

Notice of Non-key Executive Decision

Subject Heading:	Authority to Commence a Tendering Process for Pitched Roof Replacements at Langton’s Infant School, Harold Court Primary School and Squirrels Heath Infant and Squirrels Heath Junior School
Decision Maker:	Mark Butler – Director of Asset Management
Cabinet Member:	Councillor Oscar Ford – Cabinet Member for Children and Young People
SLT Lead:	Robert South - Director of Children’s Social Care
Report Author and contact details:	Sally Shadrack – Project Manager Schools Asset Management Telephone: 01708 434352 Email: sally.shadrack@onesource.co.uk
Policy context:	Supports educational outcomes within the broader opportunities context of the Havering Vision
Financial summary:	Havering LA are responsible for maintaining school buildings therefore an approved budget of £490,000 to be set aside from the LA School Condition Allocations (SCA) It is anticipated that the works being tendered will be contained within the allocated budget.
Relevant OSC:	Children & Learning Overview and Scrutiny Committee
Is this decision exempt from being called-in?	Yes this decision is a non-key decision

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

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place X

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Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons stated in this report, the Director of Asset Management is recommended:

To agree to the commencement of a tendering process for a works contract, for pitched roof replacements at various maintained schools with the London Borough of Havering, at an estimated contract sum of £490,000 for a period of 14 weeks, with an estimated start date of 21st July 2023 to coincide with the start of the Havering Schools Summer Holiday.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 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

STATEMENT OF THE REASONS FOR THE DECISION

Havering LA are responsible for maintaining school buildings therefore an approved budget of £490,000 has been set aside from the LA School Condition Allocations (SCA) 2023/24.

The existing pitched roofs at Harold Court Primary, Langton Infants and Squirrels Infants and Junior Schools have been surveyed and it has been established that they are now beyond their service life and require replacement.

The intention is to run a restricted tendering process to 5 specialist pitched roofing installation contractors i.e. pre-qualified prospective contractors who following the receipt of the bid, will be able to deliver a fully priced bid without the need of any further negotiations via Fusion to provide a full design and installation service. This approach has been agreed with Corporate Procurement and confirmation is required from Legal Services.

It is proposed to tender these works using a JCT Design and Build Contract 2016 (DB).

It is proposed that these works will take place at the start of the schools summer holiday 2023 and all to be completed by October half term 2023.

OTHER OPTIONS CONSIDERED AND REJECTED

The option to do nothing was considered and rejected as the roofs had reached the end of their life and some were leaking. If left, this could result in disruption to teaching and the running of the school.

E-Auctions have been considered and rejected.

There is a 'lot' for a traditional pitched roof framework via the LHC Roofing Systems and Associated Works Framework however, this is contractor led as opposed to being the roofing system supplier led therefore the benefits of a manufacturers design support and monitoring are not available as they are with flat roofs.

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The option to run a restricted tendering process via Fusion RFQ/ Quick Quote by inviting local roofing contractors who are registered on Constructionline was considered as being the most appropriate with the value of the contract being under 500K.

PRE-DECISION CONSULTATION

The school was engaged on the current condition of its roof, the roof is now no longer sustainable or in working order. A condition survey was carried out which highlighted the requirement for the replacement of the roof. In addition to the above, there is engagement with all schools within the overall annual maintenance programme.

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

Name: Sally Shadrack

Designation: Project Manager Schools Asset Management

Signature: Sally Shadrack

Date:08/02/23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has power to procure the works contract under s111 of the Local Government Act 1972 which permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council is a Local Authority within the meaning of Section 579 of the Education Act 1996 as amended. Under Section 14 of the same Act the Council has a duty to ensure that there are, "sufficient schools for providing primary and secondary education in its area"; and sufficient in this context means in respect of "number, character and equipment to provide for all pupils the opportunity of appropriate education."

The Council also has a general power of competence under Section 1 of the Localism Act 2011 to do anything an individual can do, subject to any statutory constraints on the Council's powers. None of the constraints on the Council's s.1 power are engaged by this decision.

The proposed contract value of £ £490,000 is below the PCR threshold for Works contracts £5,336,937. Procurement of the contract is not caught by the full PCR regime. Whilst the procurement does not fall to be considered under the full PCR regime, when considering whether to approve the procurement of the contract, the Council must comply with Havering Council's Contract Procedure rules (CPR) and in particular, with CPR rule 10.4 and 13.2.

Subject to Council's Contract Procedure rules being complied with, the Council may commence the procurement of this works contract.

FINANCIAL IMPLICATIONS AND RISKS

Estimated Costs and Funding is set out below:

	£
Contract Sum	450,800
Professional Fees	24,500
Contingency	14,700
Total Costs	490,000
Total Funding (including £14,700 project contingency)	490,000

Havering LA are responsible for maintaining school buildings therefore an approved budget of £490,000 is to be set aside from the 2023/24 LA School Condition Allocations (SCA). It is anticipated that the works being tendered will be contained within the allocated budget. If there is not enough funding to cover all planned works once the 23/24 LA School Condition Allocations have been received a review of the works will be undertaken and changes made accordingly.

There is a risk that the tender results will exceed estimations. A separate Key Executive Decision will be submitted at the award of tender with detailed tender costs.

As with most capital schemes, there is a risk that the scheme could overspend due to issues arising during the construction process. Any small issues arising can be funded from the project contingency. If there is not enough funding to cover all planned works once the 23/24 LA School

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Condition Allocations have been informed that a review of the works will be undertaken and changes made accordingly.

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

There are no Human Resources 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.

There are no equalities implications arising from this decision.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The climate changes in particular the risk of flash flooding has greatly increased, and is likely to increase further over the coming years so it is imperative that the pitched roofs are changed as they had reached the end of their life.

The type of tiles which have been specified for the roofs Weinberger clay tiles are made using abundant reserves of the finest alluvial clay, formed many thousands of years ago from the flood plains of the river Humber. The clay is extracted on the same site as the tiles are manufactured, which helps keep environmental impact to a minimum. As the clay is dug, the land is periodically transformed into wetland habitats. These durable clay tiles will replace the existing tiles. The UK production processes at Weinberger meet the requirements of the Responsible Sourcing standard BES 6001.

The roofing specification also takes into account increased insulation requirements compliant with new building regulations 2022 which will reduce heat loss within the building thereby reducing heating expenditure and in turn less environmental damage from the fossil fuel polluting the atmosphere.

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The expectation of the contractor will be their compliance with all local and national environmental legislation, regulations and directives to protect and improve the environment, and have developed; reviewed and recorded processes in place to make sure they comply. The expectation is a strategy in place to manage their environmental impact, e.g. energy reduction and waste management programmes reducing site waste.

Asset Management have specified replacement pitched roofs with a 20 year guarantee ensuring a long life expectancy reducing the need to replace in the future and waste resources.

BACKGROUND PAPERS

None

APPENDICIES

None

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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

Head of Service title:

Director of Asset Management

Date:

23/3/2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____