



Haringey Council

Report for:	Leader of the Council	Item number	To be added by the Committee Section
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Title:	Re:Fit Contracts Novation
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Report authorised by :	Kevin Bartle Assistant Director - Finance
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Lead Officer:	Ben Brown 020 8489 2132 Ben.brown@haringey.gov.uk
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Ward(s) affected: None	Report for Key/Non Key Decision: Key Decision
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1. Describe the Issue Under Consideration

- 1.1. This report seeks approval from the Lead Member to novate the contract for Re:Fit Energy Efficiency Programme (“Re:Fit”) from Imtech UK Ltd to Imtech Inviron Ltd.

2. Cabinet Member Introduction

- 2.1. As per the original contract award, the delivery of the Re:Fit Programme is a cornerstone of the Council’s commitment to reducing carbon emissions in the borough and driving down operational (utility) costs in the wake of unrelenting budget cuts from government.
- 2.2. The GLA novation of the Re:Fit contract from Imtech UK Ltd to Imtech Inviron Ltd only ensures that the most suitable organisation from within the Imtech family is contracted to deliver the works.
- 2.3. Therefore it follows suit that the Council should also agree novation, both legally and technically, to ensure our objectives are met.

3. Recommendations

- 3.1. It is recommended that the Leader of the Council:

- 3.1.1. Approves the novation of the contracts for:

- a) An Investment Grade Proposal (“IGP”) – a document which details specifically the work that will be done, the energy conservation measures that will be installed and provides a binding price and guarantee of energy/carbon savings; and
 - b) A programme of works as per the information contained in the IGP

to Imtech Inviron Ltd, in accordance with CSO 10.03.

- 3.1.2. Approves the issue of a letter of intent for up to 10% of the contract value to enable pre-construction processes associated with the contract as per point 3.1.1b to take place in accordance with CSO 9.07.3.

4. Options Considered



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4.1. N/A

5. Background Information

- 5.1. The original contract award is appended in Appendix A.
- 5.2. Imtech UK Ltd acquired Inviron Ltd in 2011. Inviron were a Facilities Management organisation, specialising in technical services (electrical and mechanical). The acquisition resulted in a rebranding of Inviron as Imtech Inviron Ltd, a child company of Imtech UK Ltd.
- 5.3. Imtech Inviron Ltd has the technical expertise to deliver the Re:Fit programme and as such, the delivery of the RE:FIT (REFIT) Framework (Public Buildings Retrofit Programme), was novated by agreement between the Greater London Authority, Imtech UK Ltd and Imtech Inviron Ltd on the 2nd July 2014.
- 5.4. The novation as per 5.3 occurred shortly after the contract was awarded by Cabinet on the 25th June 2014, meaning it is necessary to also novate the Council contracts for the delivery of:
 - 5.4.1. An Investment Grade Proposal (“IGP”) – a document which details specifically the work that will be done, the energy conservation measures that will be installed and provides a binding price and guarantee of energy/carbon savings.
 - 5.4.2. A programme of works as per the information contained in the IGP.
- 5.5. As the novation has caused significant delay to the project timetable, a letter of intent will enable to Council to retrieve so of the time lost.

6. Comments of the Chief Financial Officer and Financial Implications

- 6.1. The Chief Finance Officer has been consulted on the contents of this report and has no further comments to make.

7. Comments of the Assistant Director of Corporate Governance and Legal Implications.

- 7.1. The Assistant Director of Corporate Governance notes the contents of the report.
- 7.2. The award of the contract to Imtech UK Limited was previously approved by Cabinet on 25 June 2014.



- 7.3. The novation of the contract is a Key Decision and as such needs to comply with the Council's constitutional requirements. As it has not been practicable to publish details of the novation in the Forward Plan, a General Exception Notice has been issued as allowed under Part 4, Section D, Para 16 of the Constitution.
- 7.4. Contract Standing Orders make provision for the Council to agree to novations in appropriate circumstances (CSO 10.03).
- 7.5. The Lead Member has power under CSO 16.02 to approve the novation of the contract.
- 7.6. The Assistant Director of Corporate Governance confirms that there are no legal reasons preventing the Lead Member from approving the report.

8. Equalities and Community Cohesion Comments

- 8.1 There are no equalities implications in the novation of the contract.
- 8.2 A full Equalities Impact Assessment, undertaken for the original contract award, is available on request.

9. Head of Procurement Comments

- 9.1 Approval for the novation of this contract by the Lead Member is permissible under CSO 10.03.
- 9.2 There are no commercial or procurement risks to the Council in respect of this novation.

10. Policy Implications

- 10.1. None.

11. Use of Appendices

- 11.1. Appendix A – Original Award Decision

12. Local Government (Access to Information) Act 1985



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