

Report for: Cabinet Member Signing

Title: Award of Contract for Broadwater Farm Estate - Fire Safety Works and Communal Decorations.

Report authorised by: David Joyce – Director of Placemaking & Housing.

Lead Officer: Scott Kay – Head of Residential Building Safety

Ward(s) affected: West Green

**Report for Key/
Non-Key Decision:** Key Decision

1. Describe the issue under consideration.

- 1.1. In line with Contract Standing Order (CSO) 16.02, this report seeks approval from the Cabinet Member for Housing Services, Private Renters, and Planning to award a contract for the programme of Fire Safety Works and Communal Decorations to eight blocks on the Broadwater Farm Estate. These works are essential to ensure our residential buildings adequately provide a suitable means of escape in the event of fire and separation between the dwellings and the communal areas.
- 1.2. These works include replacement of flat entrance doors, cross corridor and stairwell doors and riser cupboard doors. Works will also include communal decorations and replacement of emergency lighting as and where required. The cross-corridor doors also include for hold-open devices linked to individual detectors.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

That the Cabinet Member for Housing Services, Private Renters, and Planning:

- 3.1. In line with Contract Standing Order (CSO) 16.02, approve the award of contract to Tenderer A (as set out in Appendix A), from 23 October 2023 up to the end of December 2025, to a total value of £3.5m. This includes the end of the defects period of 12 months following practical completion of the works.
- 3.2. Delegate authority to the Operational Director of Housing and Building Safety, and the Project Director for Broadwater Farm Estate, in consultation with the Head of Finance, to authorise and expend sums as set out within the exempt part of this report.
- 3.3. Delegate authority to the Operational Director of Housing and Building Safety in consultation with the Head of Finance, to extend the contract period from 1 January up to the end of April 2026 if required.

- 3.4. The Cabinet Member for Housing Services, Private Renters, and Planning permits the contractor to commence the works prior to issuing a formal contract. It is proposed that a Letter of Intent be issued to the contractor for a value of no more than £100k. The Letter of Intent will enable the contractor to place an order with their supply chain to enable the programme to be met.

4. Reasons for decision

- 4.1. Haringey Council needs to ensure that our residential buildings adequately resist the spread of fire throughout their communal areas. This will provide a protected means of escape in the event of a fire and will allow the safe evacuation of residents and safe access by the fire brigade.
- 4.2. These works have been identified through Fire Risk Assessments. The completion of these works will reduce the number of overdue actions and will improve fire compartmentalisation to the blocks on the Broadwater Farm Estate. The works will also ensure the blocks are compliant with the Fire Safety and Building Safety Regulations.

5. Alternative options considered.

- 5.1. Do nothing is not an option as we need to comply with current fire safety regulations to ensure the safety of our residents and visitors to the blocks on the Broadwater Farm Estate.
- 5.2. The option to include the fire safety works in the wider refurbishment programme was considered; however, it was felt that the works are urgent and essential, therefore delaying the recommendations of the fire risk assessments was not deemed a suitable viable option.
- 5.3. Consideration was also given to undertaking the fire safety works and defer the communal redecorations until the wider refurbishment works take place. It was felt that this approach would adversely impact upon the environment in which our residents live, as the communal areas would look and remain in a state of partial completion.

6. Background information

- 6.1. Fire Risk Assessments identified the need for new fire doors to be installed to the flats and in communal corridors and stairwells to comply with current fire safety legislation and standards. Due to the timing of the wider refurbishment programme over a 5-year period starting in 2024, it would not be acceptable to leave these life-safety critical works for that period.
- 6.2. Key fire safety works to install new communal doors and flat entrance doors will ensure the communal areas which form potential escape routes in the event of fire are protected and comply with current fire safety regulations.
- 6.3. In addition to the communal doors and flat entrance doors across the estate, the spandrel panels at Kenley will be replaced in this programme. Kenley is a high-rise block with a single staircase. In the event of a fire, the fire brigade may need to

enter and/or evacuate persons from the building via this route. Therefore, the single staircase needs to provide a suitably protected means of escape. Other buildings across the estate are lower in height and have an alternative stairwell and means of escape. These buildings present a lower risk and will therefore have their spandrel panels replaced as part of the wider refurbishment programme starting with the pilot blocks – Rochford and Martlesham in 2024.

- 6.4. The installation of the communal fire doors and electrical works to install the hold-open devices, emergency lighting and other works to the 8 blocks on the estate, will result in significant damage to the existing painted surfaces. Bearing in mind the communal areas have not been redecorated for almost 20 years and have suffered water damage to the walls and ceilings due to ongoing leaks, it is not thought reasonable to further damage these areas and leave undecorated until the main refurbishment programme starts in 2024.
- 6.5. Although the refurbishment programme will start in 2024, the works will be phased and delivered over a 5–7-year period. This means that some blocks will not receive communal decorations until much later in the programme – that is until 2028-2030 or later. Failure to incorporate the communal decorations as part of the current FRA programme will result in further deterioration to the communal parts and the risk of these areas falling into disrepair. Therefore, it is advisable to allow for decorations and fabric repairs to all previously painted surfaces. This will ensure that the communal parts to the 8 blocks on the estate are kept in a good state of repair, and residents have a pleasant environment in which to live.
- 6.6. Prior to commencing the main refurbishment programme, and specifically works to the 8 blocks forming part of this current programme, an assessment will be made of the communal decorations to determine whether further works are required. Subject to the condition of the communal parts, it is possible that works to these areas will be omitted from the programme.
- 6.7. Having considered the alternative options set out in section 5 above, we will progress these works to implement the fire safety recommendations as soon as possible without impacting the wider Broadwater Farm Estate improvement programme.
- 6.8. This programme for fire safety and communal re-decorations consists of eight of the eleven occupied blocks on the Broadwater Farm Estate. The twelfth block, Tangmere, is currently being demolished. Of the other three blocks, Northolt is in the process of being decanted for demolition, whilst Rochford and Martlesham are due to commence works as the pilot blocks for the wider refurbishment programme. The fire safety and re-decoration works to Rochford and Martlesham is due to commence in the first quarter of 2024.
- 6.9. The council's standard right to buy lease provides for a proportionate part of the costs of these repairs and redecorations to the Estate and Buildings of which the flats form part to be recharged to leaseholders. There are 91 flats occupied by leaseholders affected by these works.
- 6.10. Leasehold consultation was undertaken and concluded in line with the requirements of Section 20 of the Landlord and Tenants Act 1985. An initial Notice

of Intent was issued on 06 September 2022 to the leasehold flats affected, and no observations or nominations were received.

- 6.11. Notice of estimates was issued on 20th June 2023 to the leasehold flats affected.
- 6.12. The Council received 3 observations from leaseholders. All observations have been responded to. The observations and Council officer responses are summarised in Appendix B.
- 6.13. The total amount rechargeable to leaseholders is estimated at £514,307.92, with an average leaseholder charge of £5,651.73.
- 6.14. Faithorn Farrell Timms (FFT) are commissioned by Haringey Council to act as Contract Administrators and Designers for the Fire Safety and Communal Decorations Works on the Broadwater Farm Estate. Following completion of the design process, a specification of works and tender documents were written. Open tenders were invited by Haringey Council from contractors using the Dynamic Purchasing System (DPS) on 23 January 2023.
- 6.15. Completion of the specification and drafting of the contract documents was carried out with support from our Strategic Procurement partners - who also managed the tender process.
- 6.16. Tenders were issued based on 60% quality and 40% cost. The quality assessment included an assessment of technical ability, experience of similar projects, adherence to building and fire safety requirements and the golden thread and social value.
- 6.17. Tenders were received from 10 bidders on 10 March 2023. FFT began analysis of the bids on 13 March 2023 and completed on 20 June 2023. This resulted in a detailed tender analysis and report (appended to the Exempt Report), detailing the bids received and the analysis and rankings that resulted from them. Clarifications were issued during the tender period, and these covered matters such as formalising priced items, the use and equalisation of provisional sums, and the removal of any qualifications.
- 6.18. On completion of the tender report, the bids were subsequently evaluated by The Head of Residential Building Safety, The Interim Building Safety Manager, and the Senior Project Manager for the Broadwater Farm Estate.
- 6.19. Following final clarifications and the review of the quality and priced elements, the table below sets out the final rankings for the 10 bids received.

Tenderer	Cost (%)	Quality (%)	Total Score
A	39.73%	46.22%	85.95%
B	36.77%	46.25%	83.02%
C	38.98%	43.98%	82.96%
D	40.00%	41.50%	81.50%
E	34.60%	46.00%	80.60%
F	38.50%	40.55%	79.05%
G	39.33%	39.29%	78.92%
H	37.34%	38.59%	75.93%

I	30.87%	43.58%	74.45%
J	33.13%	39.15%	72.28%

6.20. It is therefore recommended that Tenderer A is awarded the contract to carry out the fire safety works and communal re-decorations at the Broadwater Farm Estate.

6.21. The projected spend profile is shown in the following table. The project will be funded from the Broadwater Farm Capital Works Programme. Funding will accommodate all works executed on the project from 23/24 to 25/26 as shown in the table below.

Description	Year 1 (23/24) £'000	Year 2 (24/25) £'000	Year 3 (25/26) £'000
BWF Fire Safety and Communal Decorations	£200	£3150	£150

7. Contribution to strategic outcomes

7.1. This project will help to theme 5 of the Corporate Delivery Plan, A borough where everyone has a safe, sustainable, stable and affordable home.

8. Statutory Officer Comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

8.1. Finance

8.1.2 This report seeks approval to award a contract for fire safety works and communal redecoration works valued at £3.5m.

This sum will be funded from BWF refurbishment budget and MTFs for the years 2023/24- 2025/26.

This budget is currently forecast to underspend in 2023/24 and there is provision for these works in subsequent years.

Phasing of estimated expenditure is set out below:

Financial Year	Fire safety and communal redecoration works
2023/24	£0.20m
2024/25	£3.15m
2025/26	£0.15m
Totals	£3.50m

These works will affect leasehold properties and leaseholders' contribution to the costs of these works is estimated to be circa £0.51m.

8.2. Procurement

- 8.2.1 Strategic Procurement (SP) note that this report relates to the approval to award a contract for the programme of Fire Safety Works and Communal Decorations to eight blocks on the Broadwater Farm Estate.
- 8.2.2 A competitive tender process was undertaken in line with Contract Standing Order (CSO) 9.04.01(b)
- 8.2.3 SP support the recommendation to approve the award in accordance with CSO16.02. in section 3 above

8.3. Legal Head of Legal & Governance

- 8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.
- 8.3.2 The terms of the Council's standard right to buy lease permits recovery of a proportion of the cost of these works from leaseholders, subject to compliance with the consultation requirements set out in the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003 ("the statutory provisions").
- 8.3.3 The statutory provisions set out a two-stage process for consultation with leaseholders, the first setting out the proposed works and inviting comments thereon and nomination of a contractor from whom to seek an estimate, and the second, after obtaining estimates, setting out estimates and inviting comments; in each case the leaseholder is to be given a minimum of 30 days to respond. The Council must have regard to any comments made, and obtain an estimate from a nominated contractor if one (or more) is nominated.
- 8.3.4 Where the Council decides to award the contract to a contractor who did not submit the lowest estimate, it must within 21 days of entering into the contract serve a further notice on leaseholders stating its reasons for awarding the contract, and summarising any observations received at the second stage of consultation and its response to them.
- 8.3.5 Details of the Council's compliance with those provisions are set out in the body of this report under "Leasehold Implications". Legal Services have considered the form of the notices served and confirm that they comply with the statutory provisions.
- 8.3.6 The works are below the threshold where the tendering requirements set out in the Public Contracts Regulations 2015 apply. The procurement is therefore governed by Contract Standing Orders.
- 8.3.7 Provision for the use of a DPS is set out in CSO 9.04 (Dynamic Purchasing Systems).
- 8.3.8 The award of this contract will be a Key Decision and therefore the Council must comply with its governance arrangements in respect of Key Decisions including publication in the Forward Plan.

8.3.9 As the value of this contract is over £500,000, approval would normally fall to Cabinet. However, in-between meetings of the Cabinet, the Leader has power to take any such decision or to allocate to the Cabinet Member with the relevant portfolio (CSO 16.02).

8.3.10 The Cabinet Member also has power to approve the issue of a letter of intent of up to £100,000.

8.3.11 The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Housing Services, Private Renters, and Planning from approving the recommendations in this report.

8.4. Equality

8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.4.3 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.4.4 The decision is regarding award of a contract for the programme of Fire Safety Works and Communal Decorations to eight blocks on the Broadwater Farm Estate. These works are essential to ensure our residential buildings adequately provide a suitable means of escape in the event of fire and separation between the dwellings and the communal areas.

8.4.5 Data held by the council suggests that women, young people, disabled people and BAME people and naturally low-income people are over-represented among those living in council housing. These improvement works should there for be expected to have a positive impact on those that share the protected characteristics.

8.4.6 As an organisation carrying out a public function on behalf of a public body, the contractor will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract

management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

9. Use of Appendices

9.1. Exempt Report – **Appendix A**

9.2. Leasehold Observations – **Exempt Appendix B**

10. Local Government (Access to Information) Act 1985

10.1. Exempt information will include commercially sensitive information for the successful bidder.