

Report for: Cabinet Member for Housing Regeneration, and Planning

Item number: Cabinet Member Signing

Title: Approval of Housing Capital Works Contracts

Report

authorised by : Lyn Garner, Strategic Director of Regeneration, Planning and Development

Lead Officer: Alan Benson, Head of Housing Strategy and Commissioning

Ward(s) affected: All

Report for Key/

Non Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 Homes for Haringey delivers the Housing Capital works programme on behalf of Haringey Council. The priorities within the works programme are established by Cabinet and these were agreed again in a report to Cabinet in October 2016.
- 1.2 This report seeks approval for renewed delegated authority for approval of call-off contracts from the Council's Major Capital Works framework, and also seeks approval to regularise a number of call-off contracts for the reasons set out in section 5.

2. Recommendations

It is recommended that the Cabinet Member for Housing, Regeneration and Planning :

- 2.1 Notes and considers the information set out in Appendices one and two, and then ratifies and approves retrospectively the housing capital works call-off contracts as set out in Appendix one.
- 2.2 Delegates authority for the approval of the individual call-off contracts (Agreed Maximum Prices - AMPs) for the contracts let under the Major Capital Works Framework for the remainder of the framework duration, up to the value of £6.5m, and any necessary subsequent adjustments to the programme (due to the availability of funding, wider stock investment priorities and/or other unforeseen issues that affect delivery) to the Strategic Director of Regeneration, Planning and Development, after consultation with the Cabinet Members for Housing, Regeneration and Planning and for Finance and Health.

3. Reasons for decision

- 3.1 The decision under paragraph 2.1 is required to regularise call-off contracts that have been previously agreed under the framework. Of the contracts listed, 70% have been completed and have reached practical completion. The remaining are currently onsite.
- 3.2 The decision under paragraph 2.2 is required to allow for the ongoing letting of call-off contracts under the framework until the framework expires. A number of call-off contracts require approval to allow for essential improvement works to start.

4. Alternative options considered

- 4.1 The council is required under its contract standing orders (CSOs) to approve the contracts set out in Appendix one, so no alternative decisions have been considered.
- 4.2 A delegation was approved by Cabinet in November 2013 for the approval of call-off contracts to allow for works to proceed onsite promptly once detailed costings and programmes have been assembled approved.

5. Background information

- 5.1 The Council owns 16,000 tenanted homes and 4,500 leasehold homes. As at the end of March 2016, 79% of council homes met the Decent Homes standard and over £200m had been invested since the programme started in 2008.
- 5.2 In November 2013, a four year (2014/15 – 2017/18) Major Works Framework (the Framework) was approved by Cabinet through which contractors were appointed to deliver the capital works programme. Through this report a contract was awarded to the two highest scoring contractors (Keepmoat and Mullalley) to deliver the works between 2014/15 and 2015/16.
- 5.3 As part of that report, a delegation was approved to allow call-off contracts from the Framework to be approved by the then Director of Adult and Social Services, in consultation with the Cabinet Member for Regeneration and Housing, and the Cabinet Member for Finance, Employment and Carbon Reduction.
- 5.4 The delegation was time limited to the end of March 2016 until a mini-competition was held on the Framework to select the contractors for the final two years of the Framework. The mini-competition was held in November 2015, and Cabinet awarded the contracts in December 2015 to the contractors scoring highest through the competition (Wates and Keepmoat).
- 5.5 Due to an oversight, the delegation to approve the call-off contracts was not extended in the Cabinet report. A list of the consequentially affected AMP contracts requiring retrospective approval is set out at Appendix one. The supporting officer background information report and the tender evaluation details which support each of those contracts are set out in the exempt information in Appendix two.

- 5.6 This report seeks to regularise those call-off contracts (Recommendation 2.1), and approve a renewed delegation for the remainder of the Framework (Recommendation 2.2).
- 5.7 To develop the works included within the contracts, Homes for Haringey provide a Lead Consultant with a scope of works and schedule of anticipated works. This is drawn from the organisation's stock condition database.
- 5.8 This information is validated by the lead consultant who works with the main contractor and the supply chain to develop a detailed Agreed Maximum Price (AMP) for approval. The AMP is reviewed and signed off by the Lead and Cost consultant before being submitted to the Homes for Haringey Project Management team.
- 5.9 Any variation to the agreed AMP is undertaken through robust change control processes.

6. Contribution to strategic outcomes

- To improve the quality of and management of homes owned by the council
- To improve energy efficiency and reduce carbon emissions and fuel poverty
- To make the best use of existing homes

7. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

7.1 Legal

7.2 The Assistant Director, Corporate Governance has been consulted in the preparation of this report, and confirms that the Cabinet Member for Housing, Regeneration and Planning has authority under Part Three, Section C, Section 1, paragraph 1.3 and Contract Standing Order 16.02 of the Constitution to approve the Recommendations set out at paragraph 2 of the report.

7.3 Procurement

7.4 Strategic Procurement notes the contents of this report and can confirm Homes for Haringey and Haringey Council are both able to access the Major Works Framework to call off services. Homes for Haringey have called off services from the framework in accordance with the framework terms and conditions. This report appears to focus on the need to satisfy provisions within the Council's Contract Standing Orders retrospectively.

7.5 Strategic Procurement can confirm drawing down services from the Major Works Framework is compliant with the Procurement Contract Regulations (PCR) and therefore does not pose a risk in respect of PCR's.

7.4 Finance

7.5 Cabinet awarded contracts to Wates and Keepmoat for the delivery of capital works programme.

7.6 At the time, 2016, the delegation to approve the call-off contracts was however not extended in the Cabinet report.

7.7 This report seeks to regularise the call-off contracts that have been completed and approve a renewed delegation for the remainder of the Framework. There is provision in the budget for the capital works programme and any variation to the agreed maximum prices (AMP) will require approval of section 151 officer and its financial implication will be assessed prior to approval.

7.5 Equalities

7.6 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.

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

7.8 This decision is to approve renewed delegated authority for approval of call-off contracts in order to carry out works as part of the housing capital works programme. The scope of the programme was agreed by cabinet in October 2016 and an equalities impact assessment was carried out for this. It followed on from an earlier four year programme agreed by Cabinet in November 2013, which was informed by Homes for Haringey's Asset Management Strategy, 2010-17, and for which an equalities impact assessment was carried out.

7.9 There are no further equalities considerations in the decision to delegate authority for the approval of call-off contracts.

8. Use of Appendices

Appendix one – list of contracts for retrospective approval

Appendix two – copies of detailed reports for approval (exempt appendix)

9. Local Government (Access to Information) Act 1985

