



Notice of Non Key Executive Decision containing exempt information and confidential appendix.

This Executive Decision Report is part exempt and Appendices 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 an individual and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Subject Heading:	Contract award for Rear Extension for supported living for disabled resident
Decision Maker:	Paul Walker, Interim Director of Housing & Property
Cabinet Member:	Paul McGeary, Lead Member for Housing & Property
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 value of the contract is £70,739.73 which will be funded from the Housing Revenue Account, 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>

Non-key Executive Decision

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.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

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

1. Award a works contract of £70,739.73 to Ongar Building Services Ltd to complete the rear extension of 51 Macon Way, which is a Council owned property, (the Property) following the successful RFQ exercise completed via Havering's secure online Tendering system "Fusion".
2. The works are due to commence in October 2024 and will be completed within 12 weeks from the commencement date.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

3.3 Scheme of Delegation – 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. Following conversion proposals between Havering's Housing and occupational health, the Council proposes is to add a 3m rear extension to the Property, including a downstairs bedroom and wet room. This will allow the disabled resident to move freely and access previously inaccessible facilities. Additionally, we will also be enhancing the energy performance of the Property to meet the latest government building regulations.
2. Planning permission was granted on 2nd November 2023 to complete this project and full building regulations approval has also been passed. These approved documents, plans and specification were used within the RFQ.
3. Following ED1 approval to seek quotations via Havering's secure Fusion Portal, three contractors were invited to quote (RFQ) for the works with a pre-tender estimate of £55,000, which excluded contingency cost calculations. Although the Quotes received were slightly higher than our pre tender estimate, we have broken down and evaluated all the costs and feel that the lowest quote does offer Havering good value for money based on the extensive work involved in the full refurbishment.

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4. Contractors were selected from Construction-line for the RFQ process which was issued on the 12th July 2024 and two tenders were received by the deadline of 18th August 2024.
5. All returned RFQ documents were reviewed and checked including any mathematical errors and irregularities in the rates.
6. Ongar Building services provided the best value for money and economically advantageous quotation of £70,739.73 which includes £7,500 of Provisional and Contingency Sums to cover any possible unforeseen works. Ongar Building services LTD are an experienced contractor that have previously delivered some large improvement projects on behalf of Havering and their service and performance has been very good.
7. All works will comply with current Building Regulations approval, applications for 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 certificate being provided on completion. Party wall notices have not been issued as no works are taking place to party walls.
8. 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.
9. 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 was made by Occupational Therapy Team to carry out the proposed works.

Option 2: Procure 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 ConstructionLine and that the use of a framework for a low value procurement is unnecessarily cumbersome.

Option 3 – Installing A Stair lift

Considered and rejected on the grounds the stairs were not structurally suitable.

PRE-DECISION CONSULTATION

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

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

Name: Joe Tizard

Designation: Project Manager

Signature: **Joe Tizard**

Date: 02/10/2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. This report seeks approval for a works contract of £70,739.73 to be awarded to Ongar Building Services Ltd.
2. 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 statutory limitations.
3. Additionally, under section 111 of the Local Government Act 1972 the Council has the power to do anything ancillary to or which facilitates any of its functions. The contract may be awarded in accordance with these powers.
4. The proposed contract value is estimated to be £70,739.73 and is below the applicable procurement threshold for works contracts and accordingly the procurement process does not fall within the rigours of the Public Contracts Regulations (as amended) 2015 (PCR). However, the procurement process must comply with the Council's Contract Procedure Rules (CPR). In accordance with CPR 9.8 the Council's officers sought to obtain at least 3 comparable written quotations using the e-tendering suite Request for Quotation procedure and deemed that Ongar Building Services offered the most economically advantageous tender which was evaluated solely on pricing.
5. For the reasons set out above, the Council may award the contract to Ongar Building Services.

FINANCIAL IMPLICATIONS AND RISKS

The total cost of the contract is £70,739.73. This will be funded from the Housing Revenue Account Capital Programme - Project Code C38750 Stock alignment

The contract will be awarded and managed via a JCT minor works contract 2016.

Financial Stability

A financial check has been carried out on Ongar Building Services Limited company no. 5153358 using Experian credit check and they were considered Very Low Risk.

**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.

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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.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion 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

Appendix A.

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

A handwritten signature in black ink that reads "P Walker". The letter "P" is large and stylized, with a vertical line extending downwards from its base. The name "Walker" is written in a cursive script to the right of the "P".

Paul Walker
Interim Director of Housing & Property

Date: 10th 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 _____