

Public Notice of Non-key Executive Decision

Subject Heading:	Appointment of Cost consultant Gardiner Theobald via NHS Framework for the Family Welcome centre
Cabinet Member:	Councillor Damian White Leader of the Council
Report for :	Neil Stubbings Director of Regeneration
Report Author and contact details:	Maria Faheem Maria.Faheem@havering.gov.uk
Policy context:	Havering Housing Strategy 2014-2017 HRA Business Plan 2017-2047
Financial summary:	This report seeks approval to proceed with the appointment of Gardiner and Theobald via the NHS Framework to support the development of the Family Welcome Centre. Further details contained in Exempt Report.
Relevant OSC:	Towns and Communities
Is this decision exempt from being called-in?	Yes - It is a non-key decision

Non-key Executive Decision

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

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The Director of Regeneration is asked to:

- (i) approve use of the NHS Construction Consultancy Services Framework for the appointment of a Cost consultant and the award of a call-off agreement to Gardiner Theobald LLP (OC307124) at a total cost of £298,950.

AUTHORITY UNDER WHICH DECISION IS MADE

Pursuant to Part 3.3 of the Council's Constitution, the Director of Regeneration has delegated powers both to award contracts up to £5,000,000 in accordance with the Contract Procedure Rules and to take any steps necessary for the proper management and administration of allocated portfolios.

This reports seeks approval to commence the procurement route for the appointment of Cost consultant Gardner Theobald via the NHS Framework for RIBA Stage 2 - 6 Cost Management Services.

This Executive seeks approval to appoint Gardiner & Theobald to act as cost advisors for the development of the Family Welcome Centre, via the NHS Consultancy framework, at a cost of £298,950. The approach would deliver savings against the existing Council framework provided by Bloom of 6%. The NHS framework will collect fees directly from Gardiner and Theobald therefore the Council is not exposed to additional fees.

Further details contained in Exempt Report.

The Council will be delivering a new community Medical Centre and will be replacing the existing Abercrombie Hostel facilities with a high quality Family Welcome Centre.

The redevelopment of the Abercrombie Hostel has presented the Council an opportunity to address the emergency accommodation provision and to better meet supported housing needs. The Abercrombie Hostel site is located next to the disused old library based on Hilldene Avenue and forms part of the wider masterplan regeneration for the area.

Gardiner and Theobald will provide integral support for the project budget and cost control. Their expertise and subject knowledge will be essential to ensure costs are kept within budget. Gardiner and Theobald have significant industry knowledge and have provided consultancy services for other Regeneration projects within Havering.

Further savings are achieved for the Council by appointing Gardiner and Theobald as they are a multidisciplinary firm and are able to provide niche consultancy services from within the firm.

Gardiner and Theobald will be providing Provision of cost management services for the construction works comprising pre contract cost management, cost related services relating to procurement, post contract interim valuations of construction works, valuation of changes and agreement of building contractor's final account.

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Scope of Services

- Quantity Surveyor
The Quantity Surveyor services comprise the provision of cost and contract advice including (but not limited to):
- Preparing of cost estimates to support the Employer's Capital Planning and Business Planning activities;
- Providing cost advice to support value engineering studies, BREEAM studies, AEDET studies, SKA
- studies, life cycle cost studies, option engineering and risk management including (where required) attendance at
- Workshops (studies prepared by others);
- Undertaking value engineering and risk management activities including (where required) convening and facilitating Workshops and preparing all associated pre-workshop and post-workshop documentation;
- Preparing and maintaining through all stages/phases of the Work Package cost plans for all elements of the Work Package;
- Providing contractual advice in relation to the Employer's procurement strategy and (where requested) preparing the same;
- Assisting in preparing and/or prepare OJEU notices and/or Pre-qualification questionnaires and evaluation/recommendations in relation to the returned responses;
- Preparing tender documentation for works, services and goods including the agreement of tender lists;
- Undertaking the commercial evaluation of returned tenders including convening and chairing post tender meetings and (where required) co-ordinating the technical submissions and providing recommendations to the Employer and/or their appointed representative on the preferred supplier;
- Preparing contract documentation including the inclusion of post tender negotiations/discussions as appropriate and the coordination of the Contract execution process;
- Preparing goods, works and services contracts as required by the Employer and/or their appointed representative including (but not limited to) measurement/valuation, change management and claims resolution;
- Preparing cost reports in the format required by the Employer and/or their appointed representative;
- Preparing commercial final accounts for works, services and goods contracts and liaising with the
- Employer and/or their appointed representative;
- Agreeing upon value of outstanding snagging items and the provision of all Contract deliverables before recommending final payment under the Contract.

OTHER OPTIONS CONSIDERED AND REJECTED

Rejected – To instruct a Supplier via the Bloom platform- This was rejected on the basis that it will not be cost effective to appointment a Supplier via Bloom at an additional cost of 6%.

Rejected-Going through a full tendering process would result in significant delay to the programme and would potentially cause financial and reputational loss to the Council.

PRE-DECISION CONSULTATION

None

Non-key Executive Decision

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

Name: MARIA FAHEEM

Designation: REGENERATION

Signature:



Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a general power of competence under s1 of the Localism Act 2011 to do anything that an individual generally may do subject to other statutory provisions limiting or restricting its use. The recommendation in this report is compatible with this statutory power.

Officers seek approval to award a contract from the NHS Construction Consultancy Services Framework for Cost Consultancy Services. Officers propose to appoint Gardiner Theobald LLP.

The Framework appears to be compliant with the Public Contracts Regulations 2015. The Contract Award Notice (OJEU Ref: 2018/S 213-488688). The Framework commenced on 01/04/2018. Participating authorities therefore have until 31/03/2022 to call-off from this Framework.

The Council's Contract Procedure Rules confirm that all subsequent purchases under a framework shall either not require further competition (if a single supplier) or, if there are two or more suppliers for those goods or services on the framework, follow the express framework provisions for choosing a supplier.

The framework allows direct award and mini competition options. As set out in the body of this report, Officers have decided to directly award a contract to Gardiner Theobald LLP.

As the contract value exceeds £150,000 the contract must be executed as a deed by the affixing of the Council's seal. The call-off contract must therefore be sent to Legal Services to be executed.

FINANCIAL IMPLICATIONS AND RISKS

This Executive seeks approval to appoint Gardiner & Theobald to act as cost advisors for the development of the Family Welcome Centre, via the NHS Consultancy framework, at a cost of £298,950. The approach would deliver savings against the existing Council framework provided by Bloom.

The Family Welcome Centre would deliver a hostel funded from the HRA and a Medical Centre funded from the General Fund capital programme

There are no direct risks arising from the procurement approach, given an approved budget is in place.

Further details contained in Exempt Report.

Non-key Executive Decision

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

None.

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, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

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.

BACKGROUND PAPERS

None

APPENDICES

Appendix-

Non-key Executive Decision

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

Details of decision maker



Signed

Name: Neil Stubbings

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 27.10.21

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____