

Notice of Non-key Executive Decision

Subject Heading:	8 Hamilton Drive - Redevelopment
Decision Maker:	Paul Walker, Interim 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:	Joe Tizard, Project Manager, Property Services Email: Joe.tizard@havering.gov.uk Tel: 01708 432 092
Policy context:	Supports the Place Theme - A great place to live, work and enjoy.
Financial summary:	The estimated contract value is circa £350,000 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>

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

This report is seeking authority from the Interim Director of Housing & Property to commence a procurement process in order to source a suitably competent contractor to undertake the construction of a new sustainable 5 bedroom family home at the site of a now demolished property. The estimated commencement date is May 2024 and expected to be completed by end of November 2024. The forecasted cost of the works is circa £350,000.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 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

The proposal is to redevelop 8 Hamilton Drive which was a non-traditional construction with underlying structural issues. Following the demolition in January 2023, a planning application to rebuild a new sustainable 5-bedroom family home has been approved. This report seeks approval to procure for a contractor to undertake the construction of this project

Evaluation process

1. The Contract will be procured via the Fusion Procurement Portal by inviting 5 contractors to tender for the works with a pre-tender estimate of £350,000, with the Contract awarded on a 70/30 price/ quality ratio. It is proposed that an intermediate contract with CDP is used.
2. The proposals have had Planning permission approved with conditions and will comply with Building & Fire Safety Regulations. The Contractor will be required to provide additional social value aimed at improving the local supply chain.
3. The works will have a robust suite of design information including written specifications for a design that meets statutory and Havering's own standards.
4. Performance of the contract will be managed and monitored throughout the project by the Programme Delivery Project Surveyor and the Clerk of Works to ensure the contractor complies fully with the specification, health and safety requirements and all other requirements of the contract.

Non-key Executive Decision

5. The procurement will achieve best value by being competitively tendered to suitable contractors on the basis of a 70% price and 30% quality evaluation in accordance with the Council's Contract Procedure Rules (CPR).

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1: Repair existing building

There was an option to repair the building but that was not financially viable and we would still be left with a non-traditional precast reinforced concrete home which would not meet the health and safety requirements in particular, modern thermal performance standards which could result in damp and mould. This option was considered and rejected before the demolition of the site and therefore no longer relevant.

Option 2: Procure through a Framework

Considered and rejected on the grounds that value for money will be achieved through a restricted competition, inviting 5 tenderers who are on ConstructionLine as dictated by the Councils Contract Procedure Rules.

PRE-DECISION CONSULTATION

All the relevant Business Partners have been consulted.

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

Name: Joe Tizard

Designation: Project Manager

Signature: *Joe Tizard*

Date: 25/09/2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

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 limitations, together with the power under Section 111 of the Local Government Act 1972 to do anything ancillary to or which facilitates any of its functions. The Council has a statutory duty under Section 8 of the Housing Act 1985 to consider housing conditions in its district and the needs of the district with respect to the provision of further housing accommodation. contract may be procured in accordance with these powers.

The proposed procurement value is below threshold for works contracts under the Public Contracts Regulations 2015 (PCR) and accordingly the contract is not caught by the full rigours of the PCR. However, the procurement must comply with the procurement principles of equal treatment, non-discrimination and transparency and relevant regulations and policies, as well as the Council's Contract Procedure Rules (CPR).

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 £350,000, which will be funded from HRA 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:

(i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

Non-key Executive Decision

(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

Currently no contractor has been appointed, however, the quality questions will ask what steps any potential contractors will be taking to meet Havering's Climate Change Action

BACKGROUND PAPERS

None

APPENDICES

None

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. 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 _____