



Report for:	Cabinet Procurement Committee 17 th November 2011	Item number	
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Title:	<i>Delegation of award for Lot 7 CDM Co-ordinator of the Construction Related Consultants Services Framework Agreement.</i>
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Report authorised by :	<i>J. Parker 9/11/11.</i> Julie Parker Director – Corporate Resources
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Lead Officer:	David Mulford: 020 84891037 david.mulford@haringey.gov.uk
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Ward(s) affected: All	Report for Key/Non Key Decision: <i>Key</i>
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1. Describe the Issue Under Consideration

The Pan London Construction Related Consultants services framework agreement, on behalf of the core team Councils of London Boroughs of Haringey, Enfield and Barnet as part of the North London Strategic Alliance, are due to be awarded in February 2012.

There are 11 lots to the framework agreement which are detailed further in background information. However, one of these lots - Lot 7 CDM Co-ordinator needs to be awarded earlier to meet one of the Core Team Council's programmes of work.

The purpose of this report is to request the delegation of the award to the Director of Corporate Resources for Lot 7 CDM Co-ordinators for a period of four years.

2. Cabinet Member Introduction



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- 2.1 I recognise the need to delegate the award of this Lot 7 CDM co-ordinators for the Construction Related Consultants Services Framework Agreement (CRCS 2011) to the Director of Corporate Resources on behalf of this Pan London, North London Strategic Alliance procurement.

3. Recommendations

- 3.1 That the Cabinet Procurement Committee agree to delegate the award of Lot 7 CDM co-ordinators framework agreement within the Construction Related Consultants Services 2011 (CRCS 2011) to the Director of Corporate Resources.

4. Other Options Considered

- 4.1 The option of using other public sector arrangements for construction consultancy services was examined. Although there are other arrangements such as the Government Procurement Service they do not allow the level of independent disciplines to the design teams that the Core Team Councils have agreed. The CDM Co-ordinator lot is one of the 11 lots advertised and one of the independent services to the design teams.

5. Background Information

- 5.1 A report was presented to Cabinet Procurement Committee on 25th November 2010 regarding the strategy for the implementation of Pan London Construction Related Consultants Services 2011 frameworks (CRCS 2011). The progress of this is detailed below and this is the first report of two for the award of the various lots.
- 5.2 Since 15th September 2010 detailed discussions have taken place between a number of boroughs to examine specific opportunities to engage in collaborative working and Haringey have led this collaborative procurement with the London Boroughs of Enfield and Barnet (the Core Team Councils).
- 5.3 Framework agreements for a number of construction disciplines will be procured, which will be available to all London boroughs, ALMO's and Greater London Authority group members.
- 5.4 The Core Team Councils are working together as a virtual team on a collaborative basis and will each manage certain elements of the framework going forward and will agree certain central core duties which each will fulfil including the reporting and monitoring of Key Performance Indicators.



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- 5.5 Additionally, a steering group led by Haringey's Head of Procurement (Construction Lead for London) that comprises representatives from each of the five London sub-regions (North – Camden, East – Tower Hamlets/Barking & Dagenham, West - Westminster, South – Sutton, South East - Lewisham) plus the GLA, has been established to work with the Core Team Councils (Haringey, Enfield and Barnet) (CTC) to oversee and guide Construction Strategy and Category Management along with promoting and implementing solutions. This report is part of a strategy that is being set through a Pan London approach.
- 5.6 The consultancy framework agreement opportunity was advertised in the Official Journal of the European Union (OJEU) in January 2011.

The framework agreement Lots are:-

Design

- Lot 1 Multi Disciplinary (Building Surveying led): Small Works £249,999 and below.
- Lot 2 Multi Disciplinary (Building Surveying led): £250,000 to £999,999
- Lot 3 Multi Disciplinary (Building Surveying led): Over £1,000,000
- Lot 4 Architect and Associated Supply Chain – Education Projects: Up to £2,999,999
- Lot 5 Architect and Associated Supply Chain – Education Projects: Over £3,000,000

Independent Services

- Lot 6 Project Management inclusive of (but not limited to) being the Employers Agent and Partnering Advisors (PPC2000).
- Lot 7 CDM Co-ordinators
- Lot 8 Quantity Surveyors
- Lot 9 BREEAM Assessors
- Lot 10 Clerk of Works
- Lot 11 Client Design Advisors

- 5.8. Pre-qualification questionnaire (PQQ) responses were received on 21 March 2011 and evaluated with bidder organisations being notified of the results during the period of 26 August 2011 to 21 September 2011.
- 5.9. Those organisations who were successful at PQQ stage and (subject to sufficient numbers) ranked in the top 12 for each lot, were short listed for



tendering and a invitation to tender was sent to these organisations on Friday 21 October with a tender return date of 1 December 2011.

- 5.10. Those organisations that were successful at PQQ stage for more than one lot and invited to submit tenders are required to submit individual separate tenders for each lot.
- 5.11. The award for this Pan London framework will be made by Haringey being the lead Authority. The other Councils will then provide briefing papers to relevant committees informing them of the decision made. Haringey therefore is awarding these frameworks as the contracting authority.
- 5.12. The Core Team Councils have identified a need to accelerate the appointment of CDM co-ordinators prior to the other lots due to a need for their programme for construction work.
- 5.13. CDM Co-ordinators administer risk management factors associated with health and safety in the design of the project in accordance with the Construction Design and Management 2007 Regulations (CDM), They will also be expected to carry out site inspections for health and safety where appointed.
- 5.14. This report therefore requests delegation to the Director of Corporate Resources to enable the award to be made, in respect of CDM co-ordinators only and for this award decision to be included in the subsequent report to committee that will address the other lots.

6. Comments of the Chief Financial Officer and Financial Implications

- 6.1 It has been confirmed that the costs associated with the delivery of the service can be contained within the external levy charged and I am satisfied that the service has taken adequate steps to ensure that under current assumptions there is no adverse budgetary impact in the future.

7. Head of Legal Services and Legal Implications

- 7.1. The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006 ("Regulations"), allows local authorities to enter into framework agreements with contractors, and to select contractors in respect of specific projects from amongst those contractors with which it has concluded framework agreements.
- 7.2. The framework agreement to which this report relates has been tendered in the EU in accordance with the Regulations, using the restricted procedure, a tendering procedure whereby expressions of



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interest are invited by advertisement in the Official Journal of the EU, with a selection of the contractors who have expressed an interest being invited to submit tenders.

- 7.3. The award of this framework agreement is a key decision and the client has confirmed that it has been included in the Forward Plan.
- 7.4. This report is recommending delegation for the award of LOT 7, of the framework agreement to consultants who shall have been selected based on the most economically advantageous tenders submitted, in accordance with Regulation 30 of the Regulations, to the Director of Corporate Resources.
- 7.5. As the total estimated value of the contracts to be awarded under this framework agreement LOT 7 is likely to exceed £250,000, the proposed award must be approved by Members pursuant to CSO [9.07.1(d)].
- 7.6. Members may delegate the award of LOT 7 pursuant to powers under Section 15(5)(b) of the Local Government Act 2000 to an Officer of the Authority.
- 7.7. The Head of Legal Services sees no legal reasons preventing Members from approving the recommendations in paragraph 3 of this report.

8. Equalities and Community Cohesion Comments

- 8.1 Equalities are considered as part of the Pre-qualification Questionnaire which applicants had to respond to enable them to be on the short list for each lot of this tender.
- 8.2 Equalities will also be considered as part of a construction project as it is designed.

9. Head of Procurement Comments

- 9.1 The framework agreement is being established for possible use by all London Authorities and relates to Professional Consultancy Services (Construction).
- 9.2 The framework has been advertised in Official Journal of the European Union (OJEU) and all lots are due to be awarded and available for use from March 2012.
- 9.3 It is anticipated that the costs incurred in setting up this framework and its ongoing management should be fully recoverable or partially off-set



by way of a levy to be received from the Consultants of the related lots based on their annual fee income.

10. Policy Implications

10.1 The need to procure long term frameworks up to a maximum of four years is identified as part of the category management process for Construction, FM and Public Realm.

10.2 Value for Money

10.2.1 The framework is being tendered in the open market, so a schedule of fees will be generated to allow direct call off where applicable and mini competitions will be held between those successful to the lots within the framework for each project.

10.2.2 The framework will be monitored through the four years of the framework.

10.2.3 As part of the framework it is expected that a rebate levy will be received from the Consultants based on their annual fee income which will help to offset costs incurred in setting up the framework.

10.3 Property Assets

10.3.1 The Consultants appointed to this framework will be carrying out construction related professional services to enable construction projects to be delivered from Inception to Completion.

10.4 Risk Management.

10.4.1 A risk register will be compiled for the construction projects as part of all major projects project management.

10.4.2 CDM Co-ordinators will be expected to challenge the design on health and safety matters by risk assessments and feed into the overall risk register for the project.

10.5 Staff/Workforce

10.5.1 This framework although Pan London will be managed centrally within the Construction Procurement Group (CPG) within the Central Procurement Team. Other Organisations who are party



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to this arrangement will need to comply with the access agreement and send key performance information to CPG.

11. Use of Appendices

11.1 None.

12. Local Government (Access to Information) Act 1985

12.1 Report to Cabinet Procurement Committee on 25th November 2010 regarding the strategy for the implementation of Pan London Construction Related Consultants Services 2011 frameworks (CRCS 2011).

