

Notice of Non-Key Executive Decision

Subject Heading:	Contract award for Structural Underpinning at 8 Dudley Gardens
Decision Maker:	Paul Walker, Director of Housing & Property
Cabinet Member:	Paul McGeary, Lead Member for Housing
SLT Lead:	Neil Stubbings, Strategic Director of Place
Report Author and contact details:	James Wallis - Project manager James.wallis2@havering.gov.uk 07714648301
Policy context:	Supports the People Theme - Place - A great place to live, work and enjoy
Financial summary:	The value of the contract is £41,946.00, which will be funded from the Housing Revenue Account, Capital Programme.
Relevant OSC:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons detailed in this report the Interim Director of Housing & Property is recommended to agree to:

1. Award a works contract of 41,946.00 to Structural Repairs & Specialist Services Limited, company no.0277184 for the structural underpinning works at no.8 Dudley Gardens, located in Romford. This Property is owned and managed by The London Borough of Havering's Housing services team. These works are urgently required to prevent further structural movement from occurring which could result in the property becoming uninhabitable which in turn would lose rental income for Havering and the current tenants would need to be re-housed.
2. The works are due to commence in September 2024 and will be completed within 8 weeks from the commencement date.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Part 3.3 Scheme of Delegations – Functions delegated to officers

Scheme 3.3.3 Powers common to all Strategic Directors

4. Contracts

4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3

STATEMENT OF THE REASONS FOR THE DECISION

1. The Property at No.8 Dudley Gardens, located in Romford is owned and managed by The London Borough of Havering's Housing services team. Works are urgently required to prevent further structural movement from occurring at the Property which could result in it becoming uninhabitable which in turn would lose rental income for Havering and the current tenants would need to be re-housed.
2. The Housing Maintenance Team have been monitoring this Property since 2015 and have recorded that the cracking and movement to the Property has become significantly worse in the last few years. Extensive soil and drainage investigations were completed in December 2023 by Furness Partnership Engineers and their conclusions revealed that the clay subsoils underlying the

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Property exhibit characteristics that would result in continued movement unless the foundations were deepened through underpinning.

3. The recommendations for the underpinning works have been made by Sebastian Maudling, a structural Engineer of Furness partnership to prevent further damage to the building and/or possible future loss.
4. Following a successful Request for Quotes via Havering's secure Fusion Portal four contractors were invited to quote (RFQ) for the works with a pre-tender estimate of £45,000.00.
5. Four contractors were selected from Construction Line for the RFQ process which was issued on the 14th June 2024 and four tenders were received by the deadline of 10th July 2024.
6. All returned tender documents were reviewed and checked for mathematical errors and irregularities in the rates. I can confirm that all 4 Tenders returns were compliant.
7. Structural Repairs & Specialist Services Limited provided the Lowest Quotation (£41,946.00) and have been selected to carry out the works on behalf of the Council. Structural Repairs & Specialist Services Limited are an experienced structural repair contractor who currently hold a gold membership on Construction line.
8. All works will comply with current Building Regulations approval, applications of which have already been submitted and will result in a Local authority inspector signing each stage of the work off and a Building control compliance certificated being provided on completion.
9. Minimum standards for sub-contractors will be introduced by the Council in order to improve the quality of the supply chain and the key service and quality requirements will be closely monitored throughout the duration of the contract by the Councils Clerk of Works.
10. Performance of the contract will be managed and monitored throughout the project by the Programme Delivery Project Surveyor and a Clerk of Works to ensure quality is achieved.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1: Do Nothing

Do nothing was ruled out as a recommendation due to the possibility of the property becoming uninhabitable which would result in the asset being less valuable, a lose income for Havering and the current tenants would need to be re-housed in a high demand climate

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Option 2: Procure the works through a Framework

Considered and rejected on the grounds that value for money will be achieved through a restricted competition, inviting 3 tenderers who are on Construction line and that the use of a framework for a low value procurement is unnecessarily cumbersome.

Option 3: stabilise the ground using new ground stabilisation methods rather than Underpinning which would be cheaper, However, this was considered and rejected on the grounds that there would be uncertainty as to whether this would work within the highly shrinkable clay sub-soils.

PRE-DECISION CONSULTATION

No formal consultation is required with respect to the recommendations in this report.

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

Name: James Wallis

Designation: Project Manager

Signature: *j. wallis*

Date; 07-08-2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do, subject to any statutory constraints on the Council's powers. None of the constraints on the Council's Section 1 power are engaged by this decision.
2. Additionally, under section 111 of the Local Government Act 1972 the Council can do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The contract may be procured in accordance with these powers.
3. The proposed contract value is below the procurement threshold for works contracts under the Public Contracts Regulations 2015 (PCR) and accordingly, the Council is not under an obligation to publish a Contract Notice in Find a Tender. Although the procurement of the contract is not caught by the full PCR regime, when considering the procurement for these works, the Council must comply with Havering Council's Contract Procedure rules (CPR).
4. The Council's Contract Procedure Rules (CPR) require that all works Contracts with a value between £25,000.00 and £99,999.00 be procured by either undertaking a tender process or obtaining three quotations. This legal route was followed to procure this contract and conforms with the CPR.

FINANCIAL IMPLICATIONS AND RISKS

The total cost of the contract is £41,946.00. This will be funded from the Housing Revenue Account Capital Programme - Project Code C38790 Task 1.0.

The contract will be awarded and managed via a JCT minor works contract.

Financial Stability

A financial check has been carried out on Stress Group (Structural Repairs & Specialist Services Limited company no.02771845) using Experian credit check and they were considered very low Risk.

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

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

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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.

Due to the small value of this contract, no social value will be included however these works will improve the quality of life and wellbeing for the family in respect of stress, socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this isn't required. The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are not equalities and social inclusion implications and risks associated with this decision

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

None

BACKGROUND PAPERS

None

APPENDICES

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: **Paul Walker**

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Interim Director – Housing & Property Place Directorate

Other manager title:

Date: **08.08.24**

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 _____

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