

REPORT FROM: INTERIM CHIEF EXECUTIVE

TO: POLICY AND RESOURCES COMMITTEE

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TENDERS AND OTHER CONTRACT RELATED MATTERS

PURPOSE OF REPORT

To report, for information, tenders which have been received and accepted and to report any exemptions from the requirements of the Contract Procedure Rules.

RECOMMENDATION

That -

- (1) the tenders which have been received and accepted be noted;
- (2) the exemptions granted from Contract Procedure Rules for the Accommodation for Ex-Offenders Scheme and the Domestic Abuse Bill be noted.

REASONS FOR RECOMMENDATION

To agree acceptance of tenders/offers in accordance with Contract Procedure Rules.

ISSUE

Award of Contracts

1. Following the relevant procurement process, tenders have been received and accepted in relation to the following projects:-

(a) Pendle Water Riverbank Stabilisation Works

Tenderer	Tender Figure (£)
Wade Construction Limited	66,000.00 (tender withdrawn)
Sanctus Limited	94,240.57
Askam Civil Engineering Limited	209,406.27

The contract has been awarded to Sanctus Limited and will be funded from Lomeshaye Phase 1 funding.

(b) Barkerhouse Road, Nelson – Roundabout Improvements

Tenderer	Tender Figure (£)
A&G Landscapes & Groundworks Limited	25,940.35
Brewers Contractors Limited	27,650.92
O'Callaghan Limited	30,673.74
Marchbridge Builders Limited	35,298.65
Colin Braithwaite Excavators Limited	36,795.44

The contract has been awarded to A&G Landscapes and Groundworks Limited and will be funded from Homes England.

Exemptions from Contract Procedure Rules (CPRs)

- 1 CPR 5 includes provision for exemption from the requirements to comply with CPRs in certain circumstances where it is considered justifiable, value for money is maintained and such action does not contravene EU and domestic legislation. Exemption from CPRs is, however, subject to the prior approval of the Corporate Director and Chief Financial Officer provided that details of such exemptions granted are reported to the next possible meeting of the Policy and Resources Committee.
2. Since the last meeting of the Policy and Resources Committee, the following exemptions to CPRs have been granted:-

(a) Accommodation for Ex-Offenders (AFO) Scheme

On 9th April, 2021 the Ministry of Housing, Communities and Local Government (MHCLG) launched the Accommodation for Ex-Offenders (AFO) Scheme. The scheme aims to build a pathway from prison into the private rented sector and will be supported by the Ministry of Justice.

Pendle Council, as lead partner for East Lancashire authorities, has been successful in a bid for funding and will receive £198,000. The Council has since entered into a Memorandum of Understanding (MoU) with MHCLG which sets out the expectations of both parties.

In taking the MoU forward the Council intends to enter into a Service Level Agreement (SLA) with Calico Enterprise to help deliver the requirements.

There are few agencies across the East Lancashire area who are capable of delivering this work. Calico have a strong track record of working with people with complex needs, often working closely with ex-offenders. They have also been a very reliable partner to the Council and wider East Lancashire authorities in delivering services on time and in an effective manner.

The funding is time limited and has to be spent quickly. Calico Enterprise have shown that they are in a strong position to deliver the required elements of the programme immediately. They are also ideally situated in light of their base being located in Burnley, which has easy access to the rest of East Lancashire.

A procurement exercise would cause a delay in commencing service provision and would also entail significant use of staffing resource and add to costs.

Therefore, in view of the above, an exemption from procurement rules has been agreed which allows the Council to enter into a Service Level Agreement (SLA) with Calico Enterprise.

The funding of £198,000 will be used in the following way –

- £123,000, paid in three instalments, to fund the SLA, under which Calico Enterprise will deliver an AFO
- £75,000 to provide funds for 75 service users, to help secure rehousing via deposits/rent in advance etc. This fund will be distributed to partner local authorities named within the bid, with £10,000 each for Blackburn with Darwen, Burnley, Hyndburn, Pendle, Ribble Valley and Rossendale Borough Councils. £15,000 will be held by Pendle but used to fund an additional 15 cases across East Lancashire based on demand for the scheme.

(b) Domestic Abuse Bill

On 3rd March 2021, the Council was contacted by MHCLG regarding the introduction of a new statutory duty on local authorities, ensuring that all victims of domestic abuse, including children, have access to safety and support within safe accommodation when they need it. To support this, MHCLG paid the Council an allocation of £31,493 following agreement to a Memorandum of Understanding (MoU) to formalise the working relationship and expectations relating to the spend of the Council's allocated funding. This funding has since been received by the Council.

As per the MoU, the Council, as a Tier 2 authority is required to cooperate with the Tier 1 authority (Lancashire County Council (LCC)), so far as is reasonably practicable. In taking this forward, discussions were held between all of Lancashire's 12 districts and LCC as to how to proceed.

The funding has to be used before 31st March, 2022 therefore, due to time constraints, the Council contacted the main providers of domestic abuse services, to ascertain what was felt to be current gaps in service. Following this, it was agreed to enter into SLAs with both Positive Action in the Community (PAC) and Safenet, part of The Calico Group.

There are few agencies in the local area who are capable of delivering this work. Both PAC and Safenet have a strong track record of working with people being subjected to domestic abuse, which includes both accommodation services and outreach services. In addition, together with the wider Calico Group, they have both been very reliable partners to the Council in delivering services on time and in an effective manner.

The funding is time limited. Both PAC and Safenet have shown that they are in a strong position to deliver the required elements immediately. They are also ideally situated to deliver the work in light of their accommodation services being based in Pendle.

A procurement exercise would cause a delay in commencing service provision and would also entail significant use of staffing resource and add to costs.

In view of the above, an exemption from procurement rules has been agreed which allows the Council to enter into a SLA with both Positive Action in the Community and Safenet, without first testing the market, subject to LCC having no objections to the use of the Council's allocation of funding in delivering upon its statutory duty in co-operating with LCC.

The funding of £31,493 will be used in the following way –

- £15,000 to fund the SLA under which PAC will deliver agreed services.
- £15,000 to fund the SLA under which Safenet will deliver agreed services.
- The remaining £1,493 will be held as 'contingency' for any subsequent needs which may arise over the period until 31st March 2022.

IMPLICATIONS

Policy:	None arising directly from the report.
Financial:	The financial implications are as provided in the report. Assessment of awarded tender against budget provision available is part of the budget tendering exercise.
Legal:	None arising directly from the report.
Risk Management:	None arising directly from the report.
Health and Safety:	None arising directly from the report.
Sustainability:	None arising directly from the report.
Community Safety:	None arising directly from the report.
Equality and Diversity:	None arising directly from the report.
APPENDICES:	None