

Committee(s): Residents Consultation Committee – For comment Barbican Residential Committee – For decision	Dated: 05 June 2023 19 June 2023
Subject: Window Cleaning Contract	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1, 2, 11 and 12
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain’s Department?	Y/N
Report of: Judith Finlay, Executive Director of Community and Children's Services	For Decision
Report author: Rosalind Ugwu, Interim Head of Barbican Estate	

Summary

This report advises members on the outcome of the process to select a new service provider for the provision of window cleaning contract across the Barbican Residential Estate.

The contract would be for an initial six-year period with an early termination for convenience after three years. It is intended the contract would start in August 2023 subject to Barbican Residential Committee (BRC) approval and a 35-day consultation period prior to issue of contract.

Recommendation(s)

The BRC is asked to endorse the following recommendations:

1. That the tender submitted by All Clean London in the sum of £1,503,110 over six years be accepted and that they provide the window cleaning services for the Barbican Estate on an initial six-year period with an early termination for convenience after three years.
2. That the Comptroller and City Solicitor be instructed to draw up the contract with All Clean London subject to the leasehold consultation process and the 10-day mandatory standstill period referred to in this report having expired.

3. The current contract with Parkers is extended for a further month to allow for an estimated contract start date of 1 August 2023 and an adequate mobilisation period with All Clean London

Main Report

Background

4. The window cleaning for the Barbican Estate is currently contracted to W Parkers & Sons on a contract which began on 20 October 2016 and continued three extensions which expired on 31 March 2023
5. The Procurement Strategy considered two options, an undertaking procurement exercise for a new contract or continuation of existing contract. The route to market options considered either a one stage procurement (FTS (Find a Tender Service) – PCR 2015) or restricted procedure. The process involved an analysis of the advantages and disadvantages of these options and concluded the one stage procurement process was the most appropriate.
6. Tenders were invited for the six-year period 2023-2029, with early termination for convenience after three years. The City received eleven bids in response to the contract notices (advertisement) entered via the FTS (no longer the official journal of the EU) and Contracts Finder.
7. Following the tender evaluation ten of the eleven companies were judged to have met the City's minimum requirements set out in the qualification stage of the tender. The ten bidders that passed the P&T Criterion are as follows: -
 - ABM UK
 - All Clean London
 - BPM Cleaning and Maintenance Services Ltd
 - ECSS (Enterprise Cleaning & Support Services)
 - Majestic Cleaning Ltd
 - New Concept general Cleaning Company
 - NSS Group
 - Principle Cleaning Services Limited
 - Ryemead Commercial Cleaning Limited
 - W Parker & Son (Croydon) Limited
8. The bidders were evaluated against both professional & technical ability to identify who had sufficient qualitative experience and expertise to undertake the contract. The criteria are as follows:

Technical Criteria	Weighting
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Professional & Technical Ability	Pass/Fail
Quality Assurance	8%
Supervision & Management	8%
Staff & Training	6%
Programming	4%
Contract & Communication	9%
Responsible Procurement	15%
Total	50%
Commercial Criteria (Price 50%)	Weighting
Pricing Schedule	50%
Schedule of Rates	For Info

A more detailed summary of the procurement process can be found at Appendix 1

Current Position

9. The current supplier is 'W Parker & Sons' and the supplier we are proposing to award is 'All Clean London.' A mobilisation period will need to be programmed including adherence to TUPE requirements. The process will begin once Parkers have been given notice and the mandatory 10-day standstill has expired.
10. The tender submissions included a rigorous set of specification requirements attached at Appendix 2 and provides an enhancement in the contract management criteria and KPI (Key Performance Indicators) requirements.
11. The tenders received were evaluated by a panel of officers:
 1. Rosalind Ugwu – Interim Head of Barbican Estate
 2. Barry Ashton – Estate Services Manager
 3. Kristina Jackson – Sustainable Supply Chain Manager (Main evaluator for the Responsible procurement and social value questions)
12. The moderation session for technical responses was conducted on the 18 April 2023, and was chaired by an independent moderator from the City of London Procurement Team.
13. The current contract with W Parker and Sons was entered into on 20 October 2016 and has been subject to three extensions and a further extension of 3 months from 1 April to 30 June 2023 to accommodate the procurement timeline.
14. The delay in the retendering process, due to staff turnover, meant that resident involvement was not feasible although individual resident feedback and section 20 responses have been considered throughout the procurement process

15. The recommended tender is from All Clean London in the sum of £232,377 per annum. An increase of 18% on the current contract at £189,454 per annum
16. The -three month extension on the current contract saw an increase of 16%, with an increase on the monthly fee from £15,787 to £18,750.00 (negotiated down from the initial quotation of £19251.04 at 2.5%) per calendar month.
17. A --block-by-block comparison of window cleaning costs for the core service under the current and proposed arrangements is provided at Appendix 3.
18. During the process, the Chamberlain and the Comptroller & City Solicitor have been consulted.

Options

19. The recommendation took into consideration the following two options with regards to the winning tender submitted by All Clean London:
 - a. That the tender submitted by All Clean London in the sum of £1,503,110 over six years be accepted and that they provide the window cleaning services for the Barbican Estate on an initial six-year period, with an early termination for convenience after three years;
 - b. That the tender submitted by All Clean London in the sum of £1,503,110 over six years is not accepted pending the submission of additional information.
20. There are two options for an adequate mobilisation of the new contractor:
 - a. The current extended contract with W Parkers & Sons is extended for a further month to allow for an estimated contract start date of 1 August 2023;
 - b. The Parkers contract expires on 30 June 2023, with a 1-month suspension in window cleaning services to residents.

Proposals

21. That the tender submitted by All Clean London in the sum of £1,503,110 over six years be accepted and that they provide the window cleaning services for the Barbican Estate on an initial six-year period with an early termination for convenience

22. All Clean London providing the highest score for the award criteria and the lowest price.

Key Data

23. The table below provides the total scores against the predetermined award criteria with All Clean London achieving the highest score across all four award criteria:

AWARD CRITERIA	BIDDERS									
	ABM UK	All Clean Services	BPM Cleaning and Maintenance Services Ltd	ECSS (Enterprise Cleaning & Support Services)	Majestic Cleaning Ltd	New Concept General Cleaning	NSS Group	Principle Cleaning Services	Ryemead Commercial Cleaning	W Parker & Sons
Commercial 50%	34.18	50.00	29.63	48.26	39.17	38.01	38.01	47.14	39.17	42.98
Technical 35%	35.00	35.00	30.40	31.80	23.00	32.40	25.40	30.00	21.80	32.40
RP/SV 15%	10.00	13.00	4.00	13.00	9.00	5.00	9.00	11.00	8.00	11.00
Total Weighted Score:	69.18	85.00	60.03	80.06	62.17	70.41	63.41	77.14	60.97	75.38
Order of Tenders:	6	1	10	2	8	5	7	3	9	4

24. The table below provides details of the six-year costs from each supplier, with an average commercial bid across all 10 suppliers for a six-year contract is £1,834,976. All Clean London proving the lowest price:

Commercial Summary										
Price Element / Item: Total Overall Price										
	BIDDERS									
	All Clean Services	BPM Cleaning and Maintenance Services Ltd	W Parker & Sons	ABM UK	ECSS (Enterprise Cleaning & Support Services)	Majestic Cleaning Ltd	New Concept General Cleaning Company	Ryemead Commercial Cleaning Limited	Principle Cleaning Services	NSS Group
Price	£1,503,110.07	£2,536,764.20	£1,748,495.84	£2,198,814.53	£1,557,160.62	£1,782,009.80	£1,532,907.00	£1,918,637.83	£1,594,381.11	£1,977,488.77
Average	£1,834,976.98									
Lowest Price	£1,503,110.07									
Highest Price	£2,536,764.20									
Difference from Lowest Price	0.00%	68.77%	16.33%	46.28%	3.60%	18.55%	1.98%	27.64%	6.07%	31.56%
Weighted Score	50.00	29.63	42.98	34.18	48.26	42.17	49.03	39.17	47.14	38.01

25. A block-by-block comparison of window cleaning costs for the core service under the current and proposed arrangements is provided at Appendix A.

Corporate & Strategic Implications

Strategic implications – None

Financial implications -

26. The tender submitted by All Clean London provided the following breakdown of costs per year.

Year 1	£232,377.06
Year 2	£239,348.37
Year 3	£246,528.82
Year 4	£253,924.69
Year 5	£261,542.43
Year 6	£269,388.70

The original Barbican Estate Office 2023/24 budget included a provision of £199,000 for the window cleaning contract. The tender submitted by All Clean is 16.75% higher than the original budget. The majority of the cost is charged to the Service Charge Account, and approximately 97% is recoverable from long leaseholders.

Resource implications -None

Legal implications -

Legal Services will oversee the section 20 and TUPE procedures:
Under the consultation provisions of the Landlord and Tenant Act 1985 (amended by the Commonhold and Leasehold Reform Act 2002), the City must consult twice with all its long lessees – prior to going out to tender and then once the tender exercise has been completed. Each consultation lasts 30 days. The initial consultation was carried out 8 December 2022 to 12 January 2023 and elicited 10 queries. The second consultation will take place prior to the 10-day mandatory standstill period and subject to the recommendations of this Report being approved by BRC on 19th June 2023.

The placing of the contract will have implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006. It is understood that the appropriate discussions will take place between the current contractor and the new service provider.

Once the section 20 process has been completed the Project Team will manage the following processes:

The Public Contracts Regulations 2006 provide for a mandatory cooling off period of ten days to be introduced before any contract which is caught by the full regime of the Regulations can be formally awarded. The mandatory cooling off period enables

anyone who was unsuccessful to challenge a Contracting Authority's decision to award a contract.

The introduction of the mandatory cooling off period for this contract will require letters being sent to all the unsuccessful tenderers and any unsuccessful economic operator who expressed an interest in tendering for the contract setting out the following: -

The criteria for award of the contract.

The name of the winning Tenderer and its score.

The score of the unsuccessful Tenderer/economic operator.

At the same time, a letter can be sent to the successful Tenderer confirming that its tender has been accepted subject to there being no challenge to the contract award following the introduction of the mandatory cooling off period. The likelihood of any challenge cannot be known at this stage.

In accordance with the Regulations, feedback has been provided where requested to those economic operators who were not selected to tender for the contract. The City as a Contracting Authority as defined by the Regulations must provide feedback to any economic operator who was unsuccessful.

Risk implications – None

Equalities implications – To ensure our compliance with the public sector Equality Duty 2010 an Equality Impact Assessment was carried out on 26/05/2023 and no impact on the protected characteristics was identified

Climate implications – The tender process required comprehensive responses and commitments within the Responsible procurement and social value criteria. All Clean London's submission is available on request.

Security implications - None

Conclusion

A panel made up of officers has undertaken a rigorous process based on quality and price and recommends that All Clean London are awarded the contract to provide window cleaning services for the Barbican Estate.

The new contract provides a robust contract management framework to improve service standards and a suite of KPIs (Key Performance Indicators) to monitor performance and provide regular reports to residents

Appendices

Appendix 1 – PT8: Tender Award Report
Appendix 2 – Specification of requirements
Appendix 3 – Block by block cost comparison

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