Report to: Councillor Andrew Jones, Cabinet Member for the Economy

(Cabinet Member's Decision)

Date: 17th May 2024

Subject: Decision to award a contract for the construction of the

Farm Lane development

Report author: Will Noton, Senior Development Manager

Responsible Director: Bram Kainth, Strategic Director of Environment

SUMMARY

This report seeks approval for the appointment of Neilcott Construction Ltd (01151561) as principal contractor to design and build 31 new homes (of which 52% are affordable) on the vacant brownfield site (which includes a former disused Childrens Centre), at 11 Farm Lane, SW6 1PU.

Cabinet approved both the procurement strategy relating to this tender process, and capital budget (inc contingency) of £18,807,236 for construction on 15th May 2023. The proposed contract award is within the budget approved.

RECOMMENDATIONS

This report recommends that the Cabinet Member for Economy:

- 1. Notes that appendices 1, 2, 3, 4 and 5 are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of a particular person (including the authority holding that information) under Paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2. Approves the award of a contract of £13,702,161 to Neilcott Construction Ltd for the design and construction of the 31 new homes at the Farm Lane development through to completion, following Cabinet's approval of both the procurement strategy and capital budget report and associated approval of recommendations therein, in May 2023.
- 3. Approves the contingency budget set out in exempt appendix 3 for this contract.

Wards Affected: Lillie

Our Values	Summary of how this	
	report aligns to the H&F	

	Values	
Building shared prosperity	The scheme will deliver 16	
	affordable homes (52% of	
	the total scheme). Providing	
	affordable homes is a vital	
	element of sharing	
	economic growth across the	
	borough, and supports the	
	Council's Building Homes	
	and Communities (Growth)	
	Strategy approved by	
	Cabinet in June 2019	
Doing things with	The scheme has undergone	
residents, not to them	extensive co-production and	
,	has progressed in line with	
	the principles set out within	
	the council's Defend Council	
	Homes Policy. This decision	
	to appoint a construction	
	contractor has followed	
	significant resident	
	involvement within the	
	procurement process in line	
	with the council's value of:	
	'doing things with residents,	
	not to them'.	
Taking pride in H&F	The design of the	
	development and the high	
	proportion of affordable	
	housing will create a positive	
	lasting impact in the local	
	area. The ability of	
	contractors to limit noise,	
	dust and vibration on the	
	site and manage the	
	concerns of local residents	
	has formed part of the	
	tender assessment process.	
Being ruthlessly financially	The procurement process	
efficient	for the principal construction	
	contractor has been carried	
	out competitively in order to	
	ensure the most	
	economically advantageous	
	tender and best value for	
	money, as set out in the	
	Procurement Strategy	
	approved by Cabinet in May	
	2023, and in line with the	
	council's value of being	

	ruthlessly financially efficient.	
Rising to the challenge of the climate and ecological emergency	The Development will deliver highly sustainable homes that achieve high levels of energy efficiency and are fossil-fuel free, and so help create and sustain a low carbon community. The brief to the construction contractor has been to meet the targets set out in the emerging Climate Strategy with the aim to achieve a significant reduction in operational carbon usage, thereby reducing the fuel bills of future residents.	

Financial Impact

Funding for the recommended contract award of £13,702,161 has been approved in the May 2023 cabinet report "Farm Lane – New Council Development". Following the procurement process, the cost of the contract award is expected to be lower than previous estimate including contingency.

The funding source for the contractor will be a mix of:

- Greater London Authority (GLA) Right to Buy 1-4-1 receipts (these are receipts from sales of
- GLA Retained Receipts.
- · General capital receipts and
- Borrowing

The current project financial appraisal shows a positive net present value which indicates that the overall project is financially viable. The project financial appraisal approved in May 2023 considers current and future economic conditions and risks.

The contractor recommended for appointment has been subject to an assessment of their financial stability.

- A CreditSafe score of 78 (deemed very low risk)
- The recommended Creditsafe annual contract limit for the company is £20,000,000 which is higher than the value of the proposed contract award (£13,702,161).

Overall, Neilcott Construction Ltd (01151561) meets the council's recommended threshold with an average turnover from the past two years being more than double the value of the revised contract amount.

Harun Guleid, Principal Accountant (Development), 09/05/2024

Verified by James Newman, AD Finance 15/5/2024

Legal Implications

The contract value is above EU thresholds and so Public Contracts Regulations 2015 apply. The contract was awarded following the Find a Tender Open Procurement Process which is compliance with the Regulations and also the competition requirements of the Council's Contract Standing Orders as it is a High Value Contract.

As the contract has a value of £300,000, the decision to award the contract is a Key Decision under Article 12 of the Constitution. This report must be submitted to Committee Services for publication on the Council's website.

The contract must be sealed by Legal Services as it has a value of over £100,000.

The appropriate decision maker for the recommendations overall is the Cabinet Member.

Joginder Bola, Senior Solicitor (Contracts & Procurement), 7/05/2024

Background papers used in preparing this report:

Farm Lane – New Council Development– considered at Cabinet 15/05/23 (approval of the procurement strategy and capital budget for the main contractor). *Published*

DETAILED ANALYSIS

This section of the report details key background information relating to the site and this decision relating to the award of a construction contract.

Background

- 1. The council's approach to economic growth is guided by its ambitious Industrial Strategy. Economic growth in Hammersmith and Fulham is rooted in imaginative placemaking that creates vibrant, sustainable public spaces and strategic housing development that allows communities to maintain and grow their diversity, cohesion, and ambition. Only by having inviting, liveable places and housing that is accessible to all can the borough realise its ambition of fostering inclusive economic growth.
- 2. Recognising that the council is well-placed to make a significant direct contribution towards the delivery of high-quality housing, it established the Building Homes and Communities Strategy in 2019. Its overarching aim is to

foster diverse, collaborative communities through the provision of a range of affordable housing options, targeted at lower-income households and intermediate options for key-workers. It also provides important community infrastructure such as schools and community halls, promoting opportunity and cohesion.

- 3. More recently, the council pledged to secure up to 3,000 new affordable homes over the next four years through a range of avenues including the development programme, partnership initiatives and the planning pipeline. The council is committed to defining creative approaches to tackling the housing crisis and exploring the role of intermediate housing options in retaining and attracting workers needed to grow the borough's most exciting growth sectors, and deliver the borough's most important public services.
- 4. This report concerns the development of 31 new homes on the vacant brownfield land including a disused Childrens Centre at 11 Farm Lane. The development is an important element of fulfilling the council's commitment to building new, affordable homes, as set out in the 2019 Building Homes and Communities (Growth) Strategy. As such, 16 (52%) of the 31 homes that the Development will provide are affordable.
- 5. 11 Farm Lane had historically been used as a children's home, a resource centre and most recently as a day centre for Age Concern on the ground floor and supported housing on the upper floors. The building is currently in disrepair, having not been formally occupied for over a decade. It is currently being secured by property guardians.
- 6. The site's freehold was re-acquired from the Earls Court Development Company in December 2019 and identified for redevelopment for the provision of much needed affordable homes in the borough.
- 7. In July 2020, Cabinet approved a General Fund capital budget of £1,269,947, with a further £300,000 approved in January 2023, thereby, providing a total budget of £1,569,947, to facilitate the progression of development activities associated with the redevelopment of the Site up to and including planning and procurement (RIBA Stages: 1, 2, 3, 3+ & 4).
- 8. In July 2021, the council appointed Lifschutz Davidson Sandilands (LDS), to act as lead Architect and 'Design Team', while Arcadis were appointed as the 'Control Team' for the scheme, to oversee project management, cost advice and CDM services.
- 9. In May 2023 Cabinet approved a total Development capital budget, including contingencies, of £18,807,236 of which £1,569,947 had already been approved to deliver the proposed new homes to be funded through a combination of HRA borrowing, Right to Buy receipts and capital receipts from private sales.
- 10. On 19th July 2023 the Site obtained a full planning consent (Ref: 2022/03329/FR3).

Resident Engagement

- 11. The engagement process began in November 2021 with an initial public consultation and feedback event, held both in person and online. The Council also consulted with and engaged residents in the wider area.
- 12. Engagement and co-production with local residents have had a direct and material effect on the evolution of the design from a concept design to the planning submission stage.
- 13. Between November 2021 and November 2022, the project team has actively engaged a wide range of local residents and stakeholders about the project. Three primary public events at key stages have provided feedback on developing designs and ideas.
- 14. Some notable changes in the design as a direct result of residents' views include:
 - Height of the proposed building is reduced where closest to residential neighbours, and maximised onto Farm Lane
 - Orientation of proposed living accommodation so bedroom windows are located on elevations facing residential neighbours
 - Ensuring that the scheme is as sustainable as possible
 - Maximising the provision of new trees in the scheme
 - Adding in additional security measures and controlled lighting to the boundary areas to ensure security for both the new homes and existing neighbours.
- 15. Located to the east of the site is the Farm Lane care home. Representatives of the care home have been shown the designs as they have developed along with the intended project construction programme.
- 16. There are some Guardians on site currently occupying the disused Children's Centre which has ensured the sites security whilst it has been vacant awaiting planning to be obtained and a contractor procured for the development works. If approval is given of this report the Guardians will be issued with the appropriate termination notice (which must be 32 days to expire on a Wednesday) which allows the contractor to mobilise prior to giving them possession of the site.

Details of the proposed scheme

This report seeks approval of the decision to award a contract for the construction of the Development that was recommended for approval by the Planning and Development Control Committee on 18th April 2023, with full planning consent being granted on 19th July 2023 (Ref: 2022/03329/FR3).

17. The Development will provide 31 new homes of which 16 (52%) will be affordable. The breakdown of tenures is as follows:

Tenure	Number of Homes
Affordable homes:	
Social Rent	10 (32%)
Shared Ownership	6 (20%)
Affordable sub-total:	16 (52%)
Private homes:	
Market (leasehold) Sale	15 (48%)
Total:	31 (48%)

- 18. The delivery of these 16 new affordable homes would equate to 52% affordable housing provision in this Development. The delivery of 15 private homes is in line with the 'Building Homes and Communities Strategy' principle to a self-financed affordable development. The Development is also partly financed by Right to Buy receipts.
- 19. Three associated accessible parking spaces will be provided within the development, each with an electric car charging point.
- 20. The scheme exceeds the Local Plan policy that 50% of homes should be affordable and the GLA's Affordable Housing requirements investment partner agreement, and makes a significant contribution to the borough's commitment to maximise the building of affordable homes.

Financial Considerations

- 21. As part of the development process, professional advice has been regularly commissioned to monitor the financial performance of the scheme and to mitigate LBHF's exposure to financial risk. Such advice has informed the last estimated build costs and sales values used in the viability, along with a reconciliation of associated development on-costs. These reflect latest inflation figures and respond to market analysis, trends and forecasts, and meets LBHF's approved financial performance hurdles.
- 22. This is backed up by Neilcott Construction Ltd's lump-sum bid at £13,702,161, which is within the Cabinet approved construction cost budget totalling £14,760,170 (i.e. £12,490,000 plus contingency £2,270,170).
- 23. Right to Buy (RtB) receipts total £2,871,274 have been allocated as capital subsidy to support the funding requirements of this scheme. £1,878,210 is pre 2017/18 ringfenced RtB attributed to the 10 social rented homes and £993,064 is post 2017/18 retained RtB attributed to the 6 shared ownership homes.
- 24. The viability of the scheme is also reliant on the net sales income of both the private (leasehold) homes and a proportion of the shared ownership sales. The net balance (debt) of the scheme's overall costs will therefore be funded within LBHF's HRA financial plan and associated loan arrangement which indicates will be paid back over an acceptable term along with peak debt ensuring the development makes a positive contribution to the HRA financial plan.

Sustainability

- 25. The development will be designed and constructed to meet the National, Local and Regional Planning Policies. Through the application of the energy hierarchy, the following energy saving measures have been applied:
 - 'Be Lean' Enhanced building fabric specification and Mechanical Ventilation with Heat Recovery (MVHR) to reduce space heating demand and provide continuous supply of fresh air. Energy efficient controls for lighting, space heating and hot water to reduce unnecessary use of systems.
 - 'Be Clean' Localised plant room providing communal space heating and hot water. This strategy has been applied to help reduced distribution losses, improving the efficiency of the systems for low temperature distribution.
 - 'Be Green' Use of Air Source Heat Pumps (ASHP) for low-carbon heating and hot water. Maximisation of solar Photovoltaic (PV) array across residential building where feasible.
 - With the above strategy applied an estimated c.84% (Building Regs Part L SAP10) operational carbon dioxide emission reduction is achieved and c.60% reduction on residents utility bills helping to address fuel poverty.

Design principles

- 26. Collaborative working with residents and co-production of the design has been the foundation of the Development from the start of the project.
- 27. Ecology and net zero carbon The Site was selected early on in the process to be one of first sites to be delivered under the Council's Climate and Ecology Strategy and transitional targets. Based on design, the Development is estimated to reduce on-site carbon emissions by about c.84% whilst achieving Passivhaus Classic Certification, and in doing so help bring down residents' energy bills by about c.60% thereby helping to address fuel poverty.
- 28. Accessibility and inclusiveness of the design has been one of the core principles underpinning the Development brief from the start. The Council engaged specialist accessibility consultants to maximise accessibility within the Development. Notably, Hammersmith & Fulham Disability Forum Planning Group were engaged and were given the opportunity to feed into the design. Their feedback was valuable and overwhelmingly positive. Secure by Design principles were followed to ensure the safety and wellbeing of all residents.
- 29. A number of other key principles that have underpinned the design are optimising urban greening and ecology, providing a high level of permeability across the Site.
- 30. This Development supports the Council's Strategic objectives and Business Plan aspirations and will facilitate the delivery of much needed affordable housing in the borough.

- 31. Importantly, the Development meets the Council's financial viability tests while maximising the number of affordable homes and utilising external funding.
- 32. A planning application for the Development was submitted in November 2022 with a planning consent granted on 19th July 2023 (Ref: 2022/03329/FR3).

Procurement Process

- 33. The procurement strategy approved by Cabinet in May 2023 for the selection of the main contractor set out the council's chosen procurement route. The strategy described deemed that a Find a Tender Open Procurement Process under PCR 2015 provided the council with the greatest assurance around contractor interest for this size of project, genuine competition, value for money, risk mitigation, and time efficiency.
- 34. This enabled the largest number of potential and appropriately sized contractors to participate in the process and to promote the opportunity for local SME and Tier 2 and 3 Contractors to access the procurement who otherwise may have been excluded via the use of a Framework agreement.
- 35. The Council with the support of its external consultants Arcadis carried out detailed soft market analysis, including direct engagement with proportionately sized construction principal contractors. This was to understand market capacity, contractors' appetite for a development of this size, complexity and type, deliverability of the development within the Council timeline, as well as relative desirability of different procurement routes.
- 36. The soft marketing exercise has identified that the scheme can be procured using an open procedure procurement route, with 50% of contractors approached endorsing this approach at this time. This exercise identified that contractors were keen to have a level playing field in terms of contractor size and capability; sufficient design information to mitigate pricing risk (i.e.: issue supplementary RIBA 3+ information); a pre-qualification and adherence to a tender programme.
- 37. The first step involved a standard questionnaire (SQ) stage which was published on the Council's e-procurement portal, Capital E-Sourcing on 10th July 2023. Eleven parties showed interest and submitted initial returns on 25th August 2023.
- 38. The SQ returns were evaluated and a moderation meeting was held which was chaired by the Procurement Category Lead. 11 contractors were shortlisted to 6 contractors. They were invited to participate in the second step and the full Invitation to Tender (ITT) was issued on Capital E-Sourcing. During the tender period four of the contractors declined to respond mainly due to other workload commitments.

- 39. Only 2 suppliers submitted a bid on the 18th December 2023 which demonstrated their capability, experience and ability to deliver residential net-zero developments within inner London areas.
- 40. The tenders were subject to evaluation by the council's Tender Advisory Panel ("TAP" hereafter). The TAP had representation from the council's development team, legal and procurement and commercial service, supported by the externally appointed Employer's Agent. The TAP consisted of people with specialist construction expertise and subject matter experts to ensure the evaluations were carried out in an objective and unbiased manner.
- 41. The basis on which the tenders were evaluated at both stages are set out below:

Element	Weighting	Detail and explanation	
Qualification (SQ Stage)	Pass / Fail	 Minimum requirements for qualification relating to: Bona Fine Tendering and anti-collusion; Insurance levels; Conditions of contract; London Living Wage; Modern Slavery; Commitment in principle to the journey of Hammersmith & Fulham reducing the Council's carbon impact; and Commitment in principle to the journey of Hammersmith & Fulham becoming a Dementia friendly borough. Tenders that failed to meet the minimum requirements for 	
Price (ITT Stage)	40%	The lowest submitted price is to receive a score of 40. The price score of the other submission is calculated according to the formula below. 40% x (lowest submitted price / price of tender being evaluated) According to this formula, a contractor's price score is both proportionate to the importance of the cost relative to quality, and to the most commercially beneficial price submitted to the council.	
Quality (ITT Stage)	60%	the council. The quality section of the tender (scored out of 60) assessed with 8 questions the contractors' overall suitability to construct the Development and incorporated the following sub elements: Programme delivery approach Quality & performance method statement Health & safety method statement Risk management, mitigation strategy & risk register Team structure, governance & CVs of key personnel Value Engineering proposals Input to interview- including neighbourhood and community engagement (not scored) Added value – qualitative Added value - quantitative	

	As per the council's Social Value policy, contractors' proposals to deliver Social Value were weighted at 20% of the overall tender scoring process.
	The overall tender scoring process.

- 42. Clarifications were raised by suppliers which were answered and shared with all via capital e-sourcing in line with the procurement rules.
- 43. The TAP's evaluation and moderation of the two tender responses was finalised on 24th January 2024. According to the tender evaluation criteria as described above, and in view of the failure of four of the six shortlisted contractors to submit tenders, the final tender scores are as follows:

Rank	Contractor	Price Score	Quality Score	Overall Score
1 st	Neilcott	38.42%	50.90%	89.32%
	Construction Ltd			
2 nd	Contractor B	40%	45.72%	85.72%

- 44. Officers therefore recommend that the contract for the construction of the 11 Farm Lane Development be awarded to Neilcott Construction Limited as the most economically advantageous tender, with an overall score of 89.32%.
- 45. The commercial price including contingency of £13,702,161 for Neilcott is within the budget estimate set out in the procurement strategy approved by Cabinet in May 2023, where the capital budget of £18,807,236 for delivery was also approved.
- 46. The contractors' proposed contract sums have also been compared against benchmark costs of similar projects in the borough and other inner London local government projects and it has been determined that Neilcott's proposals are in line with the average benchmark cost of £4,875 /m². Additionally, their proposals fall below the average benchmark cost of £517,000/unit. On this basis it is deemed that Neilcott's bid represents value for money for the Council especially as this scheme achieves aspirational sustainability standards and Passivhaus Classic accreditation.
- 47. The decision to award this contract is within the Cabinet Member's authority, as per clause 21.1. of the Hammersmith and Fulham Contract Standing Orders

Next steps

48. Should the Cabinet Member for the Economy approve officers' recommendation to award this contract. The Development's future milestones will be as follows:

Milestone	Date
Contract Execution and Site Possession	June 2024
Start on Site*	June-July 2024
Practical Completion	January 2026

*In compliance of the conditions of RtB in anticipation of this process and to comply with GLA grant funding agreement, start on site will be secured by the Council entering into contract with Neilcott Construction Limited. Enabling works are already underway by Flatts and UKPS with design quotations requested for diversion works to satisfy this milestone, as these works will be subsumed within the main works contract at signature.

Analysis of Options

Option One: Approve the Contract Award as per the recommendations of this report (recommended)

- 49. The recommended option is to approve the award of the contract for the construction of the Development to Neilcott on the basis that the Development provides a range of benefits to the local community, principally the provision of much needed affordable housing.
- 50. The procurement process has been conducted on a competitive basis and in conformity with the approved procurement strategy, so as to ensure that the contract delivers the most economically advantageous tender and best value for money, substantial assurance around the quality of the supplier, and a range of positive social value outcomes within the borough.
- 51. The tender is within budget and the scheme remains viable.
- 52. The decision to approve the contract award will also ensure that the principal construction contractor is able to enter into contract, take possession of the site and start mobilisation works on site by 31st May 2024 at the latest. Meeting this milestone will serve to ensure that the conditions of GLA grant funding agreement, which makes a significant contribution to the provision of affordable housing within the Development, are satisfied.

Option Two: Re-run the procurement process for the main construction contractor

- 53. The second option is to re-run the procurement process to select the main construction contractor. This option is not recommended on the grounds that it would unnecessarily postpone the provision of affordable housing in the borough and serve to threaten the viability of the Development, owing to the risk of losing previously secured GLA grant funding and Right to Buy receipts, by failing to meet their respective longstop drawdown dates.
- 54. The council has no reason to believe that repeating the procurement process would result in a more beneficial outcome in view of the fact that the procurement has been carried out using a competitive framework with experienced contractors.

Option Three: Reject the Contract Award and abandon the Development

55. The third option is to abandon the Development by rejecting the contract award decision. This option is not recommended, because the Development delivers

- against a wide range of the council's strategic priorities, most notably the provision of much needed affordable housing and is viable when set against the Council's approved financial performance hurdles.
- 56. The council would face the prospect of having incurred significant abortive costs through any decision to not proceed with the Development.

Reasons for decision

57. This decision is required to comply with clause 21.1 of the Hammersmith and Fulham Council Contract Standing Orders, according to which Contract Awards for Capital Contracts above a value of £1.5m are to be approved by the relevant Cabinet Member.

Equality Implications

58. It is not anticipated that this award decision will give rise to any negative impacts on any group with protected characteristics, under the terms of the Equalities Act 2010. Additionally, the Procurement Strategy approved by Cabinet in the report, 'Farm Lane – New Council Development' dated May 2023, considered the wider implications of the redevelopment of the site.

Risk Management Implications

- 59. There is a management and financial risk of cost overruns as with any capital project and that whilst a contingency fund of £1,057,839 has been set aside, that this may be insufficient to cover additional requirements. It is therefore recommended at a rigorous project reporting process with accountable project management be put in place. This must include a defined change management process for all significant changes and associated costs. In addition, any awards against the contingency fund must be reported to senior management at all times.
- 60. In addition to the measures above, there are significant management and programme risks in the administration of this initiative. It is therefore recommended that appropriate programme, governance, reporting and communications must be put in place to ensure that the programme is delivered, to budget, on time, with to the defined quality levels and that the required outcomes are achieved. This will include maintaining a programme Risks, Assumptions, Issues and Dependencies (RAID) log.

Verified by: Jules Binney, Risk and Assurance Manager, 7th May 2024

Climate and Ecological Emergency Implications

- 61. See point 25 above for further detail on sustainability.
- 62. New building has climate change impacts through both 'operational' emissions (from ongoing use of the building) and 'embodied' emissions

(arising from the materials and construction). With a focus on operational emissions, the development has been designed to achieve Passivhaus certification, thereby achieving a high level of energy efficiency.

- 63. The proposed design will be a fossil-fuel free development, and achieves operational emissions reduction compared to current industry standards, with an 80% reduction in carbon. This goes beyond the minimum 35% reduction on-site required by the London Plan and the average 37% achieved by major developments in H&F in 2020.
- 64. During the detailed design stage, further work will be undertaken by the project and design team to specify materials that will reduce the overall embodied emissions within the design. Demolition of the existing building will also be managed to enable the reuse of suitable materials within the preconstruction stage of the development, with the intent to improve the modelled embodied emission levels above the GLA benchmark.
- 65. The development has used the H&F climate implications toolkit to maximise sustainability across the range of considerations. The development increases the area of planting and sustainable drainage over the existing Site and includes measures to provide resilience against extreme heat.

Verified by: Hinesh Mehta, Assistant Director Climate Change, 10/05/2024

Procurement Implications

66. The procurement has been conducted in accordance with the Procurement Strategy. Given the value of the contract the Open Procedure was followed, this included a Standard Selection Stage and an ITT. The procurement was advertised using capitalEsourcing and all correspondence/submissions were sent/received via that platform. Each stage (SQ and ITT) was evaluated and moderated in accordance with the PCR's 2015 and the CSO's. The moderated scores for each stage have been uploaded on to capitalEsourcing and once the contract has been awarded will be entered into the Contracts Register and be managed by the Contract Manager.

Sophie Uddin – Procurement Category Lead 10/05/2024

Local Economy and Social Value

- 67. It is a requirement that all contracts awarded by the council with a value above £100,000 provide social value commitments that are additional to the core services required under the contract. These commitments must amount to at least 10% in value of the price of the contract proposed.
- 68. It is advised that the Commissioner works closely with Legal Services to ensure appropriate social value clauses are included in the contract, so that the Council can enforce its right to compensation if social value commitments are not delivered.

- 69. The contract manager should monitor and verify delivery against these Social Value commitments as part of the core deliverables of the contract.
- 70. As the contractor is likely to have separate S106 obligations, and it has been clarified that these are separate to the Social Value commitments, in monitoring deliverables, consideration should be given to avoid any double counting.

Oliur Rahman, Head of Employment and Skills, 10 May 2024

LIST OF APPENDICES

Appendix	Subject
Appendix 1 (exempt)	Tender Analysis
Appendix 2 (exempt)	Procurement Report
Appendix 3 (exempt)	Contingency sums
Appendix 4 (exempt)	Exempt financial implications
Appendix 5 (exempt)	Final Summary Matrix