

# HOUSING CABINET MEMBER MEETING

## Agenda Item 31

Brighton & Hove City Council

**Subject:** External envelope repairs to Somerset & Wiltshire House 2008

**Date of Meeting:** 22 July 2008

**REPORT OF:** Director of Adult Social Care & Housing

**Contact Officer:** Name: Simon Throp Tel: 29- 6806  
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**Key Decision:** Yes Forward Plan No. 2186

**Wards Affected:** Queens Park

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek approval of the housing cabinet to give delegated authority to award a contract for repairs to the external envelope of Somerset & Wiltshire house to the best value supplier following a mini competition, procured through the London Housing Consortia (LHC) in accordance with Contract Standing Order CSO 9.3

#### 2. RECOMMENDATION:

- (1) That the Cabinet Member for Housing authorise that the Director of Adult Social Care & Housing be given delegated powers to approve the award of the contract for external envelope repairs to Somerset & Wiltshire House, following financial due diligence and cost comparisons of the tenders offered under mini competition from contractors on the LHC external envelope repairs framework, following consultation with the Cabinet member for housing.

#### 3. RELEVANT BACKGROUND INFORMATION

- 3.1 Following reports of water ingress around windows to various flats within these blocks, a number of inspections were undertaken to identify the source of the ingress by the council's planned maintenance team.
- 3.2 These inspections have identified a breakdown of the pointing to the external brickwork and to the cavity trays above the windows which is allowing water into the cavity which then travels across the window heads into the flats.
- 3.3 The 2008-09 approved capital programme allowed £2,000,000 excluding fees for the external envelope repairs to these blocks. It was further agreed with the chair of the previous Housing Committee that the council will look to undertake any additional work identified as being needed, such as new lightning conductors, roof repairs etc to maximise the use of the scaffolding during project.

- 3.4 To enable the council to complete these works within this financial year, allowing for leaseholder consultation and tendering, it is proposed to use the London Housing Consortia's (LHC), external envelope repairs framework. The LHC is a specialist public sector building procurement consortium set up for use, free of charge, by any public sector organisation wishing to achieve efficiency savings in line with the Gershon review.
- 3.5 Contract standing orders (CSO) 9.3 allows the council to procure works to any value in collaboration with other local authorities or other public or voluntary sector bodies. Where the council is not the lead buyer, procurement procedures shall follow the spirit of the CSO's, and be in accordance with EU Public Procurement Regulations.
- 3.6 In addition to their assistance in procuring the contract the LHC as part of their role as a procurement network also carry out random inspections of the installations on our behalf to ensure compliance with their framework KPIs reducing our management costs while maintaining quality.
- 3.7 The LHC framework allows individual clients to choose their own specific contract terms. In this instance it is proposed to use a traditional JCT intermediate form of contract.
- 3.8 The draft timetable of events is as follows:

<b>Event</b>	<b>Completion date</b>
Appointment of consultants (Delegated authority)	21 July 2008
Mini competition	1 September 2008
Tender report	8 September 2008
2 <sup>nd</sup> stage S20 notice	11 October 2008
Pre start meeting	18 October 2008
Commencement on site	24 November 2008
Completion	April 2009

#### **4. CONSULTATION**

- 4.1 Section 20 consultation has commenced with all leaseholders.
- 4.2 Residents will be consulted on the works through their residents associations and invited to nominate a number of representatives to form a site specific panel in line with the new resident involvement strategy which forms part of the new procurement strategy agreed by the P& R committee on 3 April 2008.
- 4.3 City Planning will be consulted on the repointing prior to commencement on site.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

The Housing Capital Programme 2008/09, approved by Policy & Resources on 3 April 2008, includes £2.12m for Somerset and Wiltshire High rise blocks essential health and safety repairs to brickwork to maintain the exterior of the building. Approval was also given to the commencement of the tender process for these essential structural works.

Any Additional works identified as being required will be carried out to maximise the use of the scaffolding with the additional costs of the works and how these will be funded being reported through Capital Programme Monitoring reports during 2008/09.

The risk of not awarding the contract in August would result in the delay of the project commencement and cause slippage of the approved Housing Capital Programme.

Finance Officer: Susie Allen, Principal Accountant. Date: 16 May 2008

### 5.1

#### Legal Implications:

This contract is a 'works' contract for the purposes of the EU Procurement Directive., and its value (£2m) falls below the threshold for works contracts (£3.49m). Nevertheless, the council's CSOs and the EU Directive require that sub-threshold procurement processes comply with the 'spirit' of the Directive. The proposed tender process does so comply. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer consulted: Alison Leitch / Date: 19 May 2008

### 5.2

#### Equalities Implications:

- 5.3 An equalities impact assessment will be completed by the winning contractor prior to commencement on site, as this is subject to their chosen method of access.

#### Sustainability Implications:

- 5.4 The specifications will require contractors to submit a sustainability impact statement on the contractor's proposals to reduce waste, recycling, and the reduction in CO2 emissions for this project.

#### Crime & Disorder Implications:

- 5.5 Specific security requirements for the scaffold and site compound will be built into the specification prior to tender.

#### Risk and Opportunity Management Implications:

- 5.6 Using the council's risk & opportunities management methodology the significant risks and opportunities have been assessed and where amber or red a risk register has been produced detailing action & delivery that will inform the project.

#### Corporate / Citywide Implications:

- 5.7 This work meets one of the strategic goals of improving the housing stock and ensuring that residents have a health living environment

#### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None considered

#### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To enable the council to complete as much of the programme of work within this financial year it will need to enter into a contract no later than the end of October 2008. The cabinet preparation timetable does not allow enough time for completion of the analysis, consultation with leaseholders and residents or dealing with issues arising during negotiations or financial diligence, as well as being ready to request approval to award the contract by the deadline date of 15 August for the September cabinet members meeting or for the prior housing management consultative committee on 23 June. (See contract timetable above).
- 7.2 In view of this it is requested that authority to enter into the contract be delegated to the Director of Adult Social Care & Housing in consultation with the Cabinet member.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. None

#### **Documents In Members' Rooms**

1. None

#### **Background Documents**

1. None