



Notice of Non-key Executive Decision

This Executive Decision Report is part exempt and Appendix A is not available for public inspection as it contains or relates to exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to information relating to the financial or business affairs of any particular person, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Subject Heading:	Havering Town Hall – Authority to award a contract for the supply and installation of new fire alarm & tannoy system.
Cabinet Member:	Cllr. Roger Ramsey- Lead Member for Finance and Property.
SLT Lead:	Jane West – Chief Operating Officer
Report Author and contact details:	Ian Saxby – Head of Technical Services Telephone: 01708 433529 Email: ian.saxby@onesource.co.uk
Policy context:	It is a legal requirement for building owners/operators to comply with BS 5839 Part 1 Regulations and the requirement to provide buildings for staff, customers and stakeholders that comply with statutory legislation including the Health and Safety at Work Act.
Financial summary:	This report seeks authorisation to award a construction contract in the sum of £259,464.30 to CBT Electrical Ltd. The total cost of the scheme is £298,383.95 contained within overall budget of £300,000.
Relevant OSC:	Scrutiny Committee
Is this decision exempt from being called-in?	Yes, this is a Non-Key decision.

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

It is recommended that the Director of Asset Management authorises the award of contract for the supply and installation of the new fire alarm system at Havering Town Hall as part of the Health and Safety works condition programme to CBT Electrical Limited at a cost of £259,464.30.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 [Responsibility for Functions] of the Constitution, para 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

Technical Services have been commissioned by the Head of Health & Safety to tender the works as detailed below.

1) Supply and Installation of a New Fire Alarm System to Romford Town Hall.

The existing fire alarm system is comprised of a combination of older systems/modifications. Parts of the existing system are now non-compliant, with original cabling starting to break down, causing panel faults/activations.

As the Town Hall has a listed status, the proposed system will be a wireless system utilising the latest wireless radio technology. This will mean minimal disruption to the building fabric and will also have a better aesthetic appearance. In addition to this, any future modifications to the system will be much easier to achieve.

2) Supply and Installation of a Tannoy System to Romford Town Hall.

Health & Safety have requested that the new tannoy system should operate as per the tannoy system previously installed to Mercury House, allowing for communication to Havering staff and any public/visitors during specific events/emergencies, throughout the Town Hall building and including the new Appointment Centre.

The new tannoy system will be interlinked with the updated fire alarm system.

Note: Having both the new fire alarm system and tannoy system installed at same time will minimise any disruption and ensure commissioning can be carried out together, enabling any interface work to be fully checked before handover.

Since the Executive Decision to approve this procurement route, a tender exercise has been carried out based on a single stage JCT Intermediate Contract 2016 through the Fusion portal. In line with the Council's Contract Procedure Rules (CPR), the list of tenderers was

Non – Key Executive Decision

sought from Constructionline, and six suppliers were invited to submit bids. The construction market remains highly competitive at this point in time.

During the tender exercise six contractors from Construction Line were invited to tender on the basis of a Single Stage JCT Intermediate Contract 2016 with amendments and four contractors returned tenders.

Further details of the tender process (including the price and scoring information) are set out in **Appendix 1**, attached to this report. As a result it is proposed to appoint the Contractor with the highest scoring compliant bid to undertake the works, namely CBT Electrical Ltd.

Romford Town Hall – New Fire Alarm and Tannoy System – Draft Programme of the Works

Contract Award	September 2021
Commencement of Works	November 2021
Envisaged End of Works	April 2022
Handover and Contract Closure	May 2022

Nb: Contract will be carried out over a 4 month period working weekends only

OTHER OPTIONS CONSIDERED AND REJECTED

Doing nothing would lead to a further deterioration of the fire alarm which could result in false call outs and/or a possible undetected fire.

A number of suitable framework agreements were considered, but rejected as it was considered better value for money to adopt the chosen route.

PRE-DECISION CONSULTATION

Consultation has taken place with a number of relevant key stakeholders. In addition to this, consultation has taken place with the finance, legal and the Strategic Procurement Unit. Members were invited to approve the scheme as part of the Cabinet/ Full Council process.

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

Name: Ian Saxby

Designation: Head of Technical Services

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Health and Safety at Work etc Act 1974 (HSWA) sets out the Council's duty in relation to ensuring the health, safety and welfare of people at work.

Section 1 of the Localism Act 2011 grants Local Authorities a General Power of Competence, allowing it to do anything that an individual may do, provided there are no statutory constraints, and that it either furthers its functions or benefits the Local Authority's area.

The Local Authority is a Contracting Authority for the purposes of the Public Contract Regulations 2015 (PCR). The value of the contract is below the works threshold of £4,733,252, therefore this Contract is not subject to the full rigours of the Regulations. However, the Local Authority must still be mindful of the general principles of procurement as set out in the PCR, namely that it must treat economic operators equally, without discrimination, and act in a transparent and proportionate manner. The body of this report confirms that the tender exercise has been carried out in compliance with the Local Authority's Contract Procedure Rules (CPR Rule 13).

The Local Authority will use the JCT 2016 Intermediate contract Standard Terms and Conditions for this Contract.

The Local Authority has a fiduciary and best value duty to safeguard its resources. As detailed in the report, Council Officers consider the awarding of the Contract to CBT Electrical Ltd achieves compliance with these duties.

All Contracts with a value above £150,000 along with any collateral warranties must be executed under seal, this provides the Local Authority with a limitation period of twelve years (CPR Rule 17). The Legal team are available to assist with the drafting and sealing of the contract.

FINANCIAL IMPLICATIONS AND RISKS

Breakdown of Costs:

Works (Contract Award)	£259,464.30
Fees, charges and surveys	£ 38,919.65
Total Costs	£298,383.95

The following items have been approved for funding within the capital programme:

Code C3850	£300,000.00
Total funding	£ 300,000.00

As with most capital schemes, there is a risk that the scheme could overspend due to issues arising during the build process, however given the size of the works, and previous experience

of the contractor any significant overspend is unlikely. Any small issues arising can be funded from the project contingency of £10,000, which is included within the above tender sum.

As with all contracts there is a risk to contractor delivery/continued operation. However the contractor selection process will partly mitigate this risk, along with careful project management.

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

There are no implications associated with this 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, 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.

An EqHIA (Equality and Health Impact Assessment) is usually carried out when a current or planned service/policy/activity is likely to affect staff, service users, or other residents. It is acknowledged that in emergency or urgent situations it will not always be possible to carry out an EqHIA in advance of a relevant activity; however, managers will undertake the required EqHIAs at the earliest opportunity. Where managers are already clear that protected groups/users will be impacted negatively by the intended activity, then this will be noted in the next paragraph and/or put into EqHIAs. Where the negative impact of the intended activity can be mitigated, this too should be set out in this report and/or the EqHIA.

In all situations, urgent or not, the Council will seek to ensure equality, inclusion, and dignity for all.

These proposals do not have any equalities and social impact implications and risks.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The replacement of the fire alarm and tannoy system at the Town Hall will have a positively impact on the Health and safety of staff using the building.

BACKGROUND PAPERS

None

APPENDICES

Appendix 1	tender scoring document	Exempt
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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: Mark Butler, Director of Asset Management

Date: 7th October 2021

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 _____