5,434	4,084	2,734	1,384
Number of years until waiting list is cleared	13.6	3.2	2.5	1.7
Project impact on income and costs				
On-street hangar income (95% x 6 spaces @ £43.50 each)	£136,686	£179,282	£221,878	£264,474
Estate hangar income (95% x 6 spaces @ £31 each)	£30,169	£39,571	£48,972	£58,374
Total annual expected revenue	£166,855	£218,853	£270,850	£322,848
Estimated scheme maintenance and customer service costs	-£150,000	-£175,000	-£200,000	-£217,722
Net income from scheme, used to replay loan	£16,855	£43,853	£70,850	£105,126

7.7. Risk Assessment/Management

Risk	Likelihood	Impact	Overall	Action to avoid/mitigate risk
Supplier inability to deliver installations at promised capacity	Medium ▾	High ▾	High ▾	Assurance sought via detailed quality questions during supplier evaluation. Clarification of plan from supplier to have capacity to install by September 2023. KPIs will monitor supplier performance regarding installation capacity. Contract managers from both parties will be assigned to monitor progress regularly. A contract termination clause has been inserted in case of breach of contract.
Security issue for untested product within London or at the same scale as this role out	Low ▾	High ▾	Low ▾	Security of product assessed by an independent party (Sold Secure). As part of site visits an assessment was made by the panel. Supplier response to issues also assessed.
Cycle storage requirements changing particularly in regard to e-bikes, cargo bikes or other emerging technology	Low ▾	Low ▾	Low ▾	Market testing and users surveys were completed before the tender process
Unforeseen operational issues with maintenance of a new product	Low ▾	Medium ▾	Low ▾	Products were thoroughly assessed through bidder response and during the site visits with demonstrations seen of critical elements
Elements of the product not ready for assessment cannot be delivered or delayed	Low ▾	Medium ▾	Medium ▾	Assurances have been sought from suppliers regarding parts that are not yet in production. KPIs will monitor supplier performance regarding installation capacity. Contract managers from both parties will be assigned to

				monitor progress regularly. A contract termination clause has been inserted in case of breach of contract.
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8. Savings

- 8.1. No cashable savings will be made. This is because, while the doubling of the number of cycle hangars is modelled to generate an additional £156k per year from 2026/27 onwards compared to current income levels, this will be offset by increased maintenance costs (£68k). The remainder of the income generated will be required to pay back the loan funding the capital investment.

Cycle Hangar expansion - modelled costs, income and expenditure				
	2022/23	2023/24	2024/25	2025/26
Project impact on income and costs				
On-street hangar income (95% x 6 spaces @ £43.50 each)	£136,686	£179,282	£221,878	£264,474
Estate hangar income (95% x 6 spaces @ £31 each)	£30,169	£39,571	£48,972	£58,374
Total annual expected revenue	£166,855	£218,853	£270,850	£322,848
Estimated scheme maintenance and customer service costs	-£150,000	-£175,000	-£200,000	-£217,722
Net income from scheme	£16,855	£43,853	£70,850	£105,126

9. Sustainability Issues and Opportunities, Social Value Benefits

9.1. Procuring Green

The specification ensured that due regard was given to the longevity and recyclability of cycle hangars provided by suppliers, and the ease with which they can be maintained and repaired. It is anticipated that they will have a lifespan of 20-30 years.

9.2. Procuring For A Better Society

The recommended supplier intends to employ an apprentice from the Hackney area with them offered a part-time college course mixed with on-the-job training. The Managing Director committed to mentor them and monitor their progress.

9.3. Procuring Fair Delivery

The recommended supplier intends to establish a Hackney Depot for the assembly line and is committed to using the local workforce for this and

installations. They will be paying the London Living Wage to people employed within London. They have in place policies covering equality and diversity, prompt payment, fair trade and ethical business practices.

9.4. **Equality Impact Assessment and Equality Issues**

9.5. In developing these proposals due consideration was given to the impact in terms of Equalities. The Council's overall objectives are set out in the EIA for the Hackney LIP and Transport Strategy which stress the Council's desire to see all schemes provide a high quality environment for all residents regardless of their level of mobility.

9.6. As part of this commitment, Cycle Hangars are installed in the carriageway to protect the pedestrian environment. Cycle Hangars will not be located in place of existing disabled car parking bays and have consulted with the Council's Parking Team to ensure that these proposals do not conflict with any existing disabled parking bay requests. If a request for a disabled parking space is approved by the Council's Parking team, Cycle Hangars are able to be relocated to another location on the highway.

9.7. **Social Value Benefits**

The successful bidder proposes to establish a London depot within Hackney to assemble units and manage installations. As part of this they plan to employ a supervisor, operative and find an apprentice, all based locally. They also plan to organise and promote community bike maintenance awareness evenings, with a minimum of 1 session per quarter during the installation phase. They have stated they operate Fair Working Practices and have policies to address equality and diversity, prompt payment, fair trade and ethical business practices.

10. **Tender Evaluation**

10.1. The Open Procedure was used. A clear and comprehensive service specification was established and made available to potential bidders alongside a suitable contract containing Key Performance Indicators. Minimum standards were inserted within the Selection Questionnaire, making the key requirements mandatory. A whole-life and weighted pricing schedule was prepared and tested in order to compare bids on a like for like basis.

10.2. The specification was developed based upon Hackney's experience of running hangars for the last 4 years, and was refined through market engagement via a pre-tender questionnaire, which was sent out in September 2022 to all of the known suppliers using the ProContract Web Portal, which asked a range of questions about their product range. This was used to ensure that Hackney's specification was deliverable by the

market, and incorporated the latest design developments that would maximise customer satisfaction, minimise the risk of theft, and reduce long term maintenance costs.

- 10.3. Bidders completed the Selection Questionnaire (SQ) that assessed their financial standing, professional capability and key essential elements of the proposed product.
- 10.4. Bidders meeting the requirements of the SQ had their tender documents evaluated based on a ratio of 70% quality (incorporating social value), 30% price. This weighting was seen as critically important to ensure that key functional elements, such as hangar security, and ease of maintenance - which are key to minimising the ongoing maintenance costs of looking after these hangars - could be given sufficient weighting.
- 10.5. As part of the quality scoring, site visits were undertaken to the bidders' facilities to assess their proposed products for a range of functions including security, usability and ease of maintenance.
- 10.6. The tender evaluation team consisted of the Street Operations Manager, Senior Field Service Engineer and Senior Transport Planner. Pricing evaluation was completed by the Senior Service Area Manager, Customer Services.
- 10.7. The SQ checks and due diligence were completed by the Procurement Category Manager and Procurement Officer. Financial status checks were undertaken by the procurement team in conjunction with finance.
- 10.8. 33 companies viewed the opportunity via ProContract, with 8 expressing an interest. 4 companies opted out of the Tender citing reasons as being; insufficient resources and their hangar design not being in line with Hackney's requirements. 4 companies submitted Tenders, one of which failed to meet the minimum required standards as set out in the tender documents and their bid was subsequently not assessed beyond the SQ stage.
- 10.9. **Recommendation**
- 10.10. Based on the outcome of the procurement process, it is recommended that the Cabinet Procurement and Insourcing Committee approve the award of contract to Supplier B, who delivered the Most Economically Advantageous Tender (MEAT), as stated within the tender documentation.
- 10.11. The table below sets out the final scores achieved by the suppliers whose bid was compliant with minimum requirements of the SQ.

	Bid Price	Price Score	Quality Score (inc social value)	Total
Supplier A	£3,366,249	25.58%	54.67%	80.25%
Supplier B	£3,282,342	26.23%	55.01%	81.24%
Supplier C	£2,870,100	30.00%	46.13%	76.13%

- 10.12. A summary of all interested organisations, their bid information and status is included as **Appendix 1: List of Interested Organisations (Exempt)** to this report.
- 10.13. Supplier B commits to paying all staff working within London the London Living Wage

11. Contract Management Arrangements

- 11.1. This procurement contains many similar elements to previous, smaller hangar supply contracts, and therefore the risks associated with managing this contract are well understood, and will be carefully mitigated through a suite of KPIs, which have been developed to ensure that the winning supplier's performance meets the council's aims in respect of hangar installations, and other key areas. A list of the KPIs is shown below. These will be included in the council's Contract Management System where feasible.
- 11.2. The contract will be managed by the Street Operations Manager. Analyst support as well as administration staff assistance is available within the wider Operation Team within Parking and Market Services. As a result the contract can be managed within existing resources and will be in compliance with the contract management system.
- 11.3. The Council will be responsible for collating the figures to provide reports on these KPI. These will either be reported on monthly or quarterly and discussed at quarterly review meetings with the Supplier. To add weight and emphasise the importance of meeting the KPIs, a series of services credits have been included. Where the performance falls below the targets expected, these service credits will apply and be added to subsequent invoices.
- 11.4. Dispute resolution is addressed in the council's draft contract, and includes the standard dispute resolution procedure used in our contracts for goods and services.
- 11.5. Implementation of the contract will be undertaken via a series of mobilisation meetings and specific objectives with the successful supplier. Work is already underway to identify sites for new hangars on streets with high levels of demand, which will help ensure that hangars can be installed as soon as possible.
- 11.6. No risks in relation to data collection have been identified, as the supplier will not be in possession of any customer information during the lifespan of this contract. The sharing of information will relate primarily to locations across the borough where hangars will need to be installed.

11.7. There are no TUPE implications associated with this contract.

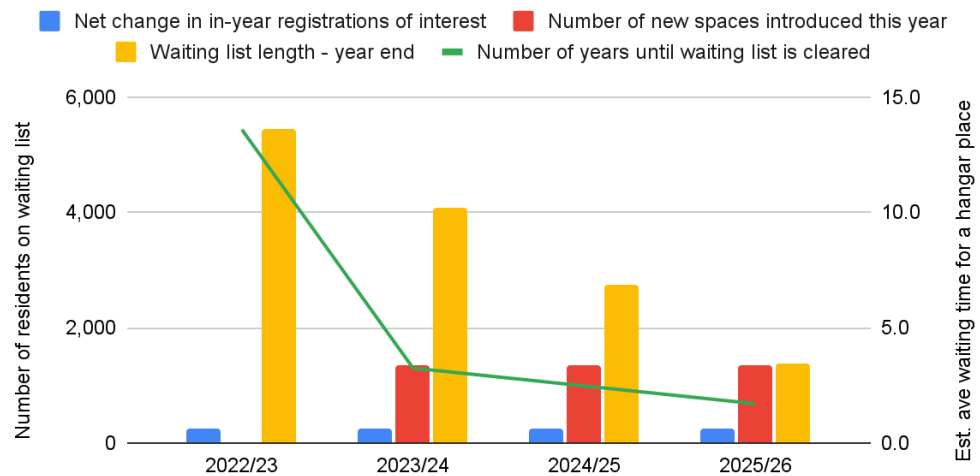
11.8. **Key Performance Indicators**

Main KPI Targets Set	Monitoring
<p>1.Cumulative installation volumes. Specifically to deliver and install a minimum of 75 Hangars per quarter, commencing in Q3, 2023/24. Target 100%</p> <p>To ensure that the Supplier delivers our target of installing 675 hangars by 31 December 2025. This will fulfil the Mayor’s Manifesto Commitment.</p>	<p>To be measured quarterly with data collected by the Council. Reported Quarterly</p>
<p>2.Timely arrangement and confirmation of installations. Pre notice of installation 2 weeks in advance and confirmation of installation within 2 working days Target 100%</p> <p>To ensure that information about future installations is shared in a timely manner and allow the Council to arrange suspensions and resourcing so that quality checking can be undertaken in a structured and efficient way.</p>	<p>To be measured monthly with data collected by the Council. Reported Quarterly</p>
<p>3. All keys (9 copies per hangar) shall be delivered to the Council within 5 working days of the installation of each hangar Target 100%</p> <p>To minimise delays in the council quality checking process and assigning of slots to users of the hangar, and frustration from residents at not being able to obtain a space in a cycle hangar shortly after its installation.</p>	<p>To be measured monthly with data collected by the Council. Reported Quarterly</p>
<p>4.Issues highlighted to hangars post installation shall be resolved within 5 working days. Target 100%</p> <p>To ensuring the hangars are initially free from defects or issues and to minimise delays in the council assigning slots to users of the hangar</p>	<p>To be measured monthly with data collected by the Council. Reported Quarterly</p>

<p>5. All orders for spare parts shall be confirmed within 2 working days and supplied within 10 working days (generic locks are to be included but locks keyed to a Hackney specific master set are excluded) of the order being placed.</p> <p>For locks keyed to the Hackney specific set, these must be supplied within 20 working days- Target 100%</p> <p>To ensure the council is able to remain sufficiently stocked with parts to undertake all maintenance required to meet the needs of our cycle hangar users.</p>	<p>To be measured quarterly with data collected by the Council. Reported Quarterly</p>
<p>6. Response to queries within 5 working days Target 100%</p> <p>To ensure the council is able to swiftly obtain responses to enquiries, which are vital to ensuring a smooth, efficient and reliable working relationship with the Provider</p>	<p>To be measured quarterly with data collected by the Council. Reported Quarterly</p>

- 11.9. The KPI targets above have been established to ensure both a smooth and efficient role out of hangar spaces to users and to ensure ongoing internal management of the hangars can be completed in an efficient and cost effective manner.
- 11.10. The targets link directly to the Labour 2022 Manifesto.
- 11.11. Contract targets will contribute to the strategic objective of meeting net zero targets and for a greener, healthier Hackney. They also feed into helping to maximise impact by seeing climate action as an opportunity to improve population health through the promotion of cycling.
- 11.12. Internally, Parking Services will monitor two key metrics. These are firstly the number of residents on the waiting list for a space in a cycle hangar.
- 11.13. The second is the average wait time between a resident joining a waiting list for a cycle hangar, and them being offered a space. This currently stands at 11 years, and is modelled to fall to 1.3 years by 2025/26.

Modelled impact of capital bid on waiting list growth and ave wait for a hangar space



- 11.14. To add weight and emphasise the importance of meeting the KPIs, a series of services credits have been included. Where the performance falls below the targets expected, these service credits will apply and be added to subsequent invoices.

12. Comments Of Group Director Of Finance And Corporate Resources

- 12.1. This CPIC report is seeking approval to award Supplier B to supply and fit new cycle hangers across Hackney. The contract will operate for up to 15 years (5+2+2+2+2+2), with the winning bidder having been assessed as offering the best bid following a competitive tendering exercise for a supplier to provide cycle hangars, together with the ongoing supply of parts.
- 12.2. It is projected that the contract will cost around £4 million in total, but because the spend is flexible, the requirements must stay within the financing ceiling.
- 12.3. The initial upfront capital needed is £2.8m which has been approved as part of the Capital spend and budget approval process, and it is funded from Directorate reserves. An estimated 675 cycle hangars will be delivered in the first 3 years.
- 12.4. There are no cashable savings because any excess earnings will go toward repairs and maintenance. The model on income and expenditure

shows there is potential for a small income surplus which is earmarked for investment back into the project.

13. VAT Implications On Land & Property Transactions

13.1. Not applicable.

14. Comments Of The Director, Legal, Democratic & Electoral Services

14.1. This Report was classified as Medium Risk and Hackney Procurement Board approved a Business Case in respect of the procurement on 13th December 2022. Paragraph 2.7.7 of Contract Standing Orders states that, in respect of procurements with a risk assessment of “Medium Risk”, Cabinet Procurement and Insourcing Committee will determine the award of contracts above the value of £2m. The estimated maximum value of the contract in this Report is above £2m so therefore Cabinet Procurement and Insourcing Committee can agree the recommendation in this Report.

14.2. Details of the procurement process undertaken by officers using the Open Procedure pursuant to Regulation 27 of the Public Contracts Regulations 2015 are set out in this Report. The contract to be awarded concerns the performance of works, provision of services and the supply of goods.

15. Comments Of The Procurement Category Lead

15.1. This report provides the Cabinet Procurement and Insourcing Committee with the outcome of the procurement exercise undertaken to secure a supplier to supply, install and maintain cycle hangars across the Borough of Hackney. The service area has deployed a selection approach which has ensured that the successful supplier will not only effectively deliver the core services, but will also work with the Council to deliver wider community benefits for the people of Hackney whilst maintaining the hangars for the proposed period of 15 years.

15.2 The proposed award is supported on the basis that the recommended Bidder has submitted the most economically advantageous tender bid proposal. As detailed in the report, Bidder B has also demonstrated a clear understanding of Council’s commitment to the delivery of sustainability and social value outcomes, and submitted a proposal which meets the Council’s expectations in this regard.

15.3 The tender process was conducted in accordance with the Public Contracts Regulations 2015 providing an open opportunity to local and national companies to bid. A series of questions were asked to evaluate each proposal and supplier B provided the highest score in quality as well

as offering the lowest price. A member of the procurement team supported each step of the procurement exercise. Clarification questions were sent to bidders after the bid submission to certify ourselves on supplier's commitments, moderation scores were deeply scrutinised to guarantee a fair judgement, therefore, the Procurement Category Lead is satisfied with the outcome of this tender.

Appendices (Exempt)

Appendix 1 - List of Interested Organisations (Exempt)

By Virtue of Paragraph 3 Part 1 of schedule 12A of the Local Government Act 1972 Appendices to the report are exempt because they contain Information relating to the financial or business affairs of any particular person (including the authority holding the information) (being information of bidders in a confidential procurement process) and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as revealing the identity of bidders and prices submitted may prejudice best value being driven through the procurement and any commercial arrangements the Council may enter into in due course.

Background Documents

None

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

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