



Notice of Non-Key Executive Decision

Subject Heading:	Award of Matrix Appointments: PM/QS/EA and Conservation Architect
Decision Maker:	Paul Walker - Director of Housing Property and Assets
Cabinet Member:	Cllr Paul McGeary - Cabinet Member for Housing and Property
ELT Lead:	Neil Stubbings - Strategic Director of Place
Report Author and contact details:	Nicola Lorenzo Prandini RIBA Design and Architecture Manager - CDCE nicolalorenzo.prandini@havering.gov.uk 01708 432142
Policy context:	The proposals within this paper support the Corporate Plan objectives to optimise the use of Council assets to improve customer experience, reduce cost, make better use of technology to make life easier for residents and reduce the cost of public services.
Financial summary:	The proposed value for the combined contracts for services relating to the replacement of the Havering Town Hall roof is £158,379. This will be funded from the Capital programme project C41040 – Corporate Building and other Initiatives.

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Relevant Overview & Scrutiny Sub Committee:	Places Overview and Scrutiny Sub Committee.
Is this decision exempt from being called-in?	<i>The decision will be exempt from call in as it is a Non key Decision</i>

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

People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy [x]

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval from the Director of Housing & Property to award contracts using the Matrix Managed Marketplace to:

- Purcell Architecture Limited (Company Number: 11310436) at the cost of £89,989 for Conservation Architectural services; and
- Stace LLP (Company Number: OC312683) at the cost of £68,390 for Project Management including acting as Quantity Surveyor and Employer's Agent.

Therefore, the total of £158,379 would be paid to Matrix Managed Marketplace to make the relevant contractual arrangements for this project.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme of Delegations
Functions Delegated to Officers

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.

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STATEMENT OF THE REASONS FOR THE DECISION

Pursuant to the recommendations contained within the Cabinet Report that was approved on the 18th of September named "Havering Town Hall Roof Replacement", Capital Delivery and Corporate Estates has run two mini competitions on the Council's procurement vehicle for consultancies (Matrix Managed Marketplace) finalised at the appointment of the following external:

- Conservation Architect
- Project Manager / Quantity Surveyor / Employers' Agent

CDCE does not have the in-house capacity to project manage or provide cost advice for this matter. Additionally, we lack the conservation expertise required to appropriately handle Grade II listed buildings. Therefore, outsourcing these professional services is necessary to ensure the project's success and compliance with heritage conservation standards.

The Recruitment and Expenditure Panel reviewed the business case for recruiting these two external resources. Subsequently, Capital Delivery and Corporate Estates (CDCE) produced a list of three suitable firms for each appointment, ensuring that companies of similar size, experience, backgrounds, and expected overheads were selected to participate in this mini tender. We also prepared and internally reviewed the scope of services (brief), ensuring that both briefs would be complementary and that no gaps remained for unattended business.

We have asked tenderers to offer a percentage-based fee which we have evaluated together with their quality responses. Our tender questions included:

- their social value contribution,
- their relevant experience and that of any sub consultant proposed,
- their approach to managing cost and quality in design and execution,
- their approach to managing health and safety (cognisant of the recent regulatory changes enacted under the Building Safety Act 2022), and
- a staff capacity and capability statement.

Conservation architect – **Purcell Architecture Limited** has demonstrated a good level of experience in dealing with relevant types of projects and have offered the most economically advantageous offer. As such, we are proposing to appoint them, via the Matrix platform, for a total fee of £89,989, which is inclusive of the Matrix Levy.

PM/QS/EA - **Stace LLP** has demonstrated a good level of experience in dealing with relevant types of projects and have offered the most economically advantageous offer. As such, we are proposing to appoint them, via the Matrix platform, for a total fee of £68,390.00 which is inclusive, of the Matrix Levy.

Contractual matters

As with any Matrix MM contract, also in this case, there is no direct contractual relation with the consultant as Matrix is contracted by the LBH and they in turn will subcontract with the consultants. As such, in the best interests of the council, officers will require consultants to offer collateral warranties for their services. Additionally, the contract will list LBH as a third party or will include third party rights for the LBH.

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OTHER OPTIONS CONSIDERED AND REJECTED

1. **Do Nothing** - We considered proceeding without external appointments, relying solely on in-house resources. This was rejected because CDCE lacks the capacity and conservation expertise required for a Grade II listed building, which could lead to project delays and non-compliance.
2. **Utilising In-House Resources** - Using only internal staff for project management, cost advice, and conservation architecture was evaluated. This option was rejected due to insufficient in-house capacity and the absence of specialised conservation skills necessary for the project's success.
3. **Appointing a Single Multidisciplinary Firm** - We considered hiring one firm to provide both conservation architecture and project management services. This was rejected because it limited the pool of suitable candidates and risked not securing the best specialists in each required field.

PRE-DECISION CONSULTATION

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

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

Name: Nicola Lorenzo Prandini RIBA

Designation: CDCE Design and Architecture Manager

Signature:



Date: 16th December 2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

This report seeks to award contracts via the Matrix Managed Marketplace who will subcontract to Purcell Architecture Limited and Stace LLP for the provision of services as detailed elsewhere in this report.

The proposed value of the combined contracts is £158,379, which is below the threshold for services under the Public Contracts Regulations 2015 ("PCR") and is therefore not subject to the full PCR regime.

Section 1 of the Localism Act 2011 gives the Council a general power of competence which enables the council to exercise the same power to act as that of an individual, subject to other statutory provisions limiting or restricting its use. The recommendation in this report is compatible with the above statutory power.

Heritage Non-Compliance: Landlords of listed buildings must ensure compliance with the Town and Planning Act 1990 and heritage legislation when undertaking works. Appointing accredited and experienced consultants helps mitigate these risks.

Approval of the contract award must be authorised by the Director of Housing Property and Assets.

The Council is able to use its lawfully awarded framework under regulation 33 Public Contract Regulations 2015 to ensure competition in this procurement of services. Details of the contract award must be published on Contracts Finder in accordance with the PCR and the Council's Contracts Procedure Rules. Legal assistance should then be sought to finalise the contract and arrange execution as a Deed.

For the reasons set out above, the Council may award the contracts.

FINANCIAL IMPLICATIONS AND RISKS

The report seeks approval to award the contract and appoint Purcell Architecture Limited (Conservation Architect) and Stace LLP (Project Manager/Quantity Surveyor/Employer's Agent) to deliver services for the replacement of the Havering Town Hall roof.

The estimated cost of the services will be:

- Purcell Architecture Limited (Conservation Architect): £89,989
- Stace LLP (PM/QS/EA): £68,390.00
- TOTAL £158,379.

A financial check has been carried out on both companies, using Experian and they are considered as follows:

- Purcell Architecture Limited: A very low risk company; no hesitation in recommending credit transactions to the limit assigned.

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- Stace LLP: A very low risk company; no hesitation in recommending credit transactions to the limit assigned.

As with any professional appointment there is a residual risk that, due to programme delays or scope changes, the fee will need to be readjusted. It is envisioned that if this should happen it would be covered by the project contingency.

The overall expenditure is well within the agreed budgetary envelope agreed by Cabinet for these services which was at £160,000.00 It is envisioned that this cost will be absorbed by the Corporate Building and the initiatives code C41040.

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, 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.

An EHIA (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.

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ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The roof replacement presents an opportunity to improve the building's energy efficiency and sustainability. However, risks include constraints due to the Grade II listed status, which may limit eco-friendly upgrades, and potential environmental impacts from construction waste.

BACKGROUND PAPERS

Cabinet report - Havering Town Hall Roof Replacement, dated 18th September 2024.

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



Paul Walker
Interim Director of Housing & Property

Date: 18th December 2024

Lodging this notice

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

For use by Committee Administration

This notice was lodged with me on _____

Signed _____