



Haringey Council *

Agenda item

[No.]

Procurement Committee Meeting

On 16th February 2009

Report Title. South Tottenham, Broadwater Farm Fire Prevention works (Internal).

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

N Bolger 4th February 2010.

Contact Officer : Larry Ainsworth, Strategic Client Representative
Tel: 020 8489 1134
e.mail: larry.ainsworth@homesforharingey.org

Wards(s) affected: West Green

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 on the Broadwater Farm Estate. The works outlined in this report is scheduled to commence on the 1st March 2010. 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 This report covers a range of Fire protection and prevention works to Council Properties as a consequence of recent Fire Risk Assessments carried out by HfH in compliance with the Regulatory Reform (Fire Safety) Order 2005.
- 2.2 These mandatory works will go a long way towards preventing any occurrence of recent tragic events in some neighbouring London Boroughs and assuring Haringey Residents that their safety and well being remains a high priority with their Council.

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

3.1 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.

3.2 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.

3.3 As the term contractor for South Tottenham for the decent homes works, they will carry out the Fire Prevention works within this scheme.

4. Recommendations

To facilitate the delivery of the Fire Prevention works, for which Cabinet have currently approved £500,000.00, members of the Procurement Committee are requested to agree:

4.1 That recommendation be made to Cabinet for a further £1,242,296 to be allocated from HRA balances to the Capital budget for Fire and Safety.

4.2 That subsequent to this allocation by Cabinet an award of the contract for the above Project to the contractor named in Appendix A as allowed under Contract Standing Order (CSO) 11.03 be made and that the AMP (Agreed Maximum Price) for this award, excluding fees as detailed in Para 2.2 of Appendix A be noted.

5 Reason for recommendation(s)

5.1 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.

5.2 Following a fire at Camberwell, Homes for Haringey has identified that the properties contained within this report require works to comply with the standards to alleviate the consequences should a fire occur. The works identified have been the result of a Fire Risk Assessment and have been approved by Building Control.

5.3 The works planned will ensure that all residents will benefit from the improved fire protection.

6 Other options considered

6.1 To carry out minimal replacement of missing fire doors only and to ensure that residents allow access through the escape hatches.

7. Summary

7.10 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. Subsequently, improved revised schedule of rates have been agreed with the constructor partners arising from Value Engineering, agreement of which will be signed off in late February.

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.

7.1.3 The agreed maximum price (see appendix a) includes for all works to all the properties contained within this report, including for the internal works to leasehold dwellings and therefore represents a worse case scenario.

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	1 st March 2010
Anticipated Contract completion	20 th August 2010
Contract duration	24 weeks
Contractor	para 2.1 Appendix A

7.4 Property address location

7.4.1 This report details the specific works required to the 424 properties, including leasehold dwellings, in Broadwater Farm affected by the requirement to carry out these works and are priced in accordance with the framework agreement. Listed below are the property addresses that will benefit from the Fire protection works in this particular phase of the programme:

Croydon. 1-7, 24-30, 31-37, 54-60, 61-67, 68-74.

Debden. 13-20, 37-44, 57-64, 81-88, 89-104.

Hawkinge. 13-26, 39-54, 55-70.

Hornchurch. 1-8, 25-32, 33-40, 57-64, 65-80.

Lympne. 1-8, 25-32, 33-40, 57-64, 65-80.

Manston. 1-16, 21-36, 41-56.

Martlesham. 13-20, 33-40, 53-60, 73-80, 81-96.

Rochford. 25-40, 49-64, 65-80.

Stapleford. 1-8, 13-20, 37-44, 49-56, 73-88.

7.4.2 Property Address details

Property Address	No of units requiring works	Property Type	Floor level	No of L/holders	Type of existing roof	Conservation Area
Croydon	42	Med rise		7	n/a	No
Debden	48	Med rise		8	n/a	No
Hawkinge	46	Med rise		5	n/a	No
Hornchurch	48	Med rise		8	n/a	No
Lympne	48	Med rise		8	n/a	No
Manston	48	Med rise		8	n/a	No
Martlesham	48	Med rise		13	n/a	No
Rochford	48	Med rise		13	n/a	No
Stapleford	48	Med rise		11	n/a	No

7.5 **Schedule of works**

7.5.1 The scope of the Fire protection works included under this phase of the programme are, renewal of the kitchen and livingroom doors, renewal of the under stairs and bedroom doors and frames, double boarding and sealing of the under stairs cupboard doors, smoke alarms in all rooms except bathroom and w.c, heat detectors to the kitchen, permanent fixing and sealing of the existing escape hatch doors and sealing of all service duct openings. (Please refer to separate attachment providing more detail).

7.5.4 Whole Life Costings.

7.5.4.1 Whole life costings are not relevant to the works contained within this scheme.

7.6 **Digital Satellite Provision**

7.6.1 Not applicable.

7.7 **Planning Approval**

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

7.7.2 In addition, and as stated previously, the scope of works has been agreed with Building Control.

7.8 Environmental Improvements

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

7.9 Sustainability

7.9.4 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.

7.10 Conservation Areas

7.10.1 In administering these fire protection works due regard will be shown for areas that are subject to specific consents relating to conservation.

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

8. Chief Financial Officer Comments

8.1 The total cost of Fire Protection works is now estimated at £1,742,296.22, an improvement from the original estimate of £2m that was included within the HRA Medium Term Financial Strategy. £500,000 has already been allocated from HRA balances and is included with the projected balances figure of more than £7m at the end of the financial year. Thus the additional expenditure of £1,242,296 can be approved whilst still allowing HRA balances to remain well above the target figure of £5m.

9. Head of Legal Services Comments

9.1 This report is seeking Procurement Committee approval to award a call-off contract for Fire Protection works at 424 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 and as such will carry out the fire prevention works within this scheme
- 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 the Service Charges (Consultation Requirements) (England) Regulations 2003 are not applicable to the proposed works because the Council will not be seeking to recover the cost of any works to leasehold properties as rent. The Head of Legal Services approves the comments in relation to leaseholders below at paragraphs 12.2 – 12.5.
- 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 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 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 Council's housing stock, including the works contained within this report. 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 this proposed scheme. The Leader of the Council and the Cabinet Member for Housing have been consulted in the formulation of the proposed works. Ward member comments have also been considered. 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 will carry out detailed consultation with the residents that will be affected by the works set out in this report. A resident's open day will be held on the 1st February. The Ward Members are invited to attend. This will be followed by a newsletter to residents within 10 days of the meetings.

12.3 Informal leasehold consultation forms part of the overall consultation process however it is not a statutory requirement in these circumstances. The Service Charges (Consultation Requirements)(England) Regulations 2003 do not apply to works to internal parts of leaseholder flats. Those parts have been demised to the leaseholder as part of the Right-to-Buy sale and are not subject to the Regulations.

12.4 In order to comply fully with the Fire Risk Assessment and Building Control requirements to provide adequate fire protection, the works are also required to the internal parts of leasehold properties within this scheme.

12.5 The leaseholders will have three options in deciding how to do the works:

- (i) have their own contractor carry out the works after the Council provides them a specification; or
- (ii) allow access to their flat for the Council's contractor to do the works. The leaseholder will then be invoiced by the Council for the cost of the works; or
- (iii) don't agree to either option above. In that case, the Council will serve a formal notice on the leaseholder requiring them to carry out the works and advising them that they will be breaching the terms of their lease if they do not. If the work have not been done within three months of the date of the notification then the Council will gain access to the flat, do the works and invoice the leaseholder.

13. Service Financial Comments

13.1 Cabinet received a report on 8th September 2009 concerning fire safety works at blocks in Haringey that were built with a construction style described as scissor blocks. Cabinet noted the report and the estimated cost of £2 million to carry out fire precaution works at the affected blocks. An initial release of £500,000 from the Housing Revenue Account (HRA) balances for the works in 2009/10 was approved. Further estimated expenditure of £1.5 million has been incorporated in the draft HRA Medium Term Financial Strategy for 2010/11.

The total cost of works at Broadwater Farm proposed in this report is £1,470,273.42 over 2009/10 and 2010/11 and can be funded from the HRA as set out above. Other works in Hornsey and South Tottenham are estimated to be £272,022.80, Hornsey £28,298.06 and South Tottenham £243,724.74, which will also be funded from the same funding. The total cost of the works at both sites amounts to £1,742,296.22.

Value for money has been achieved in the project through approved framework agreement as set out in paragraph 3.2. There is also an agreed maximum price for the works.

14. Use of appendices /Tables and photographs

14.1 Appendix A AMP cost and breakdown

14.2 Appendix B, Expenditure to date, see Appendix B

14.3 Appendix C, Life cycle cost details are not applicable for this contract.

