



NOTICE OF MEETING

Cabinet Procurement Committee

TUESDAY, 2ND SEPTEMBER, 2008 at 18:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE .

MEMBERS: Councillors Adje (Chair), Bevan, Meehan and Santry.

AGENDA

1. **APOLOGIES FOR ABSENCE (IF ANY)**
2. **URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 17 below. New items of exempt business will be dealt with at item 29 below.

3. **DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. **MINUTES (PAGES 1 - 6)**

To confirm and sign the minutes of the meeting of the Procurement Committee held on 29 July 2008.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. CONTRACT FOR DELIVERY OF INTEGRATED REACTIVE AND PLANNED MAINTENANCE (PAGES 7 - 16)

(Report of the Director of Corporate Services): To seek approval to award the contract for a Managing Agent (MA) for a period of 4 years, with the option to extend by a period of 2 years on an annual basis.

7. AWARD THE CONTRACT FOR DESIGN, PRINT AND DISTRIBUTION OF HARINGEY PEOPLE (PAGES 17 - 22)

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships and Communication): To seek approval to the award of the contract for the design, print and distribution of Haringey People.

8. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF A PRE-CONSTRUCTION AGREEMENT FOR ST. THOMAS MORE SCHOOL (PAGES 23 - 30)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for St. Thomas More School following a mini competition from the BSF Constructor Partners Framework.

9. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF A PRE-CONSTRUCTION AGREEMENT FOR THE YOUNG PEOPLE'S CENTRE (PAGES 31 - 38)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for the Young People's Centre following a mini competition from the BSF Constructor Partners Framework.

10. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF PRE-CONSTRUCTION AGREEMENT FOR HIGHGATE WOOD SCHOOL (PAGES 39 - 46)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for Highgate Wood School following a mini competition from the BSF Constructor Partners Framework.

11. HORNSEY DECENT HOMES PROGRAMME 2008/09 PHASE HOPH 1 (PAGES 47 - 54)

(Report of the Director of Urban Environment): To award the contract for Phase HOPH1 of the Hornsey Decent Homes Works Programme.

12. HORNSEY DECENT HOMES PROGRAMME 2008/09 - PHASE HOPH2 (PAGES 55 - 62)

(Report of the Director of Urban Environment): To award the contract for Phase HOPH2 of the Hornsey Decent Homes Works Programme.

13. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 PHASE NT6 (PAGES 63 - 70)

(Report of the Director of Urban Environment): To award the contract for Phase NT6 of the North Tottenham Decent Homes programme for 2008/09.

14. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 PHASE NT7 (PAGES 71 - 78)

(Report of the Director of Urban Environment): To award the contract for Phase NT7 of the North Tottenham Decent Homes programme for 2008/09.

15. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 PHASE NT8 (PAGES 79 - 86)

(Report of the Director of Urban Environment): To award the contract for Phase NT8 of the North Tottenham Decent Homes programme for 2008/09.

16. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 PHASE NT9 (PAGES 87 - 94)

(Report of the Director of Urban Environment): To award the contract for Phase NT9 of the North Tottenham Decent Homes programme for 2008/09.

17. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at 2 above.

18. EXCLUSION OF THE PRESS AND PUBLIC

The following items are likely to be the subject of a motion to exclude the press and public as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from the Head of Local Democracy and Member Services

The following items allow for consideration of exempt information (if required) in relation to items 6 - 16 which appear earlier on this agenda.

19. CONTRACT FOR DELIVERY OF INTEGRATED REACTIVE AND PLANNED MAINTENANCE (PAGES 95 - 98)

(Report of the Director of Corporate Services): To seek approval to award the contract for a Managing Agent (MA) for a period of 4 years, with the option to extend by a period of 2 years on an annual basis.

20. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF THE CONTRACT FOR DESIGN, PRINT AND DISTRIBUTION OF HARINGEY PEOPLE (PAGES 99 - 100)

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships and Communication): To seek approval to the award of the contract for the design, print and distribution of Haringey People.

21. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF PRE-CONSTRUCTION AGREEMENT FOR ST.THOMAS MORE SCHOOL (PAGES 101 - 104)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for St. Thomas More School following a mini competition from the BSF Constructor Partners Framework.

22. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF PRE-CONSTRUCTION AGREEMENT FOR THE YOUNG PEOPLE'S CENTRE (PAGES 105 - 108)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for the Young People's Centre following a mini competition from the BSF Constructor Partners Framework.

23. BUILDING SCHOOLS FOR THE FUTURE - AWARD OF PRE-CONSTRUCTION AGREEMENT FOR HIGHGATE WOOD SCHOOL (PAGES 109 - 112)

(Report of the Director of the Children and Young People's Service): To seek approval to award the pre-construction contract for Highgate Wood School following a mini competition from the BSF Constructor Partners Framework.

24. HORNSEY DECENT HOMES PROGRAMME 2008/09 - PHASE HOPH1 (PAGES 113 - 114)

(Report of the Director of Urban Environment): To award the contract for Phase HOPH1 of the Hornsey Decent Homes Works Programme.

25. HORNSEY DECENT HOMES PROGRAMME 2008/09 - PHASE HOPH2 (PAGES 115 - 116)

(Report of the Director of Urban Environment): To award the contract for Phase HOPH2 of the Hornsey Decent Homes Works Programme.

26. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE NT6 (PAGES 117 - 118)

(Report of the Director of Urban Environment): To award the contract for Phase NT6 of the North Tottenham Decent Homes programme for 2008/09.

**27. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE NT7
(PAGES 119 - 120)**

(Report of the Director of Urban Environment): To award the contract for Phase NT7 of the North Tottenham Decent Homes programme for 2008/09.

**28. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE NT8
(PAGES 121 - 122)**

(Report of the Director of Urban Environment): To award the contract for Phase NT8 of the North Tottenham Decent Homes programme for 2008/09.

**29. NORTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE NT9
(PAGES 123 - 124)**

(Report of the Director of Urban Environment): To award the contract for Phase NT9 of the North Tottenham Decent Homes programme for 2008/09.

30. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at 2 above.

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22 August 2008

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**MINUTES OF THE CABINET PROCUREMENT COMMITTEE
TUESDAY, 29 JULY 2008**

	<p>agreement where this provides overall best value for money as outlined in the interleaved report.</p>	
PROC18.	<p>MARKFIELD PARK LANDSCAPING WORKS (Report of the Director of Adult, Culture and Community Services - Agenda Item 7)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>Concern was expressed regarding the arithmetical errors identified in the lowest tender document, which subsequently increased the final value of the tender. It was confirmed that despite the tender being adjusted to incorporate the error, the tender remained the lowest obtained. The Chair requested, that in order to ensure transparency, details of arithmetical errors be listed in all future reports.</p> <p>Confirmation was sought that treatment for Japanese Knotweed would be carried out through the general programme of maintenance, which was financed through revenue funding.</p> <p>In response to a question as to whether the contractor would be offering apprenticeships, the Committee was advised that it would be too short notice to require this at this stage. The Head of Procurement advised that future contract negotiations would reflect the Council's aim to increase the number of apprenticeships available. It was envisaged that this would result in an increase in the number of apprenticeships provided under Council schemes.</p> <p>The Chair requested in future the Procurement team be consulted with regard to apprenticeship arrangements before contracts are awarded and that potential contractors should be made aware of the Council's eagerness to increase the number of apprenticeships available.</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for landscape improvement works to Markfield Park to English Landscapes Ltd. For the sum outlined in the interleaved exempt report, with a contract period of 26 weeks.</p>	<p>All to note</p> <p>DACCS</p>
PROC19.	<p>SOUTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE ST7 (Report of the Director of Urban Environment - Agenda Item 8)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p>	

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	<p>The Committee was advised that estimates for work to replace existing flat roofs with pitched roof replacements were being obtained for two of the blocks, Barker House and Miller House. This would require planning permission and the re-issuing of Section 20 notices. Therefore it was proposed that the work to these blocks should be left until the latter stage of the 30 week programme after all approvals had been obtained.</p> <p>In response to a query from the Chair, it was confirmed that, providing the statutory consultation period had expired, there would be no legal ramifications to this approach.</p> <p>The Cabinet Member for Housing noted that concerns had been expressed by a local Ward Member regarding a resident and the works due to take place. There was agreement that, if possible, works carried out by the Gas supplier would be scheduled to coincide with other works, in order to minimise disruption.</p> <p>The Chair noted that further works would require approval from the Committee and advised that the Strategic Client Liaison Officer should liaise with Committee Secretariat with regard to progressing these through the report clearing process.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for the above project as detailed in the interleaved report to Apollo Group Ltd. for an Agreed Maximum Price outlined in the exempt interleaved report. 2. That the total cost including fees, as outlined in the exempt interleaved report, be noted. 	DUE
PROC20.	<p>SOUTH TOTTENHAM DECENT HOMES PROGRAMME 2008/09 - PHASE ST8 (Report of the Director of Urban Environment - Agenda Item 9)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for the above project as detailed in the interleaved report to Apollo Group Ltd. for an Agreed Maximum Price as outlined in the exempt interleaved report. 2. That the total cost including fees of as outlined in the exempt interleaved report, be noted. 	DUE

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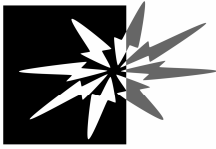
<p>PROC21.</p>	<p>WOOD GREEN DECENT HOMES - PHASE WG4 (Report of the Director of Urban Environment - Agenda Item 10)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>The Committee requested confirmation that the properties related to the ten leaseholders affected under this phase of the Decent Homes programme had all been sold within the last five years.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for the Wood Green Decent Homes – Phase WG4, as detailed in the interleaved report to Mulalley and Co. Ltd. for an Agreed Maximum Price as outlined in the interleaved exempt report. 2. That the total cost including fees, as outlined in the interleaved report, be noted. 	<p>DUE</p> <p>DUE</p>
<p>PROC22.</p>	<p>HORNSEY DECENT HOMES PROGRAMME 2008/09 - PHASE HOPH1 (Report of the Director of Urban Environment - Agenda Item 11)</p> <p>The Committee was advised that after the publication of the agenda officers had become aware of errors within the report. The Director of Urban Environment in whose name the report was presented to the Committee had been alerted to the errors and in view of the substantive changes needed to both the body of the report and the revised recommendation required he had been unwilling to sign the revised report.</p> <p>Clarification having been sought of whether the Committee felt able to consider the report without the Director's approval, our Chair indicated that it was not and the item was withdrawn. The Committee expressed their concern and disappointment over the handling of this issue and agreed that a special meeting of the Committee would need to be arranged to consider a revised report which had been approved by the Director.</p> <p>The Leader indicated that he would raise the issue with the Chief Executive.</p> <p>RESOLVED:</p> <p>That the report be withdrawn and a Special meeting of the Procurement Committee be convened to consider a revised report.</p>	<p>DUE/ HLDMS</p>

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<p>PROC23.</p>	<p>BUILDING SCHOOLS FOR THE FUTURE - FURNITURE, FIXTURES AND EQUIPMENT (FF AND E) CONSULTANT (Report of the Director of the Children and Young People's Service - Agenda Item 12)</p> <p>The Committee was advised that this item had been withdrawn from the agenda.</p> <p>RESOLVED:</p> <p>That the item be withdrawn for the reasons stated by officers.</p>	
<p>PROC24.</p>	<p>BSF INFORMATION REPORT ON THE MANAGEMENT COSTS OF THE PROGRAMME (Report of the Director of the Children and Young People's Service - Agenda Item 22)</p> <p>The interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).</p> <p>The Committee raised concern that approval for the cumulative expenditure of sums approved under delegated authority, which had not been agreed by Members. It was recognised that Directors had delegated authority to approve sums of up to £250,000. However, there was no mechanism in place to ensure that this figure was not exceeded cumulatively.</p> <p>We were of the view that there should be a process in place to ensure that where £250,000 was exceeded under delegated authority, on a cumulative basis, (with no agreed framework in place to permit this) it was reported to our Committee and we asked that the Head of Legal Services look into these arrangements and report back to a future meeting of our Committee with options to address this.</p> <p>RESOLVED:</p> <p>That the report be noted.</p> <p><i>At the conclusion of the meeting the Chair expressed thanks on behalf of the Committee to Yinka Owa (Principal Lawyer – Legal Services) for the service she had provided to the Council and wished her well in her post with Barking and Dagenham Council.</i></p>	<p>HLS</p>

CHARLES ADJE
Chair

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Haringey Council

Agenda item:

[No.]**Cabinet Procurement Committee****On 2nd September 2008**

Report Title: **Contract for a Managing Agent Role to Coordinate and Manage an Integrated Programme of Reactive and Planned Maintenance for the Operational Building Portfolio.**

Forward Plan reference number (if applicable): **V74/25**

Report of: **Dinesh Kotecha, Head of Corporate Property Services**

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose

1.1 To seek Cabinet Procurement Committee approval to award the Managing Agent contract for a period of 4 years, with the option to extend by a further two 1-year periods.

2. Introduction by Cabinet Member

2.1 I concur with the recommendations of this report. I note however that Homes For Haringey did not put in a tender for the provision of this service. I also note the comments at Paragraph 7; care must be taken in ensuring that all HR-related matters are dealt with without delay and detriment to the service or employees.

3. Recommendations

3.1 That Members approval be granted to award the contract for a Managing Agent for a period of 4 years, with the option to extend by a further two 1-year periods. in accordance with Contract Standing Order (CSO) 11.03, to the contractor named in Appendix A1.

3.2 That the contract be awarded based on the pricing arrangements set out in Appendix A1.

Report Authorised by: **Julie Parker, Director of Corporate Resources**

Contact Officer: **Malcolm Greaves, Corporate Landlord Manager; Ext 2900**

4. Chief Financial Officer Comments

4.1 Corporate Finance have been consulted in the preparation of this report and can confirm that maintenance budgets of £1447K exist within Corporate Property Services to cover this expenditure.

5. Head of Legal Services Comments

5.1 This report is recommending the award of a services contract valued in excess of the current EU services threshold of £139,393. As such full EU procurement rules are applicable.

5.2 The contract has been tendered in accordance with EU procurement rules and Contract Standing Orders (CSO). An OJEU notice was issued and the contract was tendered using the restricted procedure. Legal Services have been involved in and consulted throughout the procurement process and are satisfied that it has been duly conducted.

5.3 The contractor indicated in Appendix A.1 has been recommended for award of the contract on the basis that it submitted the Most Economically Advantageous tender in accordance with CSO 11.01(b). Under CSO 11.01 an award may be made either on this basis or on the basis of the lowest price.

5.4 As the contract value exceeds £250,000 the proposed award must be approved by Members according to CSO 11.03 which says that the Cabinet must award all contracts over this value.

5.5 The award of this contract is a key decision and as such is required by CSO 11.04 to be included in the Council's Forward Plan. Corporate Property Services have confirmed that the contract details are included as item 25 in Forward Plan version 74 covering the period 15th July to 14th Nov. 2008.

5.6 The Head of Legal Services confirms that there are no legal reasons preventing members from approving the recommendations in paragraph 3 of this report.

6. Head of Procurement Comments

6.1 The Strategy to move to a single Managed Agent solution was presented and agreed with Members at the outset of this procurement exercise and subsequently, the tender was advertised in OJEU and in accordance with Council Standing Orders.

6.2 Corporate Procurement have been involved with and supported this project throughout its life-cycle and which has involved robust competition between bidders.

6.3 The Managing Agent model is best practice and it will result in improved service delivery.

6.4 Effective contract management will be in place in readiness for the contract start date; risk analysis as been undertaken and alternative arrangements identified that could be quickly deployed, should this single supplier contract falter for any reason.

6.5 The Head of Procurement is satisfied that recommendations put before Members in para 3 represents overall best value for money for the Council.

7. Homes for Haringey comments

7.1 Homes for Haringey provide a service to the Council both as agent, managing external contractors, and as contractor employing direct labour.

7.2 In terms of awarding the contract to a Managing Agent, there are no TUPE implications for Homes for Haringey staff employed in administration of the Service Level Agreement.

7.3 There are two FTE Homes for Haringey staff employed as electricians who may have claims to TUPE rights when the Managing Agent procures a new planned maintenance contract on behalf of the Council.

7.4 While the value of turnover for each of the fourteen external contractors also employed to undertake planned maintenance, it is unlikely that more than one or two have any employees with a claim to TUPE rights; but the Council must satisfy itself as to the actual rights of such employees at that time.

7.5 All the existing Homes for Haringey planned maintenance contracts expire on 31 March 2009, but some can be extended if the Managing Agent is unable to procure new services in time provided that the individual contracts allow for this and the works are exclusively for the Council's non-housing stock.

8. Local Government (Access to Information) Act 1985

8.1 Background Documentation:

8.1.1 The following background paper was used in the preparation of this report: Cabinet Procurement Committee report on Reactive and Planned Maintenance approved on the 27th November 2007, entitled "**Reactive and Planned Maintenance Contracts for the Operational Building Portfolio managed by Corporate Property Services**".

8.2 Exempt Information:

8.2.1 This report contains exempt information and non-exempt information. Exempt information is contained in Appendix A and is not for publication.

8.2.2 The exempt information is exempt under the following category (identified in the amended schedule 12A of the Local Government Act 1972: s. (3) Information relating to financial or business affairs of any particular person (including the authority holding that information).

9. Strategic Implications

- 9.1 The purpose of the Managing Agent contract is to improve the way in which building maintenance services are planned, prioritised and delivered across the operational building portfolio.
- 9.2 The key objectives are:-
 - 9.2.1 Achieve an improved economy of scale with a 5% target cost saving in the first year over the current contractual arrangements.
 - 9.2.2 Improve the planned to reactive maintenance ratio to 70:30 in terms of spend (currently 50:50) to derive costs savings and building efficiencies.
 - 9.2.3 Deliver improved quality of service and levels of customer satisfaction by the implementation of an integrated contract.

10. Financial Implications

- 10.1 There will be a saving from the procurement of the Managing Agent contract at 5% of the value of works completed in the first year. The contractor recommended in Appendix A1 has guaranteed this saving.
- 10.2 The Managing Agent will add value by optimising the procurement and delivery of planned maintenance contracts for a one off restructuring fee as indicated in Appendix A.
- 10.3 The Managing Agent will be paid a percentage management fee based on the value of planned, non-cyclical and condition survey works completed. This will be lower than the fees currently incurred as indicated in Appendix A.
- 10.4 The consolidated maintenance budget of £1447K is available within Corporate Property Services existing budgets for this contract. This is therefore the current maximum annual value of this contract.

11. Legal Implication

11.1 TUPE

- 11.1.1 Inspace Maintain Ltd has advised that up to six of their operatives could be affected by TUPE which has been accounted for in the tender bids.

11.2 Homes for Haringey

- 11.2.1 Homes for Haringey have advised that none of their management or staff functions will be subject to TUPE for the Managing Agent contract including the reactive maintenance delivery. Six months formal notification to discontinue their services will be required (e.g. 1st October 2008 latest to

achieve 1st April 2009 transfer to the new Managing Agent in relation to the planned maintenance contracts).

11.2.2 After the award of contract to the Managing Agent and following the review of the planned maintenance term contracts, Homes for Haringey have advised that TUPE may apply to a small number of employees.

11.3 Other legal implications are as per the Head of Legal Services comments above.

12. Equalities Implications

12.1 The Council's Equal Opportunities policies have been embedded into the tender specification and contractor's policies and procedures have been reviewed during the pre-qualification stages for compliance with Haringey's standards.

13. Consultation

13.1 This report relates to previously agreed policy at which time full consultation took place with affected parties.

13.2 Discussions have been held with our incumbent suppliers Inspace Maintain Ltd and Homes for Haringey on the proposals and any TUPE implications which are detailed in section 12 above.

13.3 Both organisations were invited to tender. Inspace Maintain Ltd entered a tender bid but Homes for Haringey declined to bid.

14. Background

14.1 Since the 2nd April 2007 the policy of Corporate Management of Property (CMP) has changed the way in which buildings are managed and operated. Directorates are no longer responsible for the Hard Facilities Management Services to their buildings. (I.e. building structure, mechanical and electrical services). A team within Corporate Property Services now facilitates the delivery of these aggregated reactive and planned maintenance programmes using term contracts.

14.2 The building portfolio which is currently managed under the CMP processes comprises operational buildings within:-

- Offices, Call Centres & Customer Services Centres
- Children's and Family
- Adult Social Services
- Recreation
- Adult Learning, Libraries & Culture
- Urban Environment Depots

Other areas such as Commercial buildings, Community Centres and Leisure Centres are scheduled to be included during this financial year.

- 14.3 Currently the reactive maintenance programme has been optimised through a measured term contract with Inspace Maintain Ltd which terminates in October 2008. (Delivery model shown in Appendix 1). This contract operates against a defined Service Level Agreement which is being used to deliver greater customer satisfaction, higher levels of performance and improved value for money. The contract is based on a National Schedule of Rates.
- 14.4 The planned maintenance programme is currently provided by Homes for Haringey (HfH) through a range of term contracts which terminate on the 31st March 2009 (delivery model shown in Appendix 1). The service is managed through several functional groups within HfH and delivered through a combination of direct labour and term contractors. It operates a much generalised SLA with a management fee being charged on the basis of the value of works delivered.
- 14.5 It is now proposed that the management of planned and reactive maintenance be combined into one single package co-ordinated through a Managing Agent (delivery model shown in Appendix 2). The contract would be for four years with the option of extension for a further two one year extensions. The contract would operate against a defined service level agreement with the fees based on the value of works delivered. The reactive maintenance contract would be mobilised immediately following the award of contract and the Managing Agent would own the supply chain. A detailed review of the planned maintenance works currently managed by Homes for Haringey would be carried out from October 2008 onwards with the objective of the new Managing Agent taking responsibility from 1st April 2009. This would allow time for the six months formal notification required for termination of Homes for Haringey's services. It would also provide time for the new Managing Agent to review, bundle and optimise the delivery processes and procure new contracts. Homes for Haringey would have the opportunity to tender for some of the new planned maintenance packages.
- 14.6 Consolidating the maintenance contract into one managed package will deliver improved economies of scale and provide an improved value for money service. It will also enable more preventative maintenance to be targeted, such that areas of reactive works can be reduced. Within the Corporate Property Services business plan a sum of £70k per annum (5% efficiency saving) has already been forecasted with a further £20k saving once the Community Buildings portfolio is integrated. The integrated maintenance contract will also deliver higher levels of efficiency and the ability to performance monitor against the agreed service levels.
- 14.7 The contract with the Managing Agent would be managed by Corporate Property Services, who will ensure that all performance criteria are met. Any under-performance issues will be immediately addressed by Corporate Property Services working in conjunction with Construction Procurement Group. In terms of managing the performance of the new managing agent contract, the following processes will be adopted:-

- 14.7.1 The clear and specific criteria outlined in the detailed tender documents will be used to ensure performance compliance.
- 14.7.2 The contract will have regular monthly performance meetings, at which all parties will attend and present KPI information.
- 14.7.3 Much improved performance information and evidence of improved efficiency is a key feature of the specification.

15. Sustainability

- 15.1 Contractor's pre-qualification submissions required a response and evidence of their commitment to the sustainability agenda. The contractor named in Appendix A1 has demonstrated this throughout the evaluation process, including delivery methods, material selection, innovation and areas such as waste reduction and disposal.
- 15.2 Delivery of the reactive repairs service is proposed through the local supply chain of a national provider with a helpdesk based in Warrington and trades based within Haringey and adjoining Boroughs. There are further opportunities to encourage local suppliers for the planned maintenance packages.

16. Risks

- 16.1 Recognising that there will be a heavy reliance on just one strategic partner, the procurement process has been very detailed and thorough to ensure that the selected bidder has sufficient capacity and capability to manage and deliver this contract.
- 16.2 If the contractor should under-perform to such an extent that contract termination is necessary; the Construction Procurement Group's framework agreements could provide short-term, interim continuity of service.

17. Tendering process

- 17.1 This procurement opportunity has been advertised in accordance with Haringey standing orders and OJEU requirements. 46 expressions of interest were received. 13 companies returned the completed Pre-Qualification Questionnaires (PQQ's). Following formal review of the PQQ's, 9 companies were invited to tender for the contract. Three tenders were submitted
- 17.2 Tenders were evaluated using the criteria of 70% quality and 30% price assessment as detailed within Appendix A of the report. The quality evaluation included a written submission, formal interview and reference visits to bidder's clients.
- 17.3 Appendix A Exempt information of this report details the analysis of the three tenders and shows the cost bench marked against the current process of delivery. Please note there are no bench marks for Non Cyclical and Condition Surveys as they are currently commissioned on an as required basis through the standard Haringey procurement procedures.

18. Contract implementation

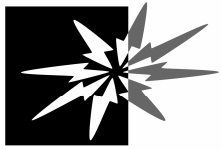
- 18.1 If the recommendation is approved and the Managing Agent contract be awarded to the contractor named in Appendix A1, the reactive maintenance will be mobilised immediately to replace the incumbent supplier during October 2008 when their contract expires.
- 18.2 A detailed review of the planned maintenance works then commences from October 2008 onwards with the objective of achieving a mobilisation date of the 1st April 2009. This will ensure a seamless transfer and provide time to bundle and optimise the planned maintenance works to achieve the key objectives stated below.

19. Conclusion

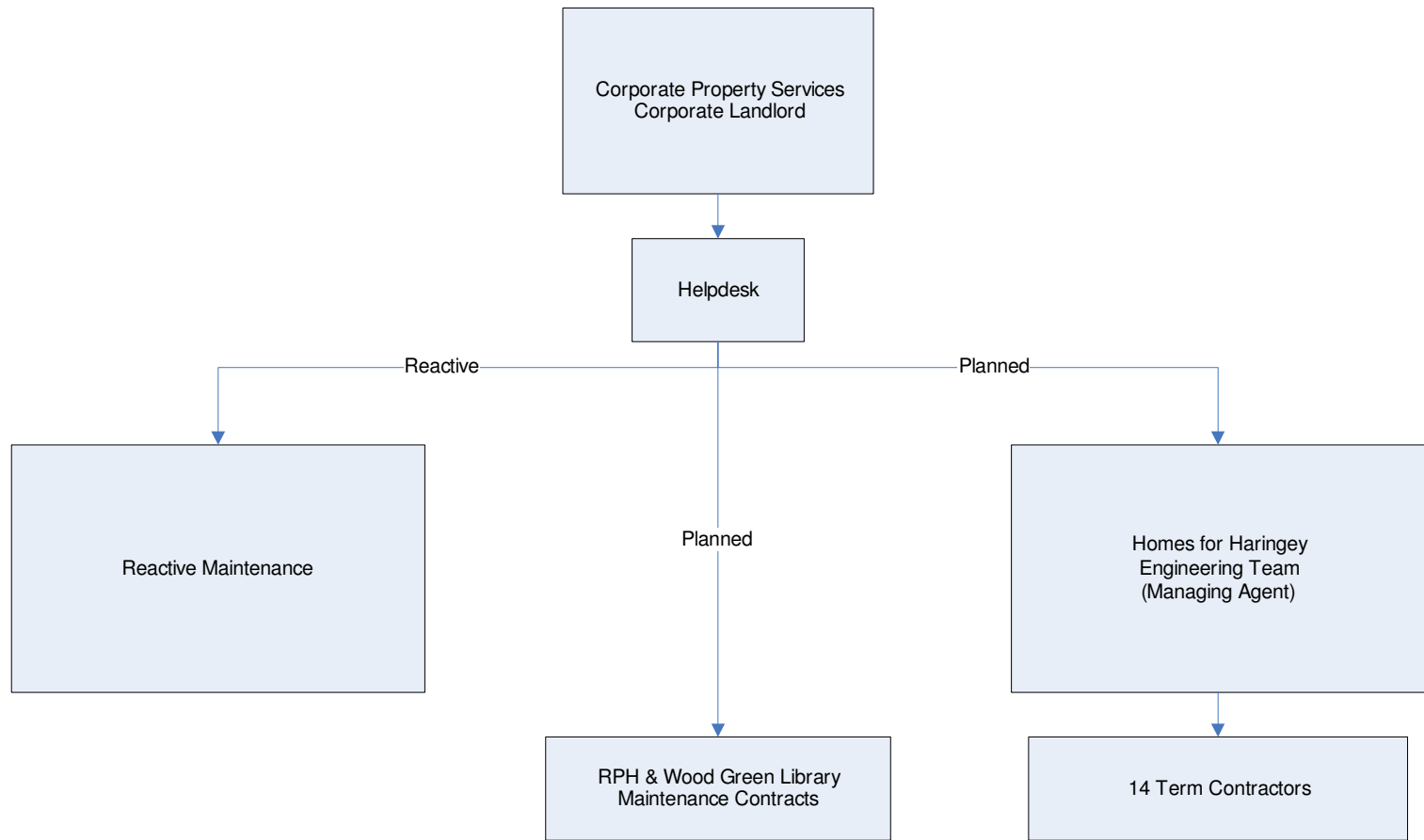
- 19.1 Following the tender process and outcomes, as detailed in Appendix A, the project team is able to recommend a preferred bid and seeks the approval of Members to the award of the contract to the contractor named at the stated prices as set out in the tender adjudication report in Appendix A. As well as the highest quality this tenderer submitted the most competitive price.
- 19.2 It is recommended that the option detailed in Appendix A be approved, with the consequence that the planned maintenance contracts and management thereof by Homes for Haringey will cease from the 1st April 2009.

20. Appendices

- 20.1 Appendix 1: Existing Model of Reactive & Planned Maintenance
- 20.2 Appendix 2; Proposed Model of Reactive & Planned Maintenance
- 20.3 Appendix A: Exempt Information



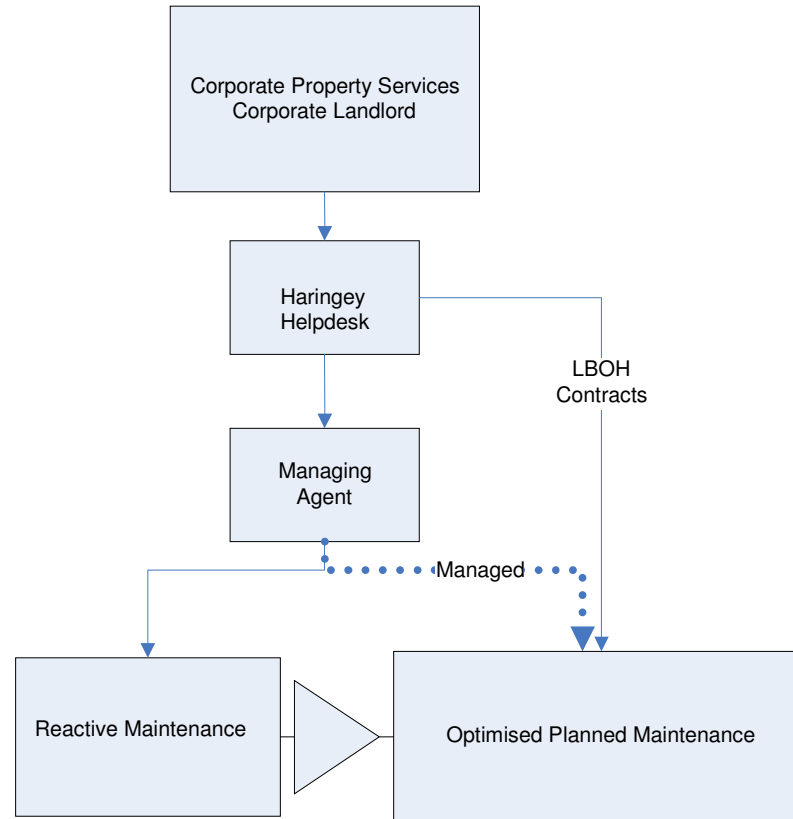
Existing Model of Reactive & Planned Maintenance

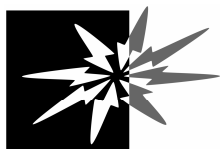




Proposed Model of Reactive & Planned Maintenance

Appendix 2





Haringey Council

Agenda item:

Cabinet Procurement Committee

On 2 September 2008

Report Title: **Award of the contract for the design, print and distribution of Haringey People**

Forward Plan reference number (if applicable): **[add reference]**

Report of: Sharon Kemp, Assistant Chief Executive PPP&C

Wards(s) affected: All

Report for: Key Decision

1. Purpose

1.1 To seek member agreement to award the contract for the design, print and distribution of Haringey People

2. Introduction by Cabinet Member for Community Cohesion and Involvement

2.1 Haringey People is absolutely key to keeping our residents informed about Council Services. The new editioned versions will improve on the current service by providing locally based news and information.

2.2 I am satisfied that the procurement process has been followed correctly and would recommend the award as outlined in the report.

3. Recommendations

3.1 That members agree to award the contract for the above project as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in paragraph 14 of this report.

3.2 That the contract be awarded for a period of two years with the option to extend to a third.

Report Authorised by: Sharon Kemp, Assistant Chief Executive PPP&C

Contact Officer: Mike Browne, Head of Communications and Consultation

4. Chief Financial Officer Comments

4.1 The Chief Financial Officer can confirm the available budget as outlined in section 9.1 and concurs that proposed actions to address the slight shortfall against tendered price look reasonable and achievable. Although not the lowest price tendered, company E scored highest on all other aspects so overall appear to offer best value.

5. Head of Legal Services Comments

5.1 The contract has been advertised in the Official Journal of the European Union (OJEU) and an open tender procedure followed, in compliance with the Public Contracts Regulations 2006.

5.2 It is proposed to award the contract to the contractor named in the Appendix to the report.

5.3 The award is proposed on the basis of most economical tender in accordance with CSO 11.01 (b).

5.4 As the value of the contract is in excess of £250,000 the award must be made by the Cabinet Procurement Committee in accordance with CSO 11.03.

5.5 CSO 11.04 provides that the award of any contract valued above £500,000 is a key decision and must be in the Council's Forward Plan. The Head of Communications and Consultation has confirmed that this has taken place.

5.6 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in the report.

6. Head of Procurement Comments

6.1 This procurement process has been carried out in line with the Procurement code of Practise. A value for money evaluation criteria has been applied to ensure a high quality value for money outcome is achieved. Contract monitoring has been put in place to ensure that any risk of non compliance is minimised.

7. Local Government (Access to Information) Act 1985

7.1 This report contains exempt and non-exempt information. The exempt information is contained in the Appendix to the report and is **NOT FOR PUBLICATION**.

7.2 The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

(3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

8. Strategic Implications

8.1 *Haringey People* spearheads the council's communications strategy. Its purpose is to help raise the council's reputation and satisfaction ratings by keeping residents accurately and well informed about our services and priorities.

8.2 The core focus of *Haringey People* is connecting each household with a wide range of services by ensuring they have a comprehensive package of clear and branded information ten times a year.

8.3 The 2007 annual residents' survey shows that *Haringey People* is well read, keeping residents informed and raising satisfaction ratings:

- Our informed rating rose by seven per cent to 74 per cent. This is ten per cent above the London average and contrasts sharply with a national figure of 42 per cent.
- 59 per cent named *Haringey People* as their number one source of information about the council – placing it above 18 others.
- It is also the preferred source of information about the council. On both measures it is more important than the borough's four local newspapers combined.
- Our value for money rating increased by eight per cent, compared to the year before, our efficiency rating by ten per cent and those residents believing we are doing a good job by six per cent.

9. Financial Implications

9.1 The budget resources available to this project for the year 2008/09 are £357,600. This is funded by £243,900 from the Communications and Consultation Unit budget, with an offset of £113,700 revenue from advertising. The budget for the year 2007/08 was £348,800.

9.2 Only one tender came within the budget resources for this project. The recommendation of awarding the contract to company E gives a shortfall during the 2008/09 financial year of £7,348. It is proposed that this would be made up of a permanent virement from the Media & PR budget. During the year 2009/10 the further shortfall of £10,862 would be made up from increased advertising revenue of one half page per edition.

10. Legal Implications

10.1 See paragraph 5 of the report.

11. Equalities Implications

11.1 Haringey has a diverse population. The news and pictures in the magazine reflect this, and delivery to all households ensures that all sections of the population are informed about the council's policies and actions.

11.2 Haringey People also includes a translation and interpretation panel to ensure that the magazine is accessible in different community languages and formats.

12. Consultation

12.1 Focus groups were conducted with a cross section of borough residents recruited from the Resident Survey mailing list in order to review the design and content of the magazine. This information will be used to supply a more detailed specification for the magazine's designer.

13. Background

13.1 In 2005 the magazine was re-designed and, to raise awareness of the magazine following reports of distribution problems, we began delivering entirely by direct mail to every household – one of few UK local authorities to do so.

13.2 The magazine, which has a total print run of 102,000, is written and edited in-house to ensure that messages are fully integrated with our other corporate communications channels and campaigns and reflect our key business objectives and resident needs.

13.3 The October 2008 edition of the magazine will be the last under the current design, print and distribution contract.

13.4 The new contract was advertised in the OJEU and UK trade publications in June 2008, as well as being posted on the Haringey website and the CMS e-tendering system. The open tender procedure was followed. The closing date for bids was 23 July 2008.

13.5 As with the current arrangements, organisations were asked to tender for the full service of design, print and distribution, with the intention of reducing production costs and the production management problems experienced by using separate contractors. The pre-tender estimate was £340,000 per year.

13.6 The contract will be monitored through regular meetings with the supplier to ensure that they are providing an effective design, print and distribution service in line with their contractual obligations.

13.7 The council received 63 requests for the invitation to tender and seven were returned for evaluation, as referred to in paragraph 8.2 of the exempt report.

13.8 All companies were invited to present their visuals, costs and processes for producing and delivering Haringey People. The companies were awarded a mark out of five based on a scale of 1 (below expectations) to five (exceeds most expectations)

with the scores weighted according to the table below and as outlined in the Invitation to Tender:

Selection criteria	Weight
Price	20
Ability to meet required deadlines	25
Ability to meet all the requirements of the contract	40
Environment and Sustainability	10
Quality of the proposal submitted	5

The organisations' scores in each category and weighted total was as follows:

Company	Price	Deadline s	Requirement s	Environmen t	Proposal Quality	Weighte d total
A	1	1	1	2	1	110
B	4	4	3	4	3	355
C	1	2	1	4	3	165
D	1	3	4	2	2	285
E	3	4	4	4	4	380
F	1	2	1	2	1	135
G	1	2	3	3	2	230

14. Conclusion

14.1 The recommendation to award to company E represents best value to the council. Although there is one cheaper tender, the evaluation of the ability to meet all the contract requirements and the quality of the proposal submitted make this the preferred option to ensure the continued excellent service the magazine provides for the residents of Haringey.

15. Use of Appendices / Tables / Photographs

15.1 Appendix A: Tender evaluations

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Agenda item:

[No.]**Procurement Committee****2nd September 2008**

Report Title: **Building Schools for the Future (BSF): Award of a Pre-Construction Agreement for St Thomas More Catholic School.**

Forward Plan reference number: N/A

Report of: **Director of the Children & Young People's Service**

Wards(s) affected: Woodside

Report for: **Non Key Decision**

1. Purpose

1.1 To seek Procurement Committee approval to award a pre-construction contract, following a mini competition from the BSF Constructor Partners framework.

2. Introduction by Cabinet Member

2.1 St Thomas More Catholic School is one of the twelve schools in the Building Schools for the Future programme that has advanced to the pre-construction stage in its programme.

2.2 This project is of major significance to the school and the local community, who will all benefit from the enhanced facilities and consequential transformation.

3. Recommendations

3.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2

Report Author: David Bray

Report Authorised by:

Sharon Shoesmith
Director
The Children and Young People's Service

Contact Officer: Gordon Smith, BSF Programme Director
e-Mail: Gordon.smith@haringey.gov.uk
Telephone: 020 8489 5368

4. Chief Financial Officer Comments

- 4.1 The Chief Financial Officer has been consulted on the preparation of this report and notes that the cost of awarding the pre-construction contract is budgeted for within the overall BSF Construction Cash Limited budget.
- 4.2 Haringey Council have agreed a protocol with PfS/DCSF that enables funding payments to continue to flow in advance of DCSF approval of the Final Business Case. Therefore, the programme can be fully funded without the need for Haringey Council to secure additional financing.

5. Head of Legal Services Comments

- 5.1 Eversheds, the external legal advisers appointed to the BSF Programme, have confirmed that the Constructor Partners Framework Agreement ("the Framework") to which this report relates has been advertised in the Official Journal of the EU using the restricted procedure - a procedure by which expressions of interest are invited with a selection of those who have expressed an interest being invited to tender.
- 5.2 Eversheds have also confirmed that the Framework was established in accordance with EU procurement directives and UK regulations (i.e. the Public Contracts Regulations 2006).
- 5.3 On the 17th April 2007 the Cabinet Procurement Committee approved the appointment of six Construction Partners to the Framework.
- 5.4 The reports states that a mini-competition was undertaken with five of the six Constructor Partners (one declined to tender), applying the scoring mechanism set out in the Framework and that, based on the outcome of the mini-competition, the most economically advantageous bid was that submitted by the Constructor Partner named in Appendix 18.2.
- 5.5 The Public Contracts Regulations 2006 allows for the selection of a contractor from a Framework Agreement for the award of a contract based on the outcome of a mini-competition held between the contractors on the Framework Agreement capable of providing the services required under that contract.
- 5.6 The Head of Legal Services confirms that Legal Services are light-touch monitoring the work done by Eversheds and that, subject to funding, there are no legal reasons preventing Members from approving the recommendation in Paragraph 3 of this report.

6. Head of Procurement Comments

- 6.1 The selection of the contractors to compete using mini competition has been carried out in accordance with the BSF Framework Agreements for contractors.
- 6.2 The mini competition was undertaken with those contractors who are suitable to carry

out the works based on a price/quality submission.

6.3 The price/quality evaluation was price (30%), quality assessment (70%) which included the tender written information (40%) and interview assessment (30%) and were applied in relation to the tenders received.

6.4 A pre-construction agreement is required to move the design stage forward with the constructor and to subsequently tender the work packages for the compilation of the Agreed Maximum Price (AMP).

6.5 The Head of Procurement therefore states that the recommendations in this report will result in overall best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The following background documents were used in the production of this report:

- Haringey Council's BSF Construction Framework documentation.
- The Council's Standing Orders

7.2 This report contains exempt and non-exempt information. Exempt information is contained in the appendices and is not for publication.

7.3 The exempt information is under the following category

(identified in the amended Schedule 12A of the Local Government Act 1972):

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8. Background

8.1 In April 2007, following an Official Journal of the European Union (OJEU) process, Haringey's Procurement Committee agreed a framework of six Constructor Partners (CP). These CPs would be used to source the twelve school projects in the BSF programme.

8.2 In May 2008 it was agreed with the Leader of the Council that, in order to give full Member involvement in the BSF Design and Build process, the pre-construction stage would be reported to Procurement Committee for approval. Subsequently the main award with an Agreed Maximum Price (AMP) would also be presented to Procurement Committee.

8.3 All six contractors from the CP framework passed the financial criteria set to enter a mini competition for St Thomas More Catholic School. Five of the contractors accepted to tender, (one declined, see Appendix 18.1), with tender opening taking place on Tuesday the 1st July 2008. For the names of the bidders see Appendix 18.1. Bidders responded with an indicative cost plan for the construction, site preliminaries and confirmed their fees to carry out the pre-construction stage of the project. The winning bidder being recommended for a contract for pre-construction services, and the opportunity to negotiate an Agreed Maximum Price.

8.4 The St Thomas More Catholic School project is a new build scheme comprising of two new buildings – an extension to the Learning Resources

Centre and a north block which will be a new entrance to the school and will contain new performing arts, music, ICT/business and media teaching spaces.

9. Evaluation

9.1 The submission was evaluated as follows:

Price (30% of total score)

9.1.1 The Contractor that submitted the lowest bid in terms of central office overheads and profits based on the anticipated net value of construction scored 100 points. All other tenders score 100 points less 1 for every percentage that their price exceeded the lowest bid. The point score was weighted by 30%.

Quality of tender submission (40% of total score)

9.1.2 The following elements made up the quality score:

- A. Confirmation that the initial pricing response still stood and adjustment of it complied with any revised programme information.
- B. Pricing of project specific preliminary items such as:
 - Provision of tower cranes
 - Scaffolding
 - Protection
 - A separate sheet detailing fixed and time related charges was requested.
- C. Quality of the cost plan – The Council looked for comfort that the initial cost plan levels were acceptable and therefore the cost plan was judged on the amount of consideration given to produce an accurate cost plan, the amount of back up provided on a micro and macro level. The actual final price of the cost plan was not considered in the evaluation of this submission.
- D. Proposed management structure and details of any sub-consultants.
- E. CVs of the relevant individuals who will be involved day-to-day provision of the works including the on site management team and an indication of how the scheme contractor would deal with fluctuations in the workload in terms of resources.
- F. Anticipated programme – The Council looked for comfort that the initial programme durations are acceptable and a statement was asked for to confirm that.

9.1.3 The Council also looked to use the Contractors' knowledge and experience; innovative alternative programme solutions were welcomed and reflected in the score for this part of the tender submission.

9.1.4 Scores were awarded for each of the categories above and then the total was weighted at 40%.

Interview (30% of total score)

9.1.5 The Contractor Partners interviews were held on Monday 14th July 2008 at Haringey's Civic Centre, representatives from Haringey's Construction Procurement Group, Potter Raper Partnership, Ahrends Burton Koralek (Design Team Partner), the Construction Project Manager, St Thomas More Catholic School and the Diocese of Westminster attended.

9.1.6 Each of the five Contractors who submitted a tender was interviewed. The personnel who would be working on the project were asked to present against three key criteria decided by the schools and their proposed logistics statement. A panel individually scored each response and the average score weighted by 30%.

The three criteria were as follows:

- A. ABK are being retained by the Council for the remaining stages of the project. Outline how you envisage your own designers liaising with ABK during the development of the detailed design stages of the project
- B. How do you propose to manage the second stage tendering process and how will the school be involved in this
- C. Please provide examples of sites of this restricted nature that you have already worked on

9.2 Each Contractor Partner was scored out of 20 points, 10 points were allocated to the explanation of their logistics statement and 5 points were allocated to both the school and key criteria sections of questions.

9.3 The table in Exempt Appendices 18.1 shows the outcome of the evaluation.

9.4 Pre-construction services include pre-construction design, change control management, supply chain management / works package tendering with full cost management, value engineering, open book accounting, quality assurance, setting up web based document management system, pre construction management , knowledge sharing / innovation, progress meetings, sustainability workshops, method statements, procurement of surveys, procurement of material samples insurances, warranties and bonds

9.5 This is a generic list of services to be provided by the Constructor Partner, these services are covered by the Pre Construction Sum and many/all will be

used to allow the Contractor Partner to build up their Agreed Maximum Price (AMP). The services to be undertaken by the Contractor Partner will only be known once the Contractor Partner is in receipt of the Council's Requirements.

10. Conclusion

10.1. The formal contract award is expected to take place in April 2009, at which point the pre-construction agreement will be superseded.

The Evaluation Matrix shows the contractors' scores in each category and their overall score (in bold).

11. Sustainability:

11.1 The St Thomas More Catholic School exhibits a number of sustainability features. The main solution is the inclusion of a biomass boiler within the new build element. It is also intended for the new build block to have a 'green roof'. These types of roofs benefit the wider environment through their positive impact on sustainability, biodiversity and the attenuation of storm water.

12 Financial Implications

12.1 The fee (see 18.2) for the pre-construction contract for the St Thomas More Catholic School BSF Project is budgeted within the overall Construction Cash Limited Budget of £6,573,000. The pre-construction element of this project forms an integral part of the overall project budget, and therefore allows for the main contract to be let in due course.

12.2 As the St Thomas More project is subject to an overall cash limit of £6,573,000, commitment of the fee for pre-construction costs at this stage reduces the overall sum available for the main construction contract. The overall project cost plan prepared by Potter Raper Partnership based on fees incurred to date, pre-construction costs and projected main construction contract can be delivered within the Cash Limited Budget, based on plans at this point in time.

13 Legal Implications – Comments Provided by Eversheds

13.1 The BSF Framework Agreements with the Construction Partners were established following the correct advertisement in accordance with EC procurement directives and regulations.

13.2 The framework incorporates a mechanism in order to score call offs and mini competitions.

13.3 The scoring matrix compiled for this mini competition was carried out by Haringey's Construction Procurement Group with the assistance of other professional advisers set out in paragraph 9.1.5 of this report.

14 Equalities Implications

14.1 The new build elements of the St Thomas More Catholic School project are being designed to be fully accessible to all levels of physical ability. As part of the vision for the campus, the facilities have the potential to be open to the local community.

17 Consultation

15.1 The designs have been made available throughout the process, for resident drop in sessions, school parents and school governors review days, school council assemblies and information has been posted through the doors of local residents and is available on line for viewing.

15.2 Full consultation has been undertaken as part of the BSF Stage approvals; this had included consultation with Partnership for Schools, CABE, Council planners and building control, the Fire Officer and the Police (Secured by Design).

15.3 Further consultation will take place as part of the planning application process, which has recently started.

16. Recommendation

16.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2.

17. Use of Appendices / Tables / Photographs

17.1 Evaluation Matrix (18.1)

17.2 Recommended contractor and sum (18.2)

17.3 Construction awards to date (18.3)

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Agenda item:

[No.]**Procurement Committee****2nd September 2008**

Report Title: **Building Schools for the Future (BSF): Award of a pre-construction agreement for Young People's Centre.**

Forward Plan reference number: N/A

Report of: **Director of the Children & Young People's Service**

Wards(s) affected: **Bounds Green**

Report for: **Non Key Decision**

1. Purpose

1.1 To seek Procurement Committee approval to award a pre-construction contract, following a mini competition from the BSF Constructor Partners framework.

2. Introduction by Cabinet Member

2.1 Young People's Centre is one of the twelve schools in the Building Schools for the Future programme that has advanced to the pre-construction stage in its programme.

2.2 This project is of major significance to the school and the local community, who will all benefit from the enhanced facilities and consequential transformation.

3. Recommendations

3.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2

Report Author: David Bray

Report Authorised by:

Sharon Shoesmith
Director
The Children and Young People's Service

Contact Officer: Gordon Smith, BSF Programme Director
e-Mail: Gordon.smith@haringey.gov.uk
Telephone: 020 8489 5368

4. Chief Financial Officer Comments

- 4.1 The Chief Financial Officer has been consulted on the preparation of this report and notes that the cost of awarding the pre-construction contract is budgeted for within the overall BSF Construction Cash Limited budget.
- 4.2 Haringey Council have agreed a protocol with PfS/DCSF that enables funding payments to continue to flow in advance of DCSF approval of the Final Business Case. Therefore, the programme can be fully funded without the need for Haringey Council to secure additional financing.

5. Head of Legal Services Comments

- 5.1 Eversheds, the external legal advisers appointed to the BSF programme, have confirmed that the Constructor Partners Framework Agreement (“the Framework”) to which this report relates has been established following the correct advertisement in accordance with the EU public procurement directive and UK regulations implementing the directive (i.e. the Public Contracts Regulations 2006).
- 5.2 On the 17th April 2007 the Cabinet Procurement Committee approved the appointment of six Construction Partners to the Framework.
- 5.3 The reports states that a mini-competition was undertaken with the six Constructor Partners, applying the scoring mechanism set out in the Framework and that, based on the outcome of the mini-competition, the most economically advantageous bid was that submitted by the Constructor Partner named in Appendix 18.2.
- 5.4 The Public Contracts Regulations 2006 allow for the selection of a contractor from a Framework Agreement for the award of a contract based on the outcome of a mini-competition held between the contractors on the Framework Agreement capable of providing the services required under that contract.
- 5.5 The Head of Legal Services confirms that Legal Services have been light-touch monitoring the work legal work undertaken by Eversheds in relation to the BSF programme and that, subject to funding, there are no legal reasons preventing Members from approving the recommendation in Paragraph 3 of this report.

6. Head of Procurement Comments

- 6.1 The selection of the contractors to compete using mini competition has been carried out in accordance with the BSF Framework Agreements for contractors.
- 6.2 The mini competition was undertaken with those contractors who are suitable to carry out the works based on a price/quality submission.
- 6.3 The price/quality evaluation was price (30%), quality assessment (70%) which included the tender written information (40%) and interview assessment (30%) and were applied in relation to the tenders received.
- 6.4 A pre-construction agreement is required to move the design stage forward with the constructor and to subsequently tender the work packages for the compilation of the Agreed Maximum Price (AMP).
- 6.5 As part of the ongoing monitoring of contractor’s on the framework a recent Dunn and Bradstreet report showed Higher than Average risk of business failure has been

received. However this has been examined by finance and finance have commented that the risk to the Council is within the normal acceptable levels and that the issue related to a mortgage on the contractors new offices. Consideration should also be given to taking out a performance bond particularly in relation to the compilation of the Agreed Maximum Price.

6.6 The Head of Procurement therefore states that the recommendations in this report will result in overall best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The following background documents were used in the production of this report:

- Haringey Council's BSF Construction Framework documentation.
- The Council's Standing Orders

7.2 This report contains exempt and non-exempt information. Exempt information is contained in the appendices and is not for publication.

7.3 The exempt information is under the following category

(identified in the amended Schedule 12A of the Local Government Act 1972):

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8. Background

8.1 In April 2007, following an Official Journal of the European Union (OJEU) process, Haringey's Procurement Committee agreed a framework of six Constructor Partners (CP). These CPs would be used to source the twelve school projects in the BSF programme.

8.2 In May 2008 it was agreed with the Leader of the Council that, in order to give full Member involvement in the BSF Design and Build process, the pre-construction stage would be reported to Procurement Committee for approval. Subsequently the main award with an (Agreed Maximum Price) would also be presented to Procurement Committee.

8.3 All six contractors from the CP framework passed the financial criteria set to enter a mini competition for Young People's Centre. Six of the contractors accepted to tender (see Appendix 18.1), with tender opening taking place on Tuesday the 8th July 2008. For the names of the bidders see Appendix 18.1. Bidders responded with an indicative cost plan for the construction, site preliminaries and confirmed their fees to carry out the pre-construction stage of the project. The winning bidder being recommended for a contract for pre-construction services, and the opportunity to negotiate an Agreed Maximum Price.

8.4 The project for the Young People's Centre includes a new two storey classroom block and a new hall extension. The existing building is also being refurbished and remodelled to create a therapy group area, specialist

classrooms, dining area and staff accommodation. New ICT facilities will be incorporated to enhance the building ICT provision

9. Evaluation

9.1 The submission was evaluated as follows:

Price (30% of total score)

9.1.1 The Contractor that submitted the lowest bid in terms of central office overheads and profits based on the anticipated net value of construction scored 100 points. All other tenders score 100 points less 1 for every percentage that their price exceeded the lowest bid. The point score was weighted by 30%.

We are confident that the lowest bidder has the resources and financial capability to undertake the works at the YPC and relevant experience in the educational sector. Whilst some parts of the scoring matrix does not favour the lowest price bidder, they have shown within their tender submission that they are capable of working as a team and are competent to achieve the proposed design. Qualification of submitted prices was requested with confirmation received by the lowest bidder that their bid was as they wished and would stand by it. The lowest bidder will work closely with the Design Team during second stage of procurement ensuring design is maintained and costs are within the overall budget.

Quality of tender submission (40% of total score)

9.1.2 The following elements made up the quality score:

- A. Confirmation that the initial pricing response still stood and adjustment of it complied with any revised programme information.
- B. Pricing of project specific preliminary items such as:
 - Provision of tower cranes
 - Scaffolding
 - Protection
 - A separate sheet detailing fixed and time related charges was requested.
- C. Quality of the cost plan – The Council looked for comfort that the initial cost plan levels were acceptable and therefore the cost plan was judged on the amount of consideration given to produce an accurate cost plan, the amount of back up provided on a micro and macro level. The actual final price of the cost plan was not considered in the evaluation of this submission.
- D. Proposed management structure and details of any sub-consultants.

- E. CVs of the relevant individuals who will be involved day-to-day provision of the works including the on site management team and an indication of how the scheme contractor would deal with fluctuations in the workload in terms of resources.
- F. Anticipated programme – The Council looked for comfort that the initial programme durations are acceptable and a statement was asked for to confirm that.

9.1.3 The Council also looked to use the Contractors' knowledge and experience; innovative alternative programme solutions were welcomed and reflected in the score for this part of the tender submission.

9.1.4 Scores were awarded for each of the categories above and then the total was weighted at 40%.

Interview (30% of total score)

9.1.5 The Contractor Partners interviews were held on Thursday the 17th July 2008 at Haringey's Civic Centre, representatives from Haringey's Construction Procurement Group, Potter Raper Partnership, Watkins Gray International LLP (Design Team Partner), the Construction Project Manager and Young People's Centre attended.

9.1.6 Each of the six Contractors who submitted a tender was interviewed. The personnel who would be working on the project were asked to present against three key criteria decided by the schools and their proposed logistics statement. A panel individually scored each response and the average score weighted by 30%.

The three criteria were as follows:

- A. Whilst pupils will be off site during the works, would you be willing to discuss ways in which your skills and expertise could contribute to students' learning experience during the construction period?
- B. How will you ensure a good relationship with the ICT providers to ensure that your work fits in with their expectations and vice versa?
- C. How do you intend to keep the site secure and eliminate trespassing and/or vandalism during the works?

9.2 Each Contractor Partner was scored out of 20 points, up to 10 points were allocated to the explanation of their logistics statement; up to 5 points were allocated for the Key Criteria Questions and up to 5 points were allocated to each of the responses to three questions raised by the school.

9.3 The table in Exempt Appendices 18.1 shows the outcome of the evaluation.

- 9.4 Pre-construction services will include pre-construction design, change control management, supply chain management / works package tendering with full cost management, value engineering, open book accounting, quality assurance, setting up web based document management system, pre construction management , knowledge sharing / innovation, progress meetings, sustainability workshops, method statements, procurement of surveys, procurement of material samples insurances, warranties and bonds.;
- 9.5 Although this is a generic list of services to be provided by the Contractor Partner, these services are covered by the Pre Construction Sum and many/all will be used to allow the Contractor Partner to build up their Agreed Maximum Price (AMP). The services to be undertaken by the Contractor Partner will only be known once the Contractor Partner is in receipt of the Council's Requirements.

10. Conclusion

- 10.1. The formal contract award is expected to take place in March 2009, at which point the pre-construction agreement will be superseded.

The Evaluation Matrix shows the contractors' scores in each category and their overall score (in bold).

11. Sustainability:

- 11.1 The design for the Young People's Centre is currently over the 1000m² of new build and will have to comply with the requirement for the London Plan. The design will therefore incorporate renewables in order to reduce CO₂ emissions by 20%. Currently the design incorporates Solar thermal panels, which will be used to provide heating of the domestic hot water. However, this will not contribute to the full 20% and the design team are looking at alternatives. These are being developed within the Design Stage D report.

The scheme currently addresses roof and wall insulation in order to improve the U-values for the building. There will be installation of new efficient heating and lighting system throughout the school, replacing existing inefficient installations. The school building will be naturally ventilated throughout, with only specific areas (such as ICT suite) being supplied with additional mechanical ventilation/comfort cooling.

12. Financial Implications

- 12.1 The fee (see 18.2) for the pre-construction contract for the Young Peoples Centre BSF Project is budgeted within the overall Construction Cash Limited Budget of £5,165,391.00. The pre-construction element of this project forms an integral part of the overall project budget, and therefore allows for the main contract to be let in due course.

- 12.2 As the Young Peoples Centre project is subject to an overall cash limit of £5,165,391.00, commitment of the fee for pre-construction costs at this stage reduces the overall sum available for the main construction contract. The overall project cost plan prepared by Potter Raper Partnership based on fees incurred to date, pre-construction costs and projected main construction contract can be delivered within the Cash Limited Budget, based on plans at this point in time.

13 Legal Implications – Comments Provided by Eversheds

13.1 The BSF Framework Agreements with the Construction Partners were established following the correct advertisement in accordance with EC procurement directives and regulations.

13.2 The framework incorporates a mechanism in order to score call offs and mini competitions.

13.3 The scoring matrix compiled for this mini competition was carried out by Haringey's Construction Procurement Group with the assistance of other professional advisers set out in paragraph 9.1.5 of this report.

14 Equalities Implications

14.1 The new build elements of the Young People project are being designed to be fully accessible to all levels of physical ability.

15 Consultation

15.1 The designs have been made available throughout the process, for resident drop in sessions, school parents and school governors review days, school council assemblies and information has been posted through the doors of local residents and is available on line for viewing.

15.2 Full consultation has been undertaken as part of the BSF Stage approvals; this had included consultation with Partnership for Schools, CABE, Council planners and building control, the Fire Officer and the Police (Secured by Design).

15.3 Further consultation will take place as part of the planning application process, which has recently started.

16. Recommendation

16.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2.

17. Use of Appendices / Tables / Photographs

17.1 Evaluation Matrix (18.1)

17.2 Recommended contractor and sum (18.2)

17.3 Construction awards to date (18.3)

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Agenda item:

[No.]**Procurement Committee****2nd September 2008**

Report Title: **Building Schools for the Future (BSF): Award of a Pre-Construction Agreement for Highgate Wood School.**

Forward Plan reference number: N/A

Report of: **Director of the Children & Young People's Service**

Wards(s) affected: **Crouch End**

Report for: **Non Key Decision**

1. Purpose

1.1 To seek Procurement Committee approval to award a pre-construction contract, following a mini competition from the BSF Constructor Partners framework.

2. Introduction by Cabinet Member

2.1 Highgate Wood School is one of the twelve schools in the Building Schools for the Future programme that has advanced to the pre-construction stage in its programme.

2.2 This project is of major significance to the school and the local community, who will all benefit from the enhanced facilities and consequential transformation.

3. Recommendations

3.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2

Report Author: David Bray

Report Authorised by:

Sharon Shoesmith
Director
The Children and Young People's Service

Contact Officer: Gordon Smith, BSF Programme Director
e-Mail: Gordon.smith@haringey.gov.uk
Telephone: 020 8489 5368

4. Chief Financial Officer Comments

- 4.1 The Chief Financial Officer has been consulted on the preparation of this report and notes that the cost of awarding the pre-construction contract is budgeted for within the overall BSF Construction Cash Limited budget.
- 4.2 Haringey Council have agreed a protocol with PfS/DCSF that enables funding payments to continue to flow in advance of DCSF approval of the Final Business Case. Therefore, the programme can be fully funded without the need for Haringey Council to secure additional financing.

5. Head of Legal Services Comments

- 5.1 Eversheds, the external legal advisers appointed to the BSF programme, have confirmed that the Constructor Partners Framework Agreement ("the Framework") to which this report relates has been established following the correct advertisement in accordance with the EU public procurement directive and UK regulations implementing the directive (i.e. the Public Contracts Regulations 2006).
- 5.2 On the 17th April 2007 the Cabinet Procurement Committee approved the appointment of six Construction Partners to the Framework.
- 5.3 The reports states that a mini-competition was undertaken with the six Constructor Partners, applying the scoring mechanism set out in the Framework and that, based on the outcome of the mini-competition, the most economically advantageous bid was that submitted by the Constructor Partner named in Appendix 18.2.
- 5.4 The Public Contracts Regulations 2006 allow for the selection of a contractor from a Framework Agreement for the award of a contract based on the outcome of a mini-competition held between the contractors on the Framework Agreement capable of providing the services required under that contract.
- 5.5 The Head of Legal Services confirms that Legal Services have been light-touch monitoring the work legal work undertaken by Eversheds in relation to the BSF programme and that, subject to funding, there are no legal reasons preventing Members from approving the recommendation in Paragraph 3 of this report.

6. Head of Procurement Comments

- 6.1 The selection of the contractors to compete using mini competition has been carried out in accordance with the BSF Framework Agreements for contractors.
- 6.2 The mini competition was undertaken with those contractors who are suitable to carry out the works based on a price/quality submission.
- 6.3 The price/quality evaluation was price (30%), quality assessment (70%) which included the tender written information (40%) and interview assessment (30%) and were applied in relation to the tenders received.

6.4 A pre-construction agreement is required to move the design stage forward with the constructor and to subsequently tender the work packages for the compilation of the Agreed Maximum Price (AMP).

6.5 As part of the ongoing monitoring of contractor's on the framework a recent Dunn and Bradstreet report showed Higher than Average risk of business failure has been received. However this has been examined by finance and finance have commented that the risk to the Council is within the normal acceptable levels and that the issue related to a mortgage on the contractors new offices. Consideration should also be given to taking out a performance bond particularly in relation to the compilation of the Agreed Maximum Price.

6.6 The Head of Procurement therefore states that the recommendations in this report will result in overall best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The following background documents were used in the production of this report:

- Haringey Council's BSF Construction Framework documentation.
- The Council's Standing Orders

7.2 This report contains exempt and non-exempt information. Exempt information is contained in the appendices and is not for publication.

7.3 The exempt information is under the following category

(identified in the amended Schedule 12A of the Local Government Act 1972):

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8. Background

8.1 In April 2007, following an Official Journal of the European Union (OJEU) process, Haringey's Procurement Committee agreed a framework of six Constructor Partners (CP). These CPs would be used to source the twelve school projects in the BSF programme.

8.2 In May 2008 it was agreed with the Leader of the Council that, in order to give full Member involvement in the BSF Design and Build process, the pre-construction stage would be reported to Procurement Committee for approval. Subsequently the main award with an Agreed Maximum Price (AMP) would also be presented to Procurement Committee.

8.3 All six contractors from the CP framework passed the financial criteria set to enter a mini competition for Highgate Wood School. All six of the contractors accepted to tender, (see Appendix 18.1), with tender opening taking place on Friday the 18th July 2008. For the names of the bidders see Appendix 18.1. Bidders responded with an indicative cost plan for the construction, site preliminaries and confirmed their fees to carry out the pre-construction stage of the project. The winning bidder being recommended for a contract for pre-construction services, and the opportunity to negotiate an Agreed Maximum Price.

8.4 The Highgate Wood School project is a new build scheme comprising of two new buildings – a new build two storey Learning Resources Centre, with additional classrooms and an extended dining area with installation of a mezzanine walk way, linking both Adams and Wren Blocks. Other works consist of remodelling of the existing library, creating three new classrooms and installation of a new mezzanine media classroom between Dining area and Hall, creating a new lighting control room for the hall. External works include a new open-air stage.

9. Evaluation

9.1 The submission was evaluated as follows:

Price (30% of total score)

9.1.1 The Contractor that submitted the lowest bid in terms of central office overheads and profits based on the anticipated net value of construction scored 100 points. All other tenders score 100 points less 1 for every percentage that their price exceeded the lowest bid. The point score was weighted by 30%.

Quality of tender submission (40% of total score)

9.1.2 The following elements made up the quality score:

- A. Confirmation that the initial pricing response still stood and adjustment of it complied with any revised programme information.
- B. Pricing of project specific preliminary items such as:
 - Provision of tower cranes
 - Scaffolding
 - Protection
 - A separate sheet detailing fixed and time related charges was requested.
- C. Quality of the cost plan – The Council looked for comfort that the initial cost plan levels were acceptable and therefore the cost plan was judged on the amount of consideration given to produce an accurate cost plan, the amount of back up provided on a micro and macro level. The actual final price of the cost plan was not considered in the evaluation of this submission.
- D. Proposed management structure and details of any sub-consultants.
- E. CVs of the relevant individuals who will be involved day-to-day provision of the works including the on site management team and an indication of how the scheme contractor would deal with fluctuations in the workload in terms of resources.

F. Anticipated programme – The Council looked for comfort that the initial programme durations are acceptable and a statement was asked for to confirm that.

9.1.3 The Council also looked to use the Contractors' knowledge and experience; innovative alternative programme solutions were welcomed and reflected in the score for this part of the tender submission.

9.1.4 Scores were awarded for each of the categories above and then the total was weighted at 40%.

Interview (30% of total score)

9.1.5 The Contractor Partners interviews were held on Thursday 24th July 2008 at Haringey's Civic Centre, representatives from Haringey's Construction Procurement Group, Potter Raper Partnership (Cost Managers), Watkins Gray International LLP (Design Team Partner), the Mace Construction Project Manager, Highgate Wood School representatives.

9.1.6 Each of the six Contractors who submitted a tender was interviewed. The personnel who would be working on the project were asked to present against three key criteria decided by the schools and their proposed logistics statement. A panel individually scored each response and the average score weighted by 30%.

The three criteria were as follows:

- A. How will you ensure a good relationship with the ICT providers to ensure that your work fits in with their expectations and vice versa?
- B. Would you be willing to enter into discussion with the school regarding early works in order to facilitate the management of the whole project whilst keeping the school running effectively?
- C. Would you be willing to discuss ways in which your skills and expertise could contribute to students' learning experience during our time of partnership?

9.2 Each Contractor Partner was scored out of 20 points, up to 10 points were allocated to the explanation of their logistics statement; up to 5 points were allocated for the Key Criteria Questions and up to 5 points were allocated to each of the responses to three questions raised by the school.

9.3 The table in Exempt Appendices 18.1 shows the outcome of the evaluation.

9.4 Pre-construction services will include pre-construction design, change control management, supply chain management / works package tendering with full cost management, value engineering, open book accounting, quality assurance, setting up web based document management system,

pre construction management , knowledge sharing / innovation, progress meetings, sustainability workshops, method statements, procurement of surveys, procurement of material samples insurances, warranties and bonds.

Although this is a generic list of services to be provided by the Contractor Partner, these services are covered by the Pre Construction Sum and many/all will be used to allow the Contractor Partner to build up their Agreed Maximum Price (AMP). The services to be undertaken by the Contractor Partner will only be known once the Contractor Partner is in receipt of the Council's Requirements.

10. Conclusion

10.1. The formal contract award is expected to take place in February 2009, at which point the pre-construction agreement will be superseded.

The Evaluation Matrix shows the contractors' scores in each category and their overall score (in bold).

11. Sustainability:

11.1 The Highgate Wood School scheme is under 1,000 m² in terms of new build and so is exempt from the Borough's 20% renewable energy requirements, notwithstanding this the project exhibits a number of sustainability features. The new build areas, apart from the ICT suites, are passively ventilated and will have installation of a new efficient lighting system.

12. Financial Implications

12.1 The fee (see 18.2) for the pre-construction contract for the Highgate Wood School BSF Project is budgeted within the overall Construction Cash Limited Budget of £4,870,000. The pre-construction element of this project forms an integral part of the overall project budget, and therefore allows for the main contract to be let in due course.

12.2 As the Highgate Wood School project is subject to an overall cash limit of £4,870,000, commitment of the fee for pre-construction costs at this stage reduces the overall sum available for the main construction contract. The overall project cost plan prepared by Potter Raper Partnership based on fees incurred to date, pre-construction costs and projected main construction contract can be delivered within the Cash Limited Budget, based on plans at this point in time.

13. Legal Implications – Comments Provided by Eversheds

- 13.1 The BSF Framework Agreements with the Construction Partners were established following the correct advertisement in accordance with EC procurement directives and regulations.
- 13.2 The framework incorporates a mechanism in order to score call offs and mini competitions.
- 13.3 The scoring matrix compiled for this mini competition was carried out by Haringey's Construction Procurement Group with the assistance of other professional advisers set out in paragraph 9.1.5 of this report.

14. Equalities Implications

- 14.1 The new build elements of the Highgate Wood School project are being designed to be fully accessible to all levels of physical ability. As part of the vision for the campus, the facilities have the potential to be open to the local community.

15. Consultation

- 15.1 The designs have been made available throughout the process, for resident drop in sessions, school parents and school governors review days, school council assemblies and information has been posted through the doors of local residents and is available on line for viewing.
- 15.2 Full consultation has been undertaken as part of the BSF Stage approvals; this had included consultation with Partnership for Schools, CABE, Council planners and building control, the Fire Officer and the Police (Secured by Design).
- 15.3 Further consultation will take place as part of the planning application process, which has recently started.

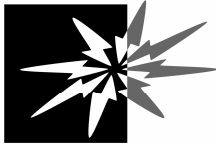
16. Recommendation

- 16.1 The Procurement Committee award the preconstruction contract to the Constructor Partner in appendix 18.2.

17. Use of Appendices / Tables / Photographs

- 17.1 Evaluation Matrix (18.1)
- 17.2 Recommended contractor and sum (18.2)
- 17.3 Construction awards to date (18.3)

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Haringey Council

Agenda item:

(No.)

Procurement Committee

2nd September 2008

Report Title: **Hornsey Decent Homes Works: HOPH1**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**

Wards(s) affected: Hornsey, Highgate

Report for: **Key Decision**

1. Purpose

1.1 To inform Members that the Decent Homes Programme for Rowland Close, Grimshaw Close and Newland House is scheduled to commence on the 8 September 2008.

2. Introduction by Cabinet Member (if necessary)

2.1 In accordance with our commitment to achieve Decent Homes standards to our homes, properties within this phase have been surveyed and works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, internal rewires, kitchen and bathroom refurbishment, roof repair/renewal, smoke detectors, asbestos removal, digital satellite installation and external redecoration.

3.0 Recommendations

3.1 That Members agree to award the contract for the above Project to the contractor named in Appendix A2.1, as allowed under Contract Standing Order (CSO) 11.03.

3.2 That the total Agreed Maximum Price, excluding fees as detailed in Para 2.2 of Appendix A be noted.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Pauline Hinds**

Strategic Client Representative

Homes for Haringey, River Park House (6th Floor)

225 High Road. London N22 4HQ

Tel no: 020 8489 1151, e.mail: pauline.hinds@homesforharingey.org

4.0 Chief Finance Officer Comments

- 4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements to Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 102 properties in the ST area, priced in accordance with the framework agreement.
- 4.2 Members will be aware that DCLG has approved the funding for Decent Homes, totalling £198.5m phased over six years. The currently approved capital budget provision for 2008/09 is £27.548m. This scheme is included in the schedule for 2008-09 and will be funded from this budget.
- 4.3 It should be noted that so far (excluding the reports on this agenda) 20 contracts have been approved by this committee; totalling some £23.8m. With the approval of the 4 contracts on this agenda, this will bring the total commitments to £29.2m. The extra costs above the currently approved budget will be funded from recharges made to leaseholder for works to their properties.

5.0 Head of Legal Services Comments

- 5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 78 properties in the Hornsey area (details of which are set out in Paragraph 15.2, below), to the contractor named in Paragraph 2.1 of Appendix A to this report.
- 5.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.
- 5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the Hornsey area.
- 5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council have confirmed that, in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.

5.6 The report states that the statutory leaseholder consultation has been undertaken.

5.7 The value of the proposed contract exceeds £250,000 therefore the approval of the Procurement Committee is required in accordance with CSO 11.3.

5.8 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendation to the award the contract to the contractor named in Paragraph 2.1 of Appendix A to this report.

6.0 Head of Procurement Comments

6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.

6.2 The Client needs ensure that a risk register is in place for the works and that it is reviewed on a regular basis

6.3 An agreed Maximum price has been agreed by the parties prior to start on site, in accordance with the process allowed under the form of contract.

6.4 The Head of Procurement therefore states that the recommendations in this report offer best value for the Council.

7.0 Local Government (Access to Information) Act 1985

7.1 The background papers relating to this project are:

- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
- Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
- Short List Report dated October 2006
- Invitation to Tender Document dated October 2006
- Tender Reports dated February 2007

These can be obtained from Pauline Hinds – Strategic Client Representative on 020 8489 1151.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

8.1 The works within this phase form part of the overall Decent Homes Programme.

9.0 Financial Implications

9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.

9.2 Provision for this exists within the Decent Homes Budget for 2008/2009.

10. Legal Implications

10.1 See section 5 above.

11. Equalities Implications

11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.

11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.

12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.

13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.

13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.

13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 78No. properties in the Hornsey area, priced in accordance with the framework agreement.

13.5 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	78
Total estimated construction cost (excluding fees)	para 2.1 Appendix A
Anticipated Contract start on site	8 September 2008
Anticipated Contract completion	5 December 2008
Contract duration	13 weeks

14. Agreed Maximum Price

14.1 The Agreed maximum price is based on the schedule of rates contained within the contractors tender returned 30th November 2006.

14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the 'Egan Report' and was designed to allow the early appointment of constructors and specialists.

14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.

14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

15.0 Proposed Work

15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards: renewal of roof coverings (Rowlands Close and Grimshaw Close); concrete repairs; external decorations; kitchen, bathroom, heating and wiring renewals.

15.2 The properties in this project are located at:

- 1-21 Rowlands Close, North Hill, N6 4BX
- 1-24 Grimshaw Close, North Road N6 4BH
- 1-33 Newland House, Newland Road, N8 7AJ

16.0 Leasehold Information

16.1 There are 17 No. leaseholders in this phase of works as follows:

- 2, 4, 7 & 21 Rowland Close
- 7, 10, 16, 17 & 21 Grimshaw Close
- 5, 10, 14, 17, 21, 22, 27 & 31 Newland House

17.0 Leasehold Consultation

17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council's obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations'). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21 July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen's Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Leasehold Implications

18.1 As a result of applications made under the Right to Buy legislation, there are 17No. leaseholders, as well as council tenants, living in the properties affected by the works described in this report.

- 18.2 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.
- 18.3 In accordance with The Service Charges Regulations 2003, under schedule 3, notice was issued on the 2nd July 2008 and expired on 1st August 2008.
- 18.4 The notice gave a description of the proposed works and provided details for the costs of the works. The statutory consultation period ended on 1st August 2008. The Legal Service is satisfied that leaseholder consultation has been carried out in accordance with the relevant legal requirements.
- 18.5 The total amount estimated to be recovered from the 17No. leaseholders is £180,043.97
- 18.6 The charges to all 17 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works will be included with the annual Certificate of Actual Service Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.
- 18.7 No works will commence on site until completion of the notice period or if there is an outstanding leasehold enquiry as a result of the notice.
- 18.8 There were 4 observations received for this project. The observations requested further information regarding the works and a detailed breakdown of the cost. All observations have received a response.
- 19.0 Sustainability**
- 19.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and consideration given to the useful life of the products.
- 19.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.
- 19.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years for dwellings and five years for the landlord's services.
- 19.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.
- 19.5 The selected kitchen, Premiere, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.
- 19.6 Providing an integrated satellite reception system reduces the quantity of satellite dishes fixed to the property, resultant damage to the building

fabric and gives lower income families access to increased TV viewing choice.

19.7 The contractor is registered and complies with the Considerate Constructors Scheme.

19.8 The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.

20.0 Project Management

20.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk assessment has been carried out and it will be reviewed at the monthly progress meeting.

20.2 The key members of the project team are as follows:

- Pauline Hinds Strategic Client Representative – Homes for Haringey
- Murray Farrant Compliance Team – Ridge & Partners
- Winston Reid Head of Tenancy Management – Homes for Haringey

21.0 Health and Safety Implications

21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.

21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

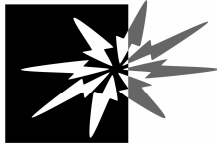
22.0 Conclusion

22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23.0 Use of Appendices/Tables/Photographs

Appendices A Exempt information

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Haringey Council

Agenda item:

(No.)

Procurement Committee

On 2nd September 2008

Report Title: **Hornsey Decent Homes Works: HOPH2**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**

Wards(s) affected: Stroud Green

Report for: **Key Decision**

1. Purpose

1.1 To inform Members that the Decent Homes Programme for Carlton Lodge, Otway Court, Norman Court and Stapleton Hall Road is scheduled to commence on the 13th October 2008.

2. Introduction by Cabinet Member (if necessary)

2.1 In accordance with the commitment for our homes to achieve Decent Homes standards, properties within this phase have been surveyed and, where necessary, works will include:

- Renewal of roof covering
- Renewal of windows
- Concrete repairs and external decorations
- Kitchen, bathroom, heating and wiring renewals

3.0 Recommendations

3.1 That Procurement Committee agree to an award-in-principle of the contract for the above project, as allowed under Contract Standing Order (CSO) 11.01(a), subject to final consideration of any leaseholder observations at the expiry of the second Section 20 Notice period which is scheduled to expire on 29th August 2008.

3.2 That Members agree to delegate power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Pauline Hinds**
Strategic Client Representative
Homes for HarIngey, River Park House (6th Floor)
225 High Road. London N22 4HQ
Tel no: 020 8489 1151, e.mail: pauline.hinds@homesforharingey.org

4.0 Chief Finance Officer Comments

- 4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements with Decent Homes contractors and compliance teams, to cover 4 areas. This report details the specific works needed to the 107 No. properties on the Carlton Lodge, Otway Court, Norman Court and Stapleton Hall Road sites, priced in accordance with the framework agreement.
- 4.2 Members will be aware that DCLG has approved the funding for Decent Homes, totalling £198.5m phased over six years of which £23m has been approved for 2008-09. This scheme is included in the schedule for 2008-09, thus will be funded from this budget.
- 4.3 It should be noted that so far (excluding the reports on this agenda) 20 contracts have been approved by this committee; totalling some £23.8m. With the approval of the 4 contracts on this agenda, this will bring the total commitments to £29.2m. The extra costs above the currently approved budget will be funded from recharges made to leaseholder for works to their properties.

5.0 Head of Legal Services Comments

- 5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 107 properties in the Hornsey area of the borough (*details of which are set out in Paragraph 15.2, below*), to the contractor named in Paragraph 2.1 of Appendix A to this report.
- 5.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.
- 5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the Hornsey area.
- 5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council

have confirmed that, in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.

- 5.6 The value of the proposed contract exceeds £250,000 therefore the award must be agreed by the Procurement Committee, in accordance with CSO 11.3.
- 5.7 The report states that the statutory leaseholder consultation process is currently being undertaken, and the 30-day consultation period is due to expire on 29th August 2008.
- 5.8 A decision-in-principle by Cabinet Procurement Committee to award the contract to which this report relates to the recommended contractor will not invalidate the statutory consultation process, provided that the Council does not execute any agreement or issue any works instructions and works do not commence before the statutory consultation period has expired and proper consideration is given to any further leaseholder observations received before the deadline of 29th August 2008.
- 5.9 The report is further recommending that Members delegate the power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.
- 5.10 The Cabinet Procurement Committee has the power under section 15(7) of the Local Government Act 2000 to delegate its powers to officers.
- 5.11 The Head of Legal Services confirms that, subject to the proviso set out in Paragraph 5.8 (above), there are no legal reasons preventing Members from approving in principle the recommendation as to the award, as set out in paragraph 3 of this report.

6.0 Head of Procurement Comments

- 6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.
- 6.2 The Client needs ensure that a risk register is in place for the works and that it is reviewed on a regular basis
- 6.3 An agreed Maximum price has been agreed by the parties prior to start on site, in accordance with the process allowed under the form of contract.
- 6.4 The Head of Procurement therefore states that the recommendations in this report offer best value for the Council.

7.0 Local Government (Access to Information) Act 1985

- 7.1 The background papers relating to this project are:
- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
 - Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
 - Short List Report dated October 2006
 - Invitation to Tender Document dated October 2006
 - Tender Reports dated February 2007
- These can be obtained from Pauline Hinds – Strategic Client Representative on 020

8489 1151.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

8.1 The works within this phase form part of the overall Decent Homes Programme.

9.0 Financial Implications

9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.

9.2 Provision for this exists within the Decent Homes Budget for 2008/2009.

10. Legal Implications

10.1 See section 5 above.

11. Equalities Implications

11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.

11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.

12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.

13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.

13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.

13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 107 No. properties in the Hornsey area, priced in accordance with the framework agreement.

13.5 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	
107	
Total estimated construction cost (excluding fees)	para 2.1 Appendix A
Anticipated Contract start on site	13 th October 2008
Anticipated Contract completion	6 th March 2009
Contract duration	21 weeks
Contractor	para 2.2 Appendix A

14. Agreed Maximum Price

14.1 The Agreed maximum price is based on the schedule of rates contained within the contractors tender returned 30th November 2006.

14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the 'Egan Report' and was designed to allow the early appointment of constructors and specialists.

14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.

14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

15.0 Proposed Work

15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards: renewal of roof coverings; window replacement, concrete repairs; external decorations; kitchen, bathroom, heating and wiring renewals.

15.2 The properties in this project are located at:

- 1-17 Norman Court, Stapleton Hall Road N6
- 1-54 Carlton Lodge, Lancaster Road N6
- 2, 69 Flat1, 69 Flat 4, 103,141A, 51B, 67B, 67 Ground Floor Flat , 77 Flat 1, 77 Flat 2, 77 Flat 3, 77 Flat 4, 33A, 33B ,33C, 117, 117A; Stapleton Hall Road
- 1-17 Otway Court, Granville Road N8

16.0 Leasehold Information

16.1 There are 32No. leaseholders in this phase of works as follows:

17.0 Leasehold Consultation

17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council's obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations'). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21 July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen's Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Leasehold Implications

18.1 As a result of applications made under the Right to Buy legislation, there are 32No.

leaseholders, as well as council tenants, living in the properties affected by the works described in this report.

18.2 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.

18.3 In accordance with The Service Charges Regulations 2003, under schedule 3, notice was issued on 30th July 2008 to expire on 29th August 2008.

18.4 The notice will give a description of the proposed works and provided details for the costs of the works. The statutory consultation commenced 11th July 2008.

18.5 The total amount estimated to be recovered from the 32No. leaseholders is £485,873.24.

18.6 The charges to all 32 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works will be included with the annual Certificate of Actual Service Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.

18.7 No works will commence on site until completion of the notice period or if there is an outstanding leasehold enquiry as a result of the notice.

18.8 No observations have yet been received for this project.

19.0 Sustainability

19.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and consideration given to the useful life of the products.

- 19.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.
- 19.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years for dwellings and five years for the landlord's services.
- 19.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.
- 19.5 The selected kitchen, Premiere, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.
- 19.6 Providing an integrated satellite reception system reduces the quantity of satellite dishes fixed to the property, resultant damage to the building fabric and gives lower income families access to increased TV viewing choice.
- 19.7 The contractor is registered and complies with the Considerate Constructors Scheme.
- 19.8 The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.

20.0 Project Management

20.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk assessment has been carried out and it will be reviewed at the monthly progress meeting.

20.2 The key members of the project team are as follows:

- Pauline Hinds Strategic Client Representative – Homes for Haringey
- Murray Farrant Compliance Team – Ridge & Partners
- Winston Reid Head of Tenancy Management – Homes for Haringey

21.0 Health and Safety Implications

21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.

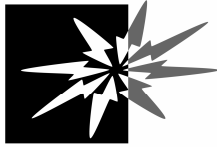
21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

22.0 Conclusion

22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23.0 Use of Appendices/Tables/Photographs

Appendices A Exempt information



Haringey Council

REPORT TEMPLATE

Agenda item:

(No)**Procurement Committee****On 2nd September 2008**Report Title: **North Tottenham Decent Homes Works Phase NT6.**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**Wards(s) affected: **White Hart Lane**Report for: **Key Decision****1. Purpose**

1.1 To inform Members that the Decent Homes Programme for the deferred priority projects in North Tottenham at Gospatrick Road, Gedeney Road, The Roundway (part) and Risley Avenue (part) will commence on 15th September 2008.

2. Introduction by Cabinet Member (if necessary)

2.1 In accordance with our commitment to achieve Decent Homes standards to our homes, properties within this phase have been surveyed and works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, Renewed fascia's, soffit's and rainwater goods, internal rewires, kitchen and bathroom refurbishment, smoke detectors and roof repairs.

3. Recommendations

3.1 That Members agree to an award-in-principle of the contract for the above Project to the contractor named in Appendix A2.1, as allowed under Contract Standing Order (CSO) 11.03.

3.2 That the AMP (Agreed Maximum Price) excluding fees as detailed in Para 2.2 of Appendix A be noted.

3.3 That Members agree to delegate power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Larry Ainsworth**
Strategic Client Representative
Homes for Haringey, River Park House (6th Floor)
225 High Road. London N22 4HQ
Tel no: 020 8489 1134, e.mail: larry.ainsworth@homesforharingey.org

4.0 Chief Finance Officer Comments

- 4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements to Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 73 properties in the NT area, priced in accordance with the framework agreement.
- 4.2 Members will be aware that CLG has approved the funding for Decent Homes, totalling £198.5m phased over six years of which £27m has been approved for 2008-09. This scheme is included in the schedule for 2008-09, thus will be funded from this budget.
- 4.3 It should be noted that so far (excluding the reports on this agenda) 20 contracts have been approved by this committee; totalling some £23.8m. With the approval of the 4 contracts on this agenda, this will bring the total commitments to £29.2m. The extra costs above the currently approved budget will be funded from recharges made to leaseholder for works to their properties.

5 Head of Legal Services Comments

- 5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 73 properties in North Tottenham area of the borough (*details of which are set out in Paragraph 15.2, below*), to the contractor named in Paragraph 2.1 of Appendix A to this report.
- 5.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.
- 5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the North Tottenham area.
- 5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council

have confirmed that, in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.

- 5.6 The value of the proposed contract exceeds £250,000 therefore the award must be agreed by the Procurement Committee, in accordance with CSO 11.3.
- 5.7 The report states that the statutory leaseholder consultation process is currently being undertaken, and the 30-day consultation period is due to expire on 31st August 2008.
- 5.8 A decision-in-principle by Cabinet Procurement Committee to award the contract to which this report relates to the recommended contractor will not invalidate the statutory consultation process, provided that the Council does not execute any agreement or issue any works instructions and works do not commence before the statutory consultation period has expired and proper consideration is given to any further leaseholder observations received before the deadline of 31st August 2008.
- 5.9 The report is further recommending that Members delegate the power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.
- 5.10 The Cabinet Procurement Committee has the power under section 15(7) of the Local Government Act 2000 to delegate its powers to officers.
- 5.11 The Head of Legal Services confirms that, subject to the proviso set out in Paragraph 5.8 (above), there are no legal reasons preventing Members from approving in principle the recommendation as to the award, as set out in paragraph 3 of this report.

6.0 Head of Procurement Comments

- 6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.
- 6.2 The Client needs ensure that a risk register is in place for the works and are monitored on a regular basis
- 6.3 An agreed Maximum price has been agreed by the parties prior to start on site in accordance with the process allowed under the form of contract.
- 6.4 The Head of Procurement therefore state that the recommendations in this report offer best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The background papers relating to this project are:

- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
- Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
- Short List Report dated October 2006
- Invitation to Tender Document dated October 2006
- Tender Reports dated February 2007

- These can be obtained from Larry Ainsworth – Strategic Client Representative on 020 8489 1134.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

8.1 The works within this phase form part of the overall Decent Homes Programme.

This phase is part of our commitment to commence decent homes works in April 2008.

9.0 Financial Implications

9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.

9.2 Provision for this exists within the Decent Homes Budget for 2008/2009.

10. Legal Implications

10.1 See section 5 above

11. Equalities Implications

11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.

11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.

12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.

- 13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.
- 13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.
- 13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 73 properties in the NT area, priced in accordance with the framework agreement.
- 13.4 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	
73	
Total estimated construction cost (excluding fees)	para 2.2, Appendix A
Anticipated Contract start on site	15th September 2008
Anticipated Contract completion	19th December 2008
Contract duration	14 weeks
Contractor	Para 2.21 Appendix A

14. Agreed Maximum Price

- 14.1 The Agreed maximum price is based on the schedule of rates contained within the Contractors tender returned 30th November 2006.
- 14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the 'Egan Report' and was designed to allow the early appointment of constructors and specialists.
- 14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.
- 14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

15.0 Proposed Work

- 15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, Renewed fascia's, soffit's and rainwater goods, internal rewires, kitchen and bathroom refurbishment, smoke detectors and roof repairs.

Roof Works

15.2 All the properties in this phase of works have pitched roofs which require minimal repair only.

Type of Dwellings	No. of Units
2/3 bedroom properties, houses	73

15.2 The properties in this project are located at:

Gospatrick Road, Gedeney Road, The Roundway (part) and Risley Avenue(part).

16.0 Leasehold Information

16.1 There are 3 leaseholders in this phase of works and they are as follows:

Risley Avenue. Nos 21, 23 and 25.

17.0 Leasehold Consultation

17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council’s obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 (‘the Regulations’). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21st of July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen’s Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Leasehold Implications

18.1 As a result of applications made under the Right to Buy legislation, there are 3 leaseholders as well as council tenants, living in the properties affected by the works described in this report.

18.2 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.

18.3 In accordance with The Commonhold and Leasehold Reform Act 2002, under schedule 3, notice was issued on the 1st August 2008 to expire on the 31st August 2008. To date, no observations have been received from leaseholders.

18.4 The notice gave a description of the proposed works and provided details for the costs of the works. The statutory consultation period ends on 31st August 2008. The Legal Service is satisfied that leaseholder consultation

has been carried out to date in accordance with the relevant legal requirements.

18.5 The total amount estimated to be recovered from the 3 leaseholders is £12,566.34.

18.6 The charges to all 3 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works are included with the annual Certificate of Actual Service Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.

19.0 Sustainability

19.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the products.

19.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.

19.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years for dwellings and five years for the landlord's services.

19.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.

19.7 The selected kitchen, Symphony, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.

19.8 The contractor is registered and comply with the Considerate Constructors Scheme.

19.9 The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.

19.10 The increased loft insulation will improve the thermal efficiency of the dwellings.

20.0 Project Management

20.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk

assessment has been carried out and it will be reviewed at the monthly progress meeting.

20.2 The key members of the project team are as follows:

Larry Ainsworth Haringey	Strategic Client Representative – Homes for
David Barrett	Compliance Team – John Rowan and Partners

21.0 Health and Safety Implications

21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.

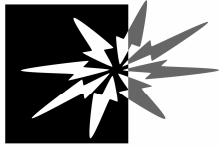
21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

22. Conclusion

22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23. Use of Appendices/Tables/Photographs

Appendix A Exempt information



Haringey Council

REPORT TEMPLATE

Agenda item:

Procurement Committee

On 2nd September 2008

(No)

Report Title: **North Tottenham Decent Homes Works Phase NT7.**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**

Wards(s) affected: **Northumberland Park**

Report for: **Key Decision**

1. Purpose

1.1 To inform Members that the Decent Homes Programme for the deferred priority projects in North Tottenham at Stellar House N17 will commence on the 15th September 2008.

2. Introduction by Cabinet Member (if necessary)

2.1 In accordance with our commitment to achieve Decent Homes standards to our homes, properties within this phase have been surveyed and works will include, where required on an individual basis to achieve Decent Homes Standards, internal rewires, kitchen and bathroom refurbishment, smoke detectors.

3. Recommendations

3.1 That Members agree to award the contract for the above Project to the contractor named in Appendix A2.1, as allowed under Contract Standing Order (CSO) 11.03.

3.2 That the AMP (Agreed Maximum Price) excluding fees as detailed in Para 2.2 of Appendix A be noted.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Larry Ainsworth**
Strategic Client Representative
Homes for Haringey, River Park House (6th Floor)
225 High Road. London N22 4HQ
Tel no: 020 8489 1134, e.mail: larry.ainsworth@homesforharingey.org

4.0 Chief Finance Officer Comments

4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements to Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 102 properties in the NT area, priced in accordance with the framework agreement.

4.2 Members will be aware that CLG has approved the funding for Decent Homes, totalling £198.5m phased over six years of which £27m has been approved for 2008-09. This scheme is included in the schedule for 2008-09, thus will be funded from this budget.

4.3 It should be noted that so far (excluding the reports on this agenda) 20 contracts have been approved by this committee; totalling some £23.8m. With the approval of the 4 contracts on this agenda, this will bring the total commitments to £29.2m. The extra costs above the currently approved budget will be funded from recharges made to leaseholder for works to their properties.

5 Head of Legal Services Comments

5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 102 properties in North Tottenham area of the borough (*details of which are set out in Paragraph 15.2, below*), to the contractor recommended in paragraph 3 of this report.

5.2 Cabinet Procurement committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.

5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.

5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the North Tottenham area of the borough.

5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council have confirmed that in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.

5.6 The report states that the works under the proposed contract will not affect leaseholders, therefore the statutory leaseholder consultation requirements do not apply.

5.7 As the value of the proposed contract exceeds £250,000 the award must be agreed by the Procurement Committee in accordance with CSO 11.3.

5.8 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendation to the award the contract to the contractor named in Paragraph 2.1 of Appendix A to this report.

6.0 Head of Procurement Comments

6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.

6.2 The Client needs ensure that a risk register is in place for the works and are monitored on a regular basis

6.3 An agreed Maximum price has been agreed by the parties prior to start on site in accordance with the process allowed under the form of contract.

6.4 The Head of Procurement therefore state that the recommendations in this report offer best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The background papers relating to this project are:

- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
- Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
- Short List Report dated October 2006
- Invitation to Tender Document dated October 2006
- Tender Reports dated February 2007
-

These can be obtained from Larry Ainsworth – Strategic Client Representative on 020 8489 1134.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

8.1 The works within this phase form part of the overall Decent Homes Programme.

This phase is part of our commitment to commence decent homes works in April 2008.

9.0 Financial Implications

9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.

9.2 Provision for this exists within the Decent Homes Budget for 2008/2009.

10. Legal Implications

10.1 See section 5 above

11. Equalities Implications

11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.

11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.

12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.

13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.

13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.

13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 102 properties in the NT area, priced in accordance with the framework agreement.

13.4 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	
102	
Total estimated construction cost (excluding fees)	para 2.2, Appendix A
Anticipated Contract start on site	15th September 2008
Anticipated Contract completion	19th December 2008
Contract duration	14 weeks
Contractor	Para 2.21 Appendix A

14. Agreed Maximum Price

14.1 The Agreed maximum price is based on the schedule of rates contained within the Contractors tender returned 30th November 2006.

14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the ‘Egan Report’ and was designed to allow the early appointment of constructors and specialists.

14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.

14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for ‘open book’ accountability.

15.0 Proposed Work

15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards, internal rewires, kitchen and bathroom refurbishment, smoke detectors.

Roof Works

15.2 No works are required to the existing flat roof to this block.

Type of Dwellings	No. of Units
High Rise block	102

15.2 The properties in this project are located at:

1 – 102 Stellar House. N17.(excluding 11 leasehold properties)

16.0 Leasehold Information

As there are no communal or external works identified within this phase of works, there are no works that will affect leaseholders and therefore no section 20 notice requirements or costs.

17.0 Leasehold Consultation

- 17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council's obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations'). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21st of July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen's Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Sustainability

- 18.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the products.
- 18.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.
- 18.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years.
- 18.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.
- 18.5 The selected kitchen, Symphony, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.
- 18.6 The contractor is registered and comply with the Considerate Constructors Scheme.

19.0 Project Management

- 19.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk assessment has been carried out and it will be reviewed at the monthly progress meeting.
- 19.2 The key members of the project team are as follows:

Larry Ainsworth
Haringey
David Barrett

Strategic Client Representative – Homes for
Compliance Team – John Rowan and Partners

21.0 Health and Safety Implications

21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.

21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

22. Conclusion

22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23. Use of Appendices/Tables/Photographs

Appendix A Exempt information

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Haringey Council

REPORT TEMPLATE

Agenda item:

(No)**Procurement Committee****On 2nd September 2008**Report Title: **North Tottenham Decent Homes Works Phase NT8.**

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**Wards(s) affected: **Tottenham Hale**Report for: **Key Decision****1. Purpose**

1.1 To inform Members that the Decent Homes Programme for the deferred priority projects in North Tottenham at Reed Road N17 will commence on 15th September 2008.

2. Introduction by Cabinet Member (if necessary)

2.1 In accordance with our commitment to achieve Decent Homes standards to our homes, properties within this phase have been surveyed and works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, internal rewires, kitchen and bathroom refurbishment, smoke detectors and roof renewal to one block.

3. Recommendations

3.1 That Procurement Committee agree to an award-in-principle of the contract for the above project, as allowed under Contract Standing Order (CSO) 11.01(a), subject to final consideration of any leaseholder observations at the expiry of the second Section 20 Notice period which is scheduled to expire on 7th September 2008.

3.2 That Members agree to delegate power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period, to the Director of Urban Environment.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Larry Ainsworth**
Strategic Client Representative
Homes for Haringey, River Park House (6th Floor)
225 High Road. London N22 4HQ
Tel no: 020 8489 1134, e.mail: larry.ainsworth@homesforharingey.org

4.0 Chief Finance Officer Comments

- 4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements to Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 113 properties in the NT area, priced in accordance with the framework agreement.
- 4.2 Members will be aware that CLG has approved the funding for Decent Homes, totalling £198.5m phased over six years of which £27m has been approved for 2008-09. This scheme is included in the schedule for 2008-09, thus will be funded from this budget.
- 4.3 It should be noted that so far (excluding the reports on this agenda) 20 contracts have been approved by this committee; totalling some £23.8m. With the approval of the 4 contracts on this agenda, this will bring the total commitments to £29.2m. The extra costs above the currently approved budget will be funded from recharges made to leaseholder for works to their properties.

5 Head of Legal Services Comments

- 5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 113 properties in North Tottenham area of the borough (*details of which are set out in Paragraph 15.2, below*), to the contractor named in Paragraph 2.1 of Appendix A to this report.
- 5.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.
- 5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the North Tottenham area.
- 5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council have confirmed that, in accordance with CSO 11.04, details of this contract have

been included on the Forward Plan.

- 5.6 The value of the proposed contract exceeds £250,000 therefore the award must be agreed by the Procurement Committee, in accordance with CSO 11.3.
- 5.7 The report states that the statutory leaseholder consultation process is currently being undertaken, and the 30-day consultation period is due to expire on 7th September 2008.
- 5.8 A decision-in-principle by Cabinet Procurement Committee to award the contract to which this report relates to the recommended contractor will not invalidate the statutory consultation process, provided that the Council does not execute any agreement or issue any works instructions and works do not commence before the statutory consultation period has expired and proper consideration is given to any further leaseholder observations received before the deadline of 7th September 2008.
- 5.9 The report is further recommending that Members delegate the power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.
- 5.10 The Cabinet Procurement Committee has the power under section 15(7) of the Local Government Act 2000 to delegate its powers to officers.
- 5.11 The Head of Legal Services confirms that, subject to the proviso set out in Paragraph 5.8 (above), there are no legal reasons preventing Members from approving in principle the recommendation as to the award, as set out in paragraph 3 of this report.

6.0 Head of Procurement Comments

- 6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.
- 6.2 The Client needs ensure that a risk register is in place for the works and are monitored on a regular basis
- 6.3 An agreed Maximum price has been agreed by the parties prior to start on site in accordance with the process allowed under the form of contract.
- 6.4 The Head of Procurement therefore state that the recommendations in this report offer best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The background papers relating to this project are:

- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
- Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
- Short List Report dated October 2006
- Invitation to Tender Document dated October 2006
- Tender Reports dated February 2007
-

These can be obtained from Larry Ainsworth – Strategic Client Representative on 020 8489 1134.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

8.1 The works within this phase form part of the overall Decent Homes Programme.

This phase is part of our commitment to commence decent homes works in April 2008.

9.0 Financial Implications

9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.

9.2 Provision for this exists within the Decent Homes Budget for 2008/2009

10. Legal Implications

10.1 See section 5 above

11. Equalities Implications

11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.

11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.

12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every

tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.

- 13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.
- 13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.
- 13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 73 properties in the NT area, priced in accordance with the framework agreement.
- 13.4 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	
113	
Total estimated construction cost (excluding fees)	para 2.2, Appendix A
Anticipated Contract start on site	15th September 2008
Anticipated Contract completion	3rd April 2009
Contract duration	29 weeks
Contractor	Para 2.21 Appendix A

14. Agreed Maximum Price

- 14.1 The Agreed maximum price is based on the schedule of rates contained within the Contractors tender returned 30th November 2006.
- 14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the 'Egan Report' and was designed to allow the early appointment of constructors and specialists.
- 14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.
- 14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

15.0 Proposed Work

- 15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, Renewed fascia's, soffit's and rainwater goods, internal rewires, kitchen and bathroom refurbishment, smoke detectors and the renewal of one roof.

Roof Works

15.2 The phase consists of four blocks in Reed Road, 1 – 35 (odd), 2 – 36(even), 37 – 111 (odd) and 113 – 189 (odd).

All four blocks have an existing flat roof. Three of the roofs are in very good condition and require no works. Only one of the roofs requires renewal, therefore it was determined that for the continuity of the estate, the one block requiring renewal should receive a replacement flat roof.

Type of Dwellings	No. of Units
Low rise flats	113

15.2 The properties in this project are located at:

Reed Road N17.

16.0 Leasehold Information

16.1 There are 35 leaseholders in this phase of works and they are as follows:

3, 4, 5, 6, 8, 9, 10, 11, 20, 27, 34, 35, 36, 41, 51, 53, 57, 59, 63, 67, 71, 73, 79, 85, 87, 93, 95, 105, 107, 111, 119, 137, 167, 171, 173. Reed Road N17.

17.0 Leasehold Consultation

17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council’s obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 (‘the Regulations’). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21st of July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen’s Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Leasehold Implications

18.1 As a result of applications made under the Right to Buy legislation, there are 35 leaseholders as well as council tenants, living in the properties affected by the works described in this report.

18.2 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.

18.3 In accordance with The Commonhold and Leasehold Reform Act 2002, under

schedule 3, notice was issued on the 8th August 2008 to expire on the 7th September. To date, no observations have been received from leaseholders.

18.4 The notice gave a description of the proposed works and provided details for the costs of the works. The statutory consultation period ends on 7th September 2008. The Legal Service is satisfied that leaseholder consultation has been carried out to date in accordance with the relevant legal requirements.

18.5 The total amount estimated to be recovered from the 35 leaseholders is £300,518.89.

18.6 The charges to all 35 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works are included with the annual Certificate of Actual Service Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.

19.0 Sustainability

19.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the products.

19.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.

19.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years for dwellings and five years for the landlord's services.

19.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.

19.7 The selected kitchen, Symphony, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.

19.8 The contractor is registered and comply with the Considerate Constructors Scheme.

19.9 The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.

19.10 The increased loft insulation will improve the thermal efficiency of the dwellings

20.0 Project Management

20.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk assessment has been carried out and it will be reviewed at the monthly progress meeting.

20.2 The key members of the project team are as follows:

Larry Ainsworth Haringey	Strategic Client Representative – Homes for
David Barrett	Compliance Team – John Rowan and Partners

21.0 Health and Safety Implications

21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.

21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

22. Conclusion

22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23. Use of Appendices/Tables/Photographs

Appendix A Exempt information



Haringey Council

REPORT TEMPLATE

Agenda item:

Procurement Committee

DisplayText

On 2nd September 2008Report Title: **North Tottenham Decent Homes Works Phase NT9.**

Forward Plan reference number (if applicable): v75

Report of: **Niall Bolger, Director of Urban Environment**Wards(s) affected: **Northumberland Park** Report for: **Key Decision****1. Purpose**

- 1.1 To inform Members that the Decent Homes Programme for the deferred priority projects in North Tottenham at Northumberland Park will commence on 5th January 2009.

2. Introduction by Cabinet Member (if necessary)

- 2.1 In accordance with our commitment to achieve Decent Homes standards to our homes, properties within this phase have been surveyed and works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, Renewed fascia's, soffit's and rainwater goods, internal rewires, kitchen and bathroom refurbishment, smoke detectors and roof repairs.

3. Recommendations

- 3.1 That Procurement Committee agree to an award-in-principle of the contract for the above project, as allowed under Contract Standing Order (CSO) 11.03, subject to final consideration of any leaseholder observations at the expiry of the second Section 20 Notice period which is scheduled to expire on 6th September 2008.
- 3.2 That Members agree to delegate power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Larry Ainsworth**
Strategic Client Representative
Homes for Haringey, River Park House (6th Floor)
225 High Road. London N22 4HQ
Tel no: 020 8489 1134, e.mail: larry.ainsworth@homesforharingey.org

4.0 Chief Finance Officer Comments

- 4.1 It should be noted that on 13th Feb 2007, this committee approved framework agreements to Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 104 properties in the NT area, priced in accordance with the framework agreement.
- 4.2 Members will be aware that CLG has approved the funding for Decent Homes, totalling £198.5m phased over six years of which £27m has been approved for 2008-09. This scheme is included in the schedule for 2008-09, thus will be funded from this budget and the 2009/2010 decent homes budget.

5 Head of Legal Services Comments

- 5.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 104 properties in North Tottenham area of the borough (*details of which are set out in Paragraph 15.2, below*), to the contractor named in Paragraph 2.1 of Appendix A to this report.
- 5.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Constructor Partner Framework Agreements in respect of four areas within the Borough (Wood Green, Hornsey, North Tottenham and South Tottenham) to four respective contractors, of which the recommended contractor is one.
- 5.3 The Framework Agreements were tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Contracts Regulations 2006, as confirmed by external legal advisers (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 5.4 The contractor named in Paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the North Tottenham area.
- 5.5 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's Arms Length Management Organisation, Homes for Haringey, who undertook the procurement of the contract on behalf of the Council have confirmed that, in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.
- 5.6 The value of the proposed contract exceeds £250,000 therefore the award must be agreed by the Procurement Committee, in accordance with CSO 11.3.
- 5.7 The report states that the statutory leaseholder consultation process is currently being undertaken, and the 30-day consultation period is due to expire on 6th September 2008.
- 5.8 A decision-in-principle by Cabinet Procurement Committee to award the contract to which this report relates to the recommended contractor will not invalidate the statutory consultation process, provided that the Council does not execute any agreement or issue

any works instructions and works do not commence before the statutory consultation period has expired and proper consideration is given to any further leaseholder observations received before the deadline of 6th September 2008.

5.9 The report is further recommending that Members delegate the power to confirm award of the contract to the recommended contractor upon successful completion of the leaseholder consultation period to the Director of Urban Environment.

5.10 The Cabinet Procurement Committee has the power under section 15(7) of the Local Government Act 2000 to delegate its powers to officers.

5.11 The Head of Legal Services confirms that, subject to the proviso set out in Paragraph 5.8 (above), there are no legal reasons preventing Members from approving in principle the recommendation as to the award, as set out in paragraph 3 of this report.

6.0 Head of Procurement Comments

6.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.

6.2 The Client needs ensure that a risk register is in place for the works and are monitored on a regular basis

6.3 An agreed Maximum price has been agreed by the parties prior to start on site in accordance with the process allowed under the form of contract.

6.4 The Head of Procurement therefore state that the recommendations in this report offer best value for the Council.

7. Local Government (Access to Information) Act 1985

7.1 The background papers relating to this project are:

- 'The Award of Framework Agreements to four Decent Homes Constructors Partners'.
- Pre Qualification Questionnaires (PQQ) Responses from Constructors dated September 2006.
- Short List Report dated October 2006
- Invitation to Tender Document dated October 2006
- Tender Reports dated February 2007
-

These can be obtained from Larry Ainsworth – Strategic Client Representative on 020 8489 1134.

7.2 This report contains exempt and non exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

7.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.0 Strategic Implications

- 8.1 The works within this phase form part of the overall Decent Homes Programme. This phase is part of our commitment to commence decent homes works in April 2008.

9.0 Financial Implications

- 9.1 This scheme is estimated to cost the amount set out in paragraph 2.3 of Appendix A.
- 9.2 Provision for this exists within the Decent Homes Budget for 2008/2009.

10. Legal Implications

- 10.1 See section 5 above

11. Equalities Implications

- 11.1 The works will ensure that all tenants and leaseholders living throughout the borough will reside in a decent home by the end of this programme of work.
- 11.2 This improvement will benefit all occupants of the properties, which include disabled, elderly and people from the minority ethnic communities.

12. Consultation

- 12.1 Homes for Haringey have carried out detailed consultation on this project by a resident meeting and detailed newsletters.
- 12.2 Statutory consultation with leaseholders is dealt with at paragraphs 17/18 below.

13. Background

- 13.1 The requirement for all local authority homes to meet the Decent Homes Standard was set out by The Office of the Deputy Prime Minister (ODPM) now known as Department for Communities and Local Government (DCLG) in February 2003. The objective of the Decent Homes Standard is that every tenanted home should be decent in accordance with the guidelines of the ODPM (now DCLG) by December 2010.
- 13.2 The Decent Homes Programme is a long term programme of major investment to bring all tenanted homes up to a decent standard. Environmental improvements, including sustainability issues, may represent up to 5% of the overall programme.
- 13.3 Managing and delivering the Decent Homes programme to cost, time and to the expectation of the tenants and residents of Haringey is paramount and as such requires the appointment of Constructors with a proven track record of delivering a similar programme for other Local Authorities/ALMOs.
- 13.4 On 13th Feb 2007, this committee approved the framework agreements to four Decent Homes contractors and 4 compliance teams, to cover 4 areas. This report details the specific works needed to the 104 properties in the NT area, priced in accordance with the framework agreement.
- 13.4 The procurement and delivery of the Decent Homes Constructors has been managed by Homes for Haringey under the terms of its management agreement with the Council.

Number of dwellings in project	104
Total estimated construction cost (excluding fees)	para 2.2, Appendix A
Anticipated Contract start on site	5 th January 2009
Anticipated Contract completion	31 st May 2009
Contract duration	19 weeks
Contractor	Para 2.21 Appendix A

14.1 The Agreed maximum price is based on the schedule of rates contained within the Contractors tender returned 30th November 2006.

14.2 The Agreed Maximum Price is the procedure for determining the cost of a project under the PPC2000 (Project Partnering Contract) form of contract. The PPC2000 form of contract was formed from the 'Egan Report' and was designed to allow the early appointment of constructors and specialists.

14.3 It is designed to allow for a multi party approach by the client, constructor, consultants and specialists to provide a consistent approach to working within a partnering ethos.

14.4 PPC2000 provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

15.0 Proposed Work

15.1 The works will include, where required on an individual basis to achieve Decent Homes Standards, replacement Double Glazed windows, Multilock 'Secure by Design' Front entrance doors, , internal rewires, kitchen and bathroom refurbishment, smoke detectors and minor roof repairs.

Roof Works

15.2 There are four individual properties with pitched roofs in good condition. The remainder are flat roofs (No's 160 – 186 and 188 – 214) which require minor repairs only.

Type of Dwellings	No. of Units
Low rise flats	98
3 bedroom houses	4

15.2 The properties in this project are located at:

Northumberland Park NI7.

16.0 Leasehold Information

16.1 There are 21 leaseholders in this phase of works and they are as follows:

49, 49a, 51a, 64u, 2/127, 5/127, 129, 162, 164, 164a, 166b, 172a, 174b, 176b, 180, 182b, 186a, 192b, 194b, 204a, 212a.

17.0 Leasehold Consultation

- 17.1 Homes for Haringey is conducting formal consultation with every leaseholder in the Borough in order to fulfil the Council's obligations under The Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations'). A Notice of Intention to appoint Constructor Partners was sent to leaseholders on the 21st of July 2006. The form and content of the Notice was approved by Mr Jonathan Brock, a leading property law Queen's Counsel, before it was issued. In March last year the LVT awarded the dispensation in respect of the appointment of the Constructor Partners.

18.0 Leasehold Implications

- 18.1 As a result of applications made under the Right to Buy legislation, there are 21 leaseholders as well as council tenants, living in the properties affected by the works described in this report.
- 18.2 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.
- 18.3 In accordance with The Commonhold and Leasehold Reform Act 2002, under schedule 3, notice was issued on the 7th August 2008 to expire on the 6th September. To date, no observations have been received from leaseholders.
- 18.4 The notice gave a description of the proposed works and provided details for the costs of the works. The statutory consultation period ends 6th September 2008. The Legal Service is satisfied that leaseholder consultation has been carried out to date in accordance with the relevant legal requirements.
- 18.5 The total amount estimated to be recovered from the 21 leaseholders is £123,436.91.
- 18.6 The charges to all 21 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works are included with the annual Certificate of Actual Service Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.

19.0 Sustainability

- 19.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the products.
- 19.2 The new wiring contains an element of copper, a material that can be recycled at the end of its useful life.
- 19.3 The new wiring will reduce the need for maintenance as testing of the electrical system will only need to be carried out after ten years for dwellings and five years for the landlord's services.

- 19.4 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings.
- 19.7 The selected kitchen, Symphony, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.
- 19.8 The contractor is registered and comply with the Considerate Constructors Scheme.
- 19.9 The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.
- 19.10 The increased loft insulation will improve the thermal efficiency of the dwellings

20.0 Project Management

- 20.1 Homes for Haringey, managing this contract on behalf of the Council have appointed a project manager to manage the project team. A risk assessment has been carried out and it will be reviewed at the monthly progress meeting.
- 20.2 The key members of the project team are as follows:

Larry Ainsworth
David Barrett

Strategic Client Representative – Homes for Haringey
Compliance Team – John Rowan and Partners

21.0 Health and Safety Implications

- 21.1 All contractors invited to tender have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.
- 21.2 The Construction (Design and Management) Regulations 2007 apply to this project and the contractor's Construction Phase Health and Safety Plan will be checked and approved by the CDM Co-ordinator before works start on site.

22. Conclusion

- 22.1 That the procurement committee accept the recommendations outlined in section 3 above.

23. Use of Appendices/Tables/Photographs

Appendix A Exempt information

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