

Notice of Non-key Executive Decision

Subject Heading:	Side Extension for supported living for disabled resident.
Decision Maker:	Paul Walker, Interim Director of Property.
Cabinet Member:	Paul McGeary, Lead Member for Property & Housing.
SLT Lead:	Neil Stubbings, Strategic Director of Place.
Report Author and contact details:	Joe Tizard, Project Manager, Property Services Email: Joe.tizard@havering.gov.uk Tel: 01708 432 092
Policy context:	Supports the People Theme - People are helped to live independent, socially connected and healthier lives.
Financial summary:	The estimated contract value is circa £85,000 which will be funded from the HRA Capital Programme.
Relevant Overview & Scrutiny Sub Committee:	Place
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 - Things that matter for residents

Place - A great place to live, work and enjoy X

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

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Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons set out in this report, the Interim Director of Housing & Property is recommended to approve the commencement of a procurement process in order to source a suitably competent contractor to erect a side extension to incorporate 2 bedrooms for a disabled resident at the estimated cost of £85,000 to start in February or March 2025.

A request for quotation (RFQ) will take place and it is recommended that the most economically advantageous tender is based 100% on price hence, waiving the 70%-30% price-quality ratio as per the Contract Procedure Rules (CPR).

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3.3 Scheme of Delegations

3.3.3 Powers common to all Strategic Directors

2. Expenditure

2.1 To incur expenditure for their allocated directorate within the revenue and capital budgets as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

STATEMENT OF THE REASONS FOR THE DECISION

1.The Occupational Therapy Team have identified a need to erect a side extension at ground floor to incorporate 2 bedrooms for a disabled resident. This recommendation has been made by the Council's Child and Adolescent Mental Health Service. It will provide a disabled resident with a dedicated living space to meet the resident's disability needs which will improve their and their family's quality of life.

2.The Contract will be procured via the Fusion Procurement Portal by inviting 3 contractors to tender for the works with a pre-tender estimate of £85,000, with the Contract awarded on a 100% Price Assessment. It is proposed that the JCT Minor Works contract is used.

3.All works will comply with current Planning, Building & Fire Safety Regulations and the Contractor will be required to provide additional social value aimed at improving the local supply chain.

4.Performance of the contract will be managed and monitored throughout the project by the Programme Delivery Project Surveyor and the Clerk of Works.

5.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.

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6. The Council considers that the procurement achieves best value in a competitive market by procuring in accordance with the Council's Contract Procedure Rules.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1: Do Nothing

Do nothing was ruled out as a recommendation was made by Occupational Therapy Team to carry out the proposed works.

Option 2: Procure through a Framework

Rejected on the grounds that value for money will be achieved through an RFQ, inviting 3 tenderers who are on Construction-Line and that the use of a framework for a low value procurement is unnecessarily cumbersome.

PRE-DECISION CONSULTATION

None.

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

Name: Joe Tizard

Designation: Project Manager

Signature: *Joe Tizard*

Date: 06/01/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The Council is the landlord of the property and it has Statutory duties as a landlord. The Council is making a decision to procure a contract to erect a side extension for the property to comply with its responsibilities as a landlord.
2. The Council has the power to procure a contract for the works through Section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions or through its general power of competence in Section 1 of the Localism Act 2011 to do anything an individual can do, subject to certain limitations. None of the limitations apply to this decision.
3. The estimated contract value estimated of £85,000 is below the applicable public procurement threshold for works contracts stipulated in the Public Contracts Regulations 2015 ("PCR") of £5,372,609 and accordingly the procurement process is not subject to the full PCR regime. However, the procurement process must comply with the Council's Contract Procedure Rules (CPR). A waiver of the requirement for a 70% to 30% price to quality split is recommended with the award being made on 100% price criterion.
4. For the reasons set out above, the Council may commence the procurement process.

FINANCIAL IMPLICATIONS AND RISKS

This report is seeking approval to commence the procurement process and does not contain any financial implications. It is anticipated that the work will cost in the region of £85,000, which will be funded from Housing Revenue Account Capital Programme, Project Code: C38750. This figure will be confirmed and the contract awarded via a separate Executive Decision.

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

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

TUPE (Transfer of Undertakings (Protection of Employment) Regulations) will not apply as there will be no transferring staff.

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:

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(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.

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



Paul Walker
Interim Director of Housing & Property

Date: 8th January 2025

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 _____