

Item No:	Classification: Open	Date: 1 November 2018	Decision Taker: Strategic Director of Housing & Modernisation
Report title	Gateway 2 – Major works constructor framework (Lot 1) Ramsfort, Trappes & Ambrose Street (Manor Estate) QHIP 2017/2018		
Ward(s) or groups affected	Bermondsey Ward		
From	Head of Investment		

RECOMMENDATIONS

1. That the Strategic Director of Housing and Modernisation approves the award of the Ramsfort, Trappes & Ambrose Street (Manor Estate) QHIP 2017/2018 via a mini-competition from the major works constructor framework to Saltash Enterprises Ltd for a period of 36 weeks.

BACKGROUND INFORMATION

2. In October 2015, cabinet approved the establishment of the major works constructor framework ('the framework') for a period of 4 years from 1 March 2016 in the four Lots as follows:
 - a. Lot 1 - Main building works (low value schemes up to £3.5m)
 - b. Lot 2 - Main building works (high value schemes over £3.5m)
 - c. Lot 3 - District mains, boilers and internal works
 - d. Lot 4 - Communal and electrical works
3. It was noted to cabinet that the Strategic Director of Housing and Modernisation will take the decisions for works being instructed through the framework in line with his scheme of delegation and approval was obtained for exemption from contract standing order 4.5.2(h) requiring consideration of approval reports by the relevant DCRB for works being instructed through the framework.
4. The framework supports and works alongside the council's 3 existing major works partnering contracts ('partnering contracts') but more specifically, undertakes work in contract areas 1 and 2 where the partnering contracts were mutually concluded. It should be noted that 2 of the 3 partnering contractors act as reserve contractors for contract areas 1 and 2. The partnering contracts for contract areas 3, 4 and 5 are in place until 13 June 2018 subject to contract extension and have non-exclusive extensions in place with termination at will clauses. However, mini-competition through the framework will be used where there are no partnering contracts in existence.
5. The scope of works for this scheme includes roof renewals to all blocks, new front entrance doors and overhauls, external redecoration including balconies, staircases. Timber fence repair and renewal. Scaffolding, asbestos removal where applicable. Bathroom/Kitchen selected renewal, bin Refuse mechanism overhaul, pigeon spiking to private balconies. Landlord electrical and drainage.

6. Lot 1 is applicable to these works.
7. The duration of the works is 36 working weeks.
8. Works are expected to start on 07 January 2019 and complete on 15 July 2019.

Procurement project plan (Key Decision)

Activity	Completed by/Complete by:
Approval of Gateway 2: Establishment of major works framework agreement	20/10/2015
Issue Notice of Intention (Applies to Housing Section 20 Leaseholder Consultation)	07/06/2017
Mini competition invitation	09/10/2017
Closing date for return of tenders	06/11/2017
Completion of evaluation of tenders	02/05/2018
Issue Notice of Proposal (Applies to Housing Section 20 Leaseholder Consultation)	19/06/2018
Approval of Gateway 2: Mini competition award report	05/11/2018
Scrutiny Call-in period and notification of implementation of Gateway 2 decision	12/11/2018
Contract award	26/11/2018
Add to Contract Register	26/11/2018
Contract start	07/01/2019
Publication of award notice on Contracts Finder	07/01/2019
Contract completion date	15/07/2019

KEY ISSUES FOR CONSIDERATION

Description of procurement outcomes

9. This scheme consists of works to blocks on Manor Estate consisting of; Ramsfort House, Trappes House and Ambrose Street in the Bermondsey & Rotherhithe area. This includes 26 leasehold properties and 0 Right to Buy (RTB) applicants. The address details are as follows:

Block Address
1-36 Ramsfort House, Roseberry Street, SE16 3NZ
1-36 Trappes House, Camilla Road, SE16 3NT
2-6 Ambrose Street, SE16 3NY

Policy Implications

10. This scheme is designed to deal with work to meet the Quality Homes Investment Programme (QHIP) which includes works to maintain decency and deliver the councils commitment to a quality kitchen and bathroom.
11. No planning consent is required for the works being undertaken within this scheme.
12. As part of the overall procurement process for this framework, Saltash Enterprises Ltd was assessed and indicated compliance with the council's equal opportunities policy. This scheme is for works to the housing stock and will benefit all residents in the blocks affected.
13. This report confirms that, where applicable, this scheme is designed in compliance with the council's design specification as included in the overall procurement process for the framework.

Decent Homes

14. Once all works are completed under this scheme, all properties will achieve the Government's Decent Homes standard.

Mini competition Process

15. The call-off arrangements set out in the 'operation of the framework' document was followed and a mini-competition procedure was carried out.
16. As the scope of this work is of a nature where charges can be recovered from leaseholders under section 20 of the Landlord and Tenant Act 1987, leaseholder consultation was carried out. The council did not receive leaseholder nominations.
17. All contractors listed on Lot 1 were invited to participate in the mini-competition process with instructions to return the tender by 1pm on 6 November 2017. The list of contractors invited is as follows:

- Saltash Enterprises Ltd
- Niblock (Builders) Ltd
- A & E Elkins Ltd
- Standage & Co. Ltd
- Thomas Sinden Ltd
- Architectural Decorations Ltd

18. 5 tenders were returned. Architectural Decorations Ltd did not submit their tender documentation.

Mini-competition Evaluation

19. The tenders were evaluated in line with the rules set out in the framework.
20. Representatives from Potter Raper and the investment team participated in the tender evaluation process which involved checking whether all requirements set out in the checklist were met and assessment of price and quality specific to this scheme.
21. All tenderers were required to complete and confirm that they meet the requirements set out in the checklist. The checklist was satisfactorily completed by all tenderers.
22. The quality element of the submissions was assessed on a pass/fail basis.
23. The quality criteria for these works were as follows:
 - Resources and management of Call-Off Contract

- Management of Sub-Contractors
- Health and Safety (H&S) proposals for the Call-Off Contract
- Design Proposals

24. The quality submissions were scored using a 1-3 scoring systems as set out in the 'operation of the framework' document. At this stage, tenderers were required to meet a minimum threshold of 3. If they failed to meet this standard, they were not assessed any further in this process. All tenderers achieved the threshold 3.

25. The results of the quality criteria assessments were as follows:

Contractor	Pass/Fail
Saltash Enterprises Ltd	Pass
Niblock (Builders) Ltd	Pass
A&E Elkins Ltd	Pass
Standage & Co Ltd	Pass
Thomas Sinden Ltd	Pass

26. Tenderers were required to complete a scheme specific schedule of rates. The price Evaluation included the pricing of an actual works package plus rates for composite items. Separately tendered percentages applied to overheads and profit. The costs obtained for this scheme are based on the rates tendered within the framework. This does not preclude the contractor from offering a lower rate than the framework tender.

27. Prices were sought from 6 contractors within this Lot 1, 1 contractor confirming they will not be submitting a tender, and the results were as follows:

Contractor
Architectural Decorations Ltd
A&E Elkins Ltd
Niblock (Builders) Ltd
Saltash Enterprises Ltd
Standage & Co Ltd
Thomas Sinden Ltd

28. The results of the revisions as described above are as follows:

Contractor
Saltash Enterprises Ltd
Niblock (Builders) Ltd
Standage & Co Ltd
Thomas Sinden Ltd
A&E Elkins Ltd
Architectural Decorations Ltd

29. The council's appointed quantity surveyor has confirmed that the pricing has been checked in line with the framework's schedule of rates, and confirmed that they are equal to or lower than the rates set out on the framework.

30. Therefore, on the basis of the mini-tender submitted, the contractor recommended for this scheme is Saltash Enterprises Ltd.

Plans for Monitoring and Management of the Contract

31. The performance of the framework contractors is monitored and managed by the investment team in accordance with the framework. Each project manager in the investment delivery team or other departmental officers calling from the framework provide a quarterly monitor on the performance of the framework contractors on the schemes they are working on as the framework contractors are expected to achieve certain targets set out in the Key Performance Indicators (KPIs) around the areas of time, cost and quality.
32. The framework contractors are monitored against these KPIs on a regular basis as if the framework contractors fail to perform to the required standard, their 'call-off' contract(s) can be terminated, their mini-competition opportunities can be restricted or they can be removed from the framework.
33. It is confirmed that this framework contractor has had 0 contracts terminated, 0 mini-competition opportunity exclusions and they have not been removed from the framework for Lot 1.
34. These 'call-off' contracts, whilst predominantly design and build contracts, have all design and work proposals examined and checked by both internal lead designers and cost consultants or by one of the council's professional technical services consultants, Calfordseaden LLP or Potter Raper Partnership Ltd. It is confirmed for this scheme the lead design services will be provided by Calfordseaden LLP and cost management by in house quantity surveyor.
35. The spend and performance is monitored by the Head of Investment and reported each quarter to the major works core group led by the Deputy Leader and Cabinet Member for Housing, the Housing Investment Board led by the Strategic Director of Finance and Governance.

Health and Safety Plan

36. The CDM 2015 regulations require a developed health and safety plan to be in place prior to commencement of works and the appointment of the principal designer at scheme inception. It is confirmed that the principal designer role will be provided by Potter Raper who were appointed on 15 April 2016. Works will not commence on site until it is confirmed that the health and safety plan is sufficiently developed for the type of works proposed.

Leasehold Implications

37. Formal legal consultation with leaseholders has been undertaken by the council's specialist housing services team.

Financial Implications

Legal Implications

38. It is confirmed that this scheme falls under Lot 1 and the 'call off' contract to be used is JCT intermediate Building Contract with Contractor's design 2011. The contract documentation will be passed to legal services to formalise a contract for the scheme in due course.

Consultation

39. Consultation meetings were held with residents on 22 February 2017 and 13 June 2017 to discuss the scope of works. In addition, a leaseholders meeting was held on 25 July 2018 to discuss their contributions. All residents, the T&RA and local councillors will be written to advise the commencement date of the works and a further meeting will be held.

40. Regular meetings will be held with resident representatives during the course of the works to provide regular updates and address any concerns that may arise. Regular newsletters will be issued as the works progress and residents will be invited to regular coffee mornings. In addition a resident's project board will be established to discuss the works once the project comes to site. The resident project board will meet on a monthly basis for the duration of the works package.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance Ref (H&M18/051)

41. The report is requesting delegated approval from the Strategic Director of Housing and Modernisation to award the works contract entitled "Ramsfort, Trappes & Ambrose Street (Manor Estate) QHIP 2017/2018 via a mini-competition from the major works constructor framework to Saltash Enterprises Ltd for a period of 36 weeks.

42. There is an estimated resource shortfall over the whole life of the Housing Investment Programme. There is also likely to be further demand on the capital programme as a consequence of local or national demands for resources following the Grenfell fire. It is, therefore, important that the cost of these works is carefully monitored and that accurate forecasting is in place to enable efficient financing of the capital expenditure over the life of the programme.

43. Any other variation or extension to the contract beyond the scope of this report will require further approval in line with the council's procurement protocols.

Director of Law and Democracy

44. The legal implications are contained in the main body of this report. At this value, a legal concurrent is not required.

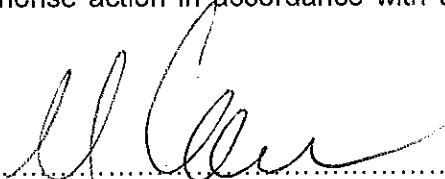
Director of Exchequer (for housing contracts only)

45. There are 26 leasehold properties and no right to buy applicant included in the contract that will be affected by the works. In accordance with the Landlord and Tenants Act 1985 (as amended) section 20 notices of intention were served on 7 June 2017 and the observation period expired on 13 July 2017.

46. Section 20 notices of proposal were served on 19 June 2018 and expired on 9 August 2018. There was one observation from a leaseholder that was answered.

PART A – TO BE COMPLETED FOR ALL DELEGATED DECISIONS

Under the powers delegated to me in accordance with the Council's Contract Standing Orders, I authorise action in accordance with the recommendation contained in the above report.

Signature:  Date: *5 December 2018*
Michael Scorer, Strategic Director of Housing and Modernisation

PART B – TO BE COMPLETED BY THE DECISION TAKER FOR:

- 1). All key decisions taken by officers
- 2) Any non-key decisions which are sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available.

1. DECISION(S)
As set out in the recommendations of the report.

2. REASONS FOR DECISION
As set out in the report.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED BY THE OFFICER WHEN MAKING THE DECISION
Not applicable.

4. ANY CONFLICT OF INTEREST DECLARED BY ANY CABINET MEMBER WHO IS CONSULTED BY THE OFFICER WHICH RELATES TO THIS DECISION

5. NOTE OF ANY DISPENSATION GRANTED BY THE MONITORING OFFICER, IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST
<i>If a decision taker or cabinet member is unsure as to whether there is a conflict of interest they should contact the legal governance team for advice.</i>

5. NOTE OF ANY DISPENSATION GRANTED BY THE MONITORING OFFICER, IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST

If a decision taker or cabinet member is unsure as to whether there is a conflict of interest they should contact the legal governance team for advice.

6. DECLARATION ON CONFLICTS OF INTERESTS

I declare that I was informed of no conflicts of interests.*

or

I declare that I was informed of the conflicts of interests set out in Part B4.*

(* - Please delete as appropriate)

BACKGROUND DOCUMENTS

Title:	Held at	Contact
Major works project file	160 Tooley Street, SE1 2QH	Gavin Worth Ext 50057

APPENDICES

Appendix number	Title of appendix

AUDIT TRAIL

Lead Officer	Ferenc Morath, Head of Investment		
Report Author	Beverley Anderson-Skyers		
Version	Final		
Dated	29 November 2018		
Key Decision	Yes	If yes, decision date on forward plan	

CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER

Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Governance	Yes	Yes
Director of Law and Democracy	Yes	Yes
Director of Exchequer	Yes	Yes
Cabinet Member	n/a	n/a
Date final report sent to Constitutional Officer		

BACKGROUND DOCUMENT – CONTRACT REGISTER UPDATE - GATEWAY 2

Contract Name	Ramsfort, Trappes & Ambrose Street Quality Homes Investment Programme 2017/18
Contract Description	QHIP
Contract Type	JCT Intermediate Building Contract with Contractor's Design 2011
Lead Contract Officer (name)	Beverley Anderson-Skyers – Contract Manager
Lead Contract Officer (phone number)	020 7525 3435
Department	Housing and Modernisation
Division	Asset Management
Procurement Route	'Call-off' Major Works Constructor Framework
EU CPV Code (if appropriate)	N/A
Departmental/Corporate	Departmental
Fixed Price or Call Off	Call Off
Supplier(s) Name(s)	Saltash Enterprises Ltd
Contract Total Value	£1,050,704
Contract Annual Value	N/A
Contract Start Date	07 January 2019
Initial Term End Date	15 July 2019
No. of Remaining Contract extensions	0
Contract Review Date	N/A
Revised End Date	N/A
SME/ VCSE (If either or both include Company Registration number and/or registered charity number)	01977118
Comments	N/A
London Living Wage	Yes

