



Agenda item

Procurement Committee Meeting On 2 October 2009

Report Title. South Tottenham Decent Homes Programme 2009/10. Phase ST13 (accelerated funding).

Report authorised by: **Niall Bolger, Director of Urban Environment**
P. Bolger
for Director 11/9/09

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Wards(s) affected:

St Anns Ward

Report for: **Key Decision**

1. Purpose of the report.
1.1 This report sets out a detailed programme of works as it relates to various properties known as ST13 within the delivery of the Decent Homes Programme. The works outlined in this report is scheduled to commence on the 5th October 2009. As such, this report is seeking Procurement Committee approval to award the contract and proceed with the works in this phase.

2. Introduction by Cabinet Member
2.1 In accordance with our stated commitment to improve the quality of homes for our tenants and to meet housing need, this report informs Members of the Procurement Committee of the current packages of work to commence under the Decent Homes programmes as delivered by Homes for Haringey. It shows the improvements and benefits that we are providing to an increasing number of our tenants and leaseholders. The many lessons learned from the first year of the programme are also being incorporated into this phase.
2.2 We are now using Life Cycle Cost Analysis to assess the roof works required and this will ensure that the best long term value is achieved for all our stakeholders in line with the Councils sustainable procurement policy.
2.3 Officers have now put in place arrangements to ensure adequate time for the Cabinet Member to visit and comment on programmes of work, before reports are submitted to Procurement Committee.

3 State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.2 Homes for Haringey supports the Council's Housing Strategy and is committed to providing an excellent housing service while effectively delivering the Decent Homes programme for the residents of Haringey. As its strategic delivery partner, Homes for Haringey is committed to ensuring that the Decent Homes programme meets the aspirations of residents and Members.

3.3 Homes for Haringey have in place an Asset Management Strategy and Environmental Sustainability Strategy which provide a strategic framework for delivery of the Decent Homes and associated Environmental Improvements programme. The objectives of these strategies are closely linked to the Council's Greenest Borough Strategy, the Sustainable Procurement Strategy, Regeneration Strategy and Asset Management Plan.

3.4 The Decent Homes and Environmental programmes will contribute to the achievement of Council Priorities 1,2,3, and 5 by:

- Improving the environmental performance of Council Housing stock
- Providing a cleaner and greener environment for residents
- Providing decent homes and improving well-being
- Delivering cost effective services through partnering

4 Recommendations

4.2 To facilitate the delivery of the decent homes works, Members of the Procurement Committee are requested to agree:

4.3 To award the contract for the above Project to the contractor named in Appendix A as allowed under Contract Standing Order (CSO) 11.03 and that the AMP (Agreed Maximum Price) excluding fees as detailed in Para 2.2 of Appendix A be noted.

4.4 The scheme is to be partially funded from the 2009/10, (as indicated in Appendix A) with the balance funding coming from the 2010/11 Decent Homes allocation.

5 Reason for recommendation(s)

5.1 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.

5.2 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.

5.3 In February 2007, following a robust and extensive partner selection process, administered by Homes for Haringey, four constructor partners were appointed in accordance with the Council's procurement procedures.

- 5.4 In January 2008, the Department of Communities and Local Government (DCLG) confirmed the Council's overall indicative decent homes funding allocation in the sum of £198.58m. This includes £11.4m earmarked for environmental projects.
- 5.5 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/ ALMO's.

6 Other options considered

- 6.1 None applicable. The existing roofs are pitched and will be replaced with a new pitched roof covering.

7. Summary

7.1 Agreed Maximum Price of this works package.

- 7.1.1 The Agreed Maximum Price is based on the schedule of rates contained within the contractors tender returned 30th November 2006.
- 7.1.2 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.

7.2 Background

- 7.2.1 The Project Partnering Contract (PPC2000) is designed to allow for a multi party approach by the client, constructor, consultants and specialists in order to provide a consistent approach to working within a partnering ethos. The Project Partnering Contract (PPC2000) also provides the opportunity to progress joint selection of supply chains and supply chain partnering to encompass value engineering and allows for 'open book' accountability.

7.3 Detailed below is a summary of contractor details:

Total estimated construction cost (excluding fees)	para 2.2 Appendix A
Anticipated Contract start on site	5 th October 2009
Anticipated Contract completion	20 th August 2010
Contract duration	48 weeks
Contractor	para 2.1 Appendix A

7.4 Property address location

- 7.4.1 This report details the specific works required to the 165 properties in the South Tottenham area and are priced in accordance with the framework agreement. Listed below are the property addresses that will benefit from the raft of decent homes work under this particular phase of the

programme:

Albany Close. 1 – 91 incl.

Culross Close. 1 – 71 incl.

Hallam Road. 5, 7, 17.

7.4.2 Property Address details

Property Address	No of units	Property Type	Floor level	No of L/holders	Type of existing roof	Conservation Area
Albany Close	91	Low rise	2/4	32	Pitch	No
Culross Close	71	Low rise	2/4	23	Pitch	No
Hallam Road	3	Houses	3	0	Pitch	No

7.5 Schedule of works

7.5.1 The scope of improvements works included under this phase of the programme will include internal rewires, window and front door renewal, roof renewal, kitchen and bathroom refurbishment, digital aerial installation (IRS), asbestos removal, smoke detectors and insulation.

7.5.2.1 Proposed Roof works

7.5.2.2 All of the properties within this phase have an existing concrete tile pitched roof. Due to the porous condition of the roof covering, the roof tiles and associated felting will be replaced to provide a 20 year warranty.

7.5.3 Life Cycle Costing Analysis

7.5.3.1 As the roof works programmed within this phase are a direct replacement of the existing, there is no comparable life cycle cost analysis.

7.5.3.2 However, Life Cycle Costings are being undertaken for key components as required by the Construction Procurement Group.

7.5.4 Whole Life Costings

7.5.4.1 As stated above, the roof works programmed within this phase are such that whole life costings are not relevant.

7.6 Digital Satellite Provision

7.6.1 The provision of an integrated satellite reception system will remove the need for satellite dishes and reduce damage to the building fabric. It is proposed to install IRS (integrated reception system) Sky, Hotbird, Turksat DAB (digital audio broadcasting) radio community channels for

residents.

7.6.2 Satellite dishes will be removed as part of the programme to install the IRS system. The relevant tenancy officer will be provided with the details in order to pursue enforcement action should the dishes be erected after completion of the works.

7.7 Planning Approval

7.7.1 The Planning department will be consulted under the standard application methods on the above and will advise us on their concurrence with our proposals prior to Procurement Committee.

7.8 Environmental Improvements

7.8.1 There are no proposed environmental works during this phase of decent homes works.

7.9 Sustainability

7.9.1 The procurement of materials and components to be used during the decent homes programme will involve the selection of products that have a positive impact on the environment. The new windows will improve the thermal efficiency of the properties as well as reduce future maintenance costs.

7.9.2 The new wiring contains an element of copper; a material that can be recycled at the end of its useful life and will reduce the need for maintenance as testing of the electrical system is carried out after ten years for dwellings and five years for the landlord's services.

7.9.3 The dwellings that benefit from new kitchen and bathroom replacement will be fitted with two low energy light fittings. The selected kitchen, Premier, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of thirty years.

7.9.4 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.

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

7.9.6 All new windows will be double glazed and adhere to Part 'L' of the Building regulations.

7.10 Conservation Areas

7.10.1 In administering the decent homes programmes due regard will be shown for areas that are subject to specific consents relating to conservation.

7.10.2 For the purposes of this programme, the Planning department has confirmed that there are no conservation consents required in this phase.

8. Chief Financial Officer Comments

- 8.1 On 13th Feb 2007 the Procurement Committee approved framework agreements with Decent Homes contractors and compliance teams, to cover 4 areas. This report details the specific works needed to properties in South Tottenham (ST13), priced in accordance with the framework agreement.
- 8.2 Members will be aware that the Department for Communities and Local Government has approved the funding for Decent Homes, totalling £198.5m phased over six years, of which £31.5m has been approved for 2009/10. In addition, there is an acceleration of allocation from 2010/11 to 2009/10 of £6.5m. This scheme is included in the funding schedule for 2009/10 as indicated in Appendix B. Any expenditure in respect of leaseholder properties will be funded from leaseholder charges for major works.
- 8.3 The costs of the digital satellite reception system are not eligible to be funded from the Decent Homes allocation, but will be funded from other capital resources of the HRA, namely from the Supported Capital Expenditure allocation (as indicated in the attached Appendix B). However, it is more cost effective to undertake satellite reception works as part of the overall decent homes works than to have them done separately.

9. Head of Legal Services Comments

- 9.1 This report is seeking Procurement Committee approval to award a call-off contract for Decent Homes works at 165 properties in the South Tottenham area of the borough (details of which are set out in paragraphs 7.4 and 7.5 of the report) to the contractor named in paragraph 2.1 of Appendix A to this report.
- 9.2 Cabinet Procurement Committee had on 13th February 2007 granted approval to the award of four Decent Homes Construction 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.
- 9.3 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 advisors (Trowers and Hamlin) who provided legal advice on the procurement of the Framework Agreements.
- 9.4 The Contractor named in paragraph 2.1 of Appendix A to this report was awarded the Framework Agreement in respect of the South Tottenham area.
- 9.5 The value of the proposed contract exceeds £250,000 therefore the award requires the approval of the Procurement Committee in accordance with CSO 11.03.
- 9.6 The Head of Legal Services is satisfied that statutory leaseholder consultation has been carried out in accordance with the requirements of the Service Charge (Consultation Requirements) England Regulations 2003 (See paragraph 12.8 of the report).
- 9.7 The contract is also a key decision and, as such, needs to be included in the Council's Forward Plan (in accordance with CSO 11.04). Urban Environment Directorate has confirmed that this has

taken place.

- 9.8 The Head of Legal Services confirms that provided the Council has considered any comments from leaseholders made between the date of provision of these comments (12 August 2009) and the expiry date of the statutory leaseholder consultation period, and providing there are no issues arising from the Planning Department, there are no legal reasons preventing Members from approving the recommendations in this report.

10.0 Head of Procurement Comments

- 10.1 The selection of the contractor for these works has been undertaken from the Decent Homes contractor framework.
- 10.2 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.
- 10.3 Life cycle costing will need to be completed for the project as a whole.
- 10.4 The Head of Procurement therefore states that the recommendations in this report offer best value for the Council.

11. Equalities and Community Cohesion Comments

- 11.1 Homes for Haringey's Asset Management Strategy, 2007/2017, covers all investment in the Councils housing stock, including decent homes. In drawing up the Strategy, an Equalities Impact Assessment was undertaken. The findings have been incorporated into Homes for Haringey's planning processes for delivering decent homes. This includes ensuring that all residents receive the same standard of work, and consideration of specific language and other needs are identified and addressed when drawing up programmes of work.

12. Consultation

Internal

- 12.1 Homes for Haringey have consulted council officers in the preparation of the proposed year 2-5 programme, which was approved by the Board in July 2008. The Leader of the Council and the Cabinet Member for Housing have been consulted in the formulation of the proposed programme. Ward member comments have also been considered. Residents have been consulted through the Homes for Haringey Asset Management Panel and Leasehold Panel. Leasehold consultation forms part of the overall consultation process and is a statutory requirement. Homes for Haringey have a dedicated team in place to manage resident consultation and involvement throughout programme delivery. They work closely with the constructor partners' Resident Liaison Officers.

External

- 12.2 Homes for Haringey has carried out detailed consultation with the residents that will be effected by the works set out in this report. A resident's meeting was held on the 22nd July 2009 and 32 residents attended in total. The Ward Members were invited to attend. This was followed by a newsletter to residents within 10 days of the meetings.
- 12.3 Leasehold consultation forms part of the overall consultation process and is a statutory requirement. Details of this are set out below.
- 12.4 The Service Charges (Consultation Requirements) (England) Regulations 2003 ('the Regulations') require Homes for Haringey to conduct formal consultation with every leaseholder in the Borough. 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.
- 12.5 Leasehold Implications
- 12.6 As a result of applications made under the Right to Buy legislation, there are 55 leaseholders living in the properties affected by the works described in this report. The number of leaseholder dwellings where the Section 125 Notice is within the 5 year period is 3 while the number outside the period is 52. This report provides a breakdown of the costs for each group in paragraph 12.10
- 12.7 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.
- 12.8 In accordance with The Service Charges Regulations 2003, under schedule 3, notice was issued on 28th July 2009 to expire on 25th August 2009.
- 12.9 The notice gave a description of the proposed works and provided details for the costs of the works. The 30 day statutory consultation commenced 28th July 2009.
- 12.10 The total amount estimated to be recovered from the 55 leaseholders is £739,061.02 This is broken down as follows:
1. Leaseholders within the 5 year Section 125 period total estimated recoverable charges £41,989.79.
 2. Leaseholders outside of the 5 year Section 125 period total estimated recoverable charges £697,071.23.
- 12.11 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.
- 12.12 Observations to be included on expiry of the Section 20 notice period.

13. Service Financial Comments

13.1 The scheme will be funded from the Decent Homes Programme. There is sufficient funding to meet the cost of the project from the decent homes Programme in 2009/10 and 2010/11, apart from the elements relating to digital satellite provision. The costs relating to digital satellite provision will be funded from other capital resources of the HRA, namely from the Supported Capital Expenditure allocation (as indicated in the attachment appendix B)

Value for money has been achieved in the project through approved framework agreements as set out in paragraph 8.1.

14. Use of appendices /Tables and photographs

14.1 Appendix A AMP cost and breakdown

14.2 Appendix B, Expenditure to date (attached)

14.3 Appendix C, Life cycle cost details. Not applicable on this phase.

15. Local Government (Access to Information) Act 1985

15.1 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.

15.2 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):

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