

Notice of Non-key Executive Decision

Subject Heading:	Kitchen Refurbishment Project – 2019/2020
Cabinet Member:	Councillor Joshua Chapman – Lead Member for Housing
SLT Lead:	Bernadette Marjoram – Interim Director of Housing
Report Author and contact details:	Robert Ditsell Tel: 01708 434700 Email: Robert.Ditsell@havering.gov.uk
Policy context:	This executive decision is required to provide permission to go out to competitive tender to undertake Kitchen refurbishment works under the 2019/20 HRA Capital Programme
Financial summary:	This contract will cost approximately £325,000.00 which will funded from Housing Revenue Account Capital Project Budget Code: A2847, Task 3.0 and Task 2.0.
Relevant OSC:	Overview and Scrutiny Board
Is this decision exempt from being called-in?	Yes it is exempt, as it is a Non-Key Decision by a Member of Staff

The subject matter of this report deals with the following Council Objectives

Communities making Havering
 Places making Havering
 Opportunities making Havering
 Connections making Havering

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The Programme Delivery Manager in Housing Services is authorised to start a procurement process in order to source suitably competent contractors to undertake replacement of kitchens and bathrooms. .

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, Section 3.4 Powers of Second Tier Managers;

Contract powers

- (a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

STATEMENT OF THE REASONS FOR THE DECISION

1. Housing Services have identified 55 properties within the borough that require kitchen refurbishments at this time. Of the 55 properties there are currently 9 properties that require bathroom refurbishments and these will be carried out as part of this contract.
2. The works will improve the welfare of the Council's residents, reduce the need for responsive repair works to their homes and increase the useable life of the Council's Housing Stock. In turn, this should increase the potential for a longer period of rental income from those homes.
3. All works will comply with current Building & Fire Safety Regulations.
4. We are proposing to procure this contract via the Capital E-sourcing Procurement System through a single stage tender using approved contractors listed on Construction line. Financial checks will be undertaken prior to advertising the contract to ensure the proposed bidders are financially viable for this project. The quality/price threshold is proposed to be 70% Price 30% quality in line with Havering Council's Corporate Procurement Guidelines.
5. The total pre-tender estimate for the works is £325,000.00 and as such, this procurement falls below the threshold for works which have to be conducted in accordance with European legal requirements and the Public Contracts Regulations 2015. The procurement process will however be in accordance with the Council's Contracts Procedure Rules.
6. Performance of the contract will be managed and monitored throughout the project by the Programme Delivery Project Surveyor and the Clerk of Works.
7. It is anticipated that works will commence on the **1st November 2019**, however, this is subject to approval of this report.

Added social value

As this is a contract for works, it falls outside the scope of contracts where added social value must be considered under the Public Services (Social Value) Act 2012.

OTHER OPTIONS CONSIDERED AND REJECTED

Tendering this work through an Open tender process: Rejected on the grounds that the work is specialist in nature and the quality of contractors must be assured.

Combining both Kitchen and Bathroom refurbishments into one tender: Rejected on the grounds that the works will need be completed within a short period of time and due to the volume this would be undeliverable by one contractor.

PRE-DECISION CONSULTATION

Gas, Electrical & Fire Safety Regulations will be applied and strictly adhered to and certificated by the appropriate qualified persons.

All affected residents will be consulted regarding the impact of the works.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Mark Howard

Designation: Programme Delivery Manager

Signature:



Date:

23/09/19

BACKGROUND PAPERS

None

d C/e Gary Mitchell 25/9/19

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Housing Revenue Account (HRA) specifically accounts for spending and income relating to the management and maintenance of council-owned housing stock. The services procured under this contract will cover various properties all located within the London Borough of Havering owned or managed through the HRA as set out in the section 74 of the Local Government and Housing Act 1989.

Housing Services seek to procure these services in accordance with the Council's responsibilities as a landlord as well as Health and Safety legislation and Building Regulations.

The procurement process followed by the Council has already been set out in the body of this report. Due to the value of the contract, a minimum of five organisations must be selected from Constructionline and invited to tender as set out in Contract Procedure Rule 13.2.

Upon award, the contract will incorporate the JCT Minor Works Contract 2016. The contract will be sealed in accordance with rule 17.1 of the Havering Contract Procedure Rules.

FINANCIAL IMPLICATIONS AND RISKS

This report is seeking approval to commence the procurement process and does not contain any financial implications. It is anticipated that the contract will cost in the region of £325,000.00, which will be funded from HRA capital resources, Project Code: A2847, Task 3.0 for £275,000.00 for the Kitchen Refurbishments and A2847, Task 2.0 for £50,000.00 for the Bathroom Refurbishments. This figure will be confirmed and the contracts awarded via a separate Executive Decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The procurement process will be carried out in accordance with the Council's Contract Procurement Rules. The proposed contractor will be expected to comply with the Council's policies with regards to the promotion of equality and diversity in service delivery and employment practice.

The Council will seek to ensure that socio-economic status will not dictate health and safety

outcomes for occupants of new and existing homes

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

Signed



Name:

Cabinet Portfolio held:
CMT Member title: Bernadette Marjoram
Head of Service title: Director of Housing
Other manager title:

Date: 25/9/19

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 4/10/2019

Signed 