

## Notice of Non-Key Executive Decision

<b>Subject Heading:</b>	Appointment of construction consultancy by direct award via the CHIC Framework for multi-disciplinary construction consultancy services for a project at Highfield Towers.
<b>Decision Maker:</b>	Paul Walker, Director of Housing and Property.
<b>Cabinet Member:</b>	Cllr Paul McGeary, Cabinet Member for Housing & Property.
<b>ELT Lead:</b>	Neil Stubbings, Strategic Director, Place.
<b>Report Author and contact details:</b>	James Johnson, Senior Project Manager, Housing Services Email: <a href="mailto:james.johnson@havering.gov.uk">james.johnson@havering.gov.uk</a> Tel: 01708 432144.
<b>Policy context:</b>	This report supports:  The HRA Business Plan and Capital Programme and the Housing Asset Management Plan. In addition, the statutory requirement to maintain the Council's homes to a decent standard and our requirements under the Building Safety Act 2022.
<b>Financial summary:</b>	This report seeks authorisation to appoint a consultant to provide specialist professional services. The fee quote for these services is £410,784.  The services have been budgeted for in the 2025/26 HRA Business Plan and Capital Programme.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Places
<b>Is this decision exempt from being called-in?</b>	Yes. The decision is exempt from call in as it is a Non key Decision.

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

People - Supporting our residents to stay safe and well	<b>X</b>
Place - A great place to live, work and enjoy	<b>X</b>
Resources - Enabling a resident-focused and resilient Council	

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

For the reasons detailed in this report, the Strategic Director of Place is recommended to approve appointing Calfordseaden LLP to provide multi-disciplinary construction consultancy services for the refurbishment and safety enhancement of Highfield Towers. The services will be delivered by direct award under Lot 1 – Multi-Disciplinary Integrated Consultancy Team of the CHIC Framework, at an estimated cost of £410,784 over a 24 month period, starting immediately.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

#### **Part 3 of the Council's Constitution**

#### **Scheme 3.3.3 - Powers common to all Strategic Directors**

##### **General**

To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate

##### **Contracts**

To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions.)

### **STATEMENT OF THE REASONS FOR THE DECISION**

#### **Background detail**

This report concerns the appointment of a specialist construction consultancy firm to provide services in connection with the construction project at Highfield Towers.

It follows on from a previous appointment of the firm, Calfordseaden LLP, to provide services to progress the project through RIBA Plan of Work stages 1-2. An initial feasibility report was delivered on the more pressing items of work in October 2024. This report concerned the cladding and associated works.

Following consideration of the initial feasibility report and events since then, the proposed works have now been divided into several packages. These are:

1. Initial cladding works (replacement of HPL cladding boards)
2. Phase 1 Works (cladding works, fire safety works and associated works)
3. Phase 2 Works (subject to further investigation and feasibility studies).

#### **The Services required**

The services now required are detailed below:

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### **Initial cladding works**

Multi-disciplinary construction consultancy services RIBA Stages 1-6.

*N.B. BRPD services only required up to when the contractor has been appointed as the contractor will take over BRPD responsibilities at that point.*

### **Phase 1 Works (Cladding etc)**

Multi-disciplinary construction consultancy services RIBA stage 3.

*N.B. BRPD services only required up to when the contractor has been appointed as the contractor will take over BRPD responsibilities at that point.*

Multi-disciplinary construction consultancy services RIBA Stages 4-6.

### **Phase 2 Works**

Multi-disciplinary construction consultancy services RIBA stages 1-3.

Multi-disciplinary construction consultancy services RIBA stages 4-6.

### **The following Additional Services will also be provided:**

Fire engineering services - Prepare an aspirational fire strategy for Highfield Towers, as this is required to support the project.

Structural engineering services – Undertake investigations to confirm the condition of Highfield Towers' structure through intrusive works as this is required to support the project.

### **Procurement route**

A fee quote from Calfordseaden, who have been working on the project under the previous appointment, has been obtained through the CHIC framework – Lot 1 Multi-disciplinary Integrated Consultancy Team on the basis of a Direct Award. The fee quote is £410,784 based on a works value of £5,000,000.

This route was selected for the previous appointment due to the complexity of the works and the need for specialist expertise to be appointed to advise the Council quickly. It is proposed that they also be appointed for these services via direct award, which is permitted under the framework rules, because they have the expertise and the capacity and to ensure continuity.

Calfordseaden were appointed to the framework on the basis of a competitive tender exercise that included a price evaluation. The fee quote is based on framework rates and these have been checked by the framework provider, CHIC.

Calfordseaden have performed well on this project, under a previous appointment for services in connection with RIBA stages 1-2, to date.

Taking account of the above, officers are satisfied that this supplier represents best value for the Council.

## **OTHER OPTIONS CONSIDERED AND REJECTED**

### **Option 1 - Do nothing**

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Doing nothing is not an option. The Council need to either maintain the building in accordance with the law or decant and, possibly, dispose of it.

Decanting it is not feasible as alternative accommodation would have to be found for the tenants, which is likely to be extremely difficult given the available housing stock. Furthermore, leaseholders may raise objections.

### **Option 2 – Tender the services**

Tendering the services by mini-competition through a suitable framework is not considered to be an advisable option for the Council. The Initial cladding works must be delivered within the next few weeks and the consultancy services are required to deliver them.

Both would be considerably delayed if these services were to be tendered. In addition, it would be inadvisable to change consultant at this stage. Calfordseaden tendered to be included on the CHIC Lot 1 Multi-disciplinary framework and are charging the Council framework rates. They are working successfully with the Council staff at present and have developed a good understanding of the Council's requirements.

### **Option 3 – Seek specialist support and deliver this piece of work in-house.**

This option is not considered feasible. The project is highly complex and the Council do not employ staff with the required professional expertise at present. In addressing the issues that require works, the Council could try and use existing directly employed staff but would also have to create and recruit a number of new posts on a fixed term basis.

The multi-disciplinary consultancy firm needs to cover the following disciplines which Havering do not have direct access to or the resources to provide:

1. Fire Engineer
2. MEP Engineer
3. Employer's Agent
4. Quantity Surveyor
5. Structural Engineer
6. Principal Designer (CDM)
7. Principal Designer (Building Regulations).

### **PRE-DECISION CONSULTATION**

None.

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

Name: James Johnson

Designation: Senior Project Manager

Signature:



Date: 19 May 2025

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council has the power to award the contract under s111 of the Local Government Act 1972, which permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council also has a 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. The recommendation sought within this report is in accordance with this power.

The estimated contract value is £410,784, which is above the threshold for services under the Public Contracts Regulations 2015 (PCR). The contract is therefore subject to the full PCR regime. The PCR is relevant in this circumstance, as the framework was procured under these regulations and remains live.

As set out in this report, the contract was procured via the CHIC Framework, in accordance with Regulation 33 of the PCR. This is a PCR compliant framework. Officers must ensure that the express provisions of the framework for selecting a supplier have been followed.

The CHIC Framework permits selecting a supplier via a mini competition or a direct award.

As set out in this report, officers have followed the framework process for selecting a supplier via direct award, and now recommend awarding the contract to CALFORDSEADEN LLP.

The Council is a Best Value authority and has a duty to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. As set out in this report, officers consider that the proposals achieve Best Value.

In line with the Council’s CPR, a Contract Award Notice must be published on Contracts Finder.

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

### **FINANCIAL IMPLICATIONS AND RISKS**

The appointment of Calfordseaden will cost £410,784, for the provision of a multi-disciplinary construction consultancy service, over a two year period. This will be paid for from the HRA Capital Programme (Highfield Tower Cladding, Fire Safety Works & Improvements Project), which has funding available for the next three years.

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

The recommendations made in this report do not appear to 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 this isn't required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are no equalities and social inclusion implications and risks associated with this decision.

### **HEALTH AND WELLBEING IMPLICATIONS AND RISKS**

Havering Council are committed to protecting and improving the health and well-being of all residents.

There are no direct health and wellbeing implications associated with the recommendation to appoint Calfordseaden to provide multi-disciplinary construction consultancy services for the described works.

Ensuring that the required consultancy services can be secured is necessary to enable the required works to be undertaken in a timely fashion and to an acceptable standard. These works will deliver improvements in the fire safety of local high-rise housing stock, protecting the health and wellbeing of Havering residents.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

There are no environmental and climate change implications and risks associated with this decision.

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**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

A handwritten signature in dark ink, appearing to read 'P Walker', is written over a light blue horizontal line.

Paul Walker  
Interim Director of Housing & Property

Date: 11<sup>th</sup> June 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 \_\_\_\_\_