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| **Report of the Asset Manager** **to** **the Strategic Director****on**22 July 2021 |
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| **Award of Contract Willingham Court Sheltered Complex Compliance & Refurbishment Programme**  |

**1. SUMMARY**

* 1. This report is for approval to enter into a contract for Phase 2 of fire upgrade and refurbishment work to Willingham Court sheltered complex.

1.2 **Key Decision**

This is a key decision as it involves capital expenditure in excess of £250,000. This was entered on to the key decision log on 24th June 2021.

**2. RECOMMENDATIONS**

**Recommendation to the Strategic Director**

1. That the Strategic Director award the contract for phase 2 of the fire upgrade and refurbishment of Willingham Court to J Tomlinson.
2. That the Housing Revenue Account Capital Programme be amended accordingly.

**3. BACKGROUND**

* 1. The council has gone through a procurement exercise with Gleeds in the latter half of 2019 to obtain completed tenders for capital refurbishment works at Willingham Court and settled on a decision to award to J Tomlinson. Since then, the services of Gleeds has now ceased and delivery of the compliance and refurbishment programme has been brought back in-house.
	2. The priced award documents that were already in place were renamed phase 2 for reasons of clarity and in April 2021 revisited by J Tomlinson and an agreed value of £433,917.33 has been reached.

**4. OPTIONS AVAILABLE**

4.1. Option 1 - (recommended) – That the Strategic Director authorise the award of contract to J Tomlinson for the value of £433,917.33 and the housing revenue account capital programme be amended accordingly. This will permit speedy commencement of important fire safety and compliance works in line with Nottinghamshire Fire and Rescue recommendations.

4.2. Option 2 - That the Strategic Director request that a new procurement exercise is undertaken. This is unlikely to reduce the cost of the works already priced and does not alter the scope of those works. In addition, it causes delays in commencing important work at the complex in line with Nottinghamshire Fire and Rescue recommendations.

4.3. Option 3 - The Strategic Director does not authorise the award of the contract – This option is not recommended as it will affect the safety of the complex and an increased potential for statutory notifications being enforced by the Nottinghamshire Fire and Rescue service.

1. **RISK ASSESSMENT OF RECOMMENDATIONS AND OPTIONS**

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| **Risk**  | **Risk Assessment**  | **Risk Level**  | **Risk Management**  |
| Option 1Financial | That the upgrade works cost more than the tendered cost.  | Low | The costs associated with this work are already contained within the Capital and Housing Repairs Budget.Managed as a ‘Notifiable’ form of contract with full performance, programme and health and safety monitoring in place along with regular meetings including monthly finance updates.Any variations or unforeseen costs will need formal approval via the contract terms. |
| Option 2Time delay | A longer procurement process would delay delivery of the works by approximately 3 to 6 months. | Medium | The costs associated with this work are already within the Capital and Housing Repairs Budget.New fire risk assessment would be necessary during the procurement period.Ongoing liaison with NFRS. |
| Option 3Reputational and Legal | Considered to be high as this could have an extreme impact on a large number of potentially vulnerable tenants should works not continue and could expose the council to the risk of enforcement action. | High | Increase the maintenance and test/inspection regimes to the building.Review and monitor housing management procedures.Ongoing liaison with NFRS.  |

**6. ALIGNMENT TO COUNCIL PRIORITIES**

* 1. This report is in line with the Council’s housing priority for ensuring there is an adequate supply of good quality, well managed and safe housing which is accessible and affordable to those who need it.

**7. IMPLICATIONS**

(a) Relevant Legislation – All procurement must be undertaken in compliance with Public Contracts Regulations (2006), where the value exceeds the European threshold, or in accordance with the Council’s procurement rules for those below the threshold.

1. Human Rights

It is not considered that the recommendation within this report will infringe on human rights. This project will positively contribute to a resident home life by helping to improve safety through-out the Council’s sheltered accommodation.

(c) Equality and Diversity

In reaching the above conclusion due regard has been taken of the general equality duty contained in the Equality Act 2010. Any contractor engaged on work for the Council will be required to show commitment to the Council’s equality and diversity standards.

(d) Climate change and environmental sustainability

 No direct link with climate change

(e) Crime and Disorder

 The submission has no impact on crime and disorder

(f) Budget /Resource

The budget for this work is available in the approved 2021/22 Housing Capital Programme.

**8. COMMENTS OF STATUTORY OFFICERS**

(a) Monitoring Officer – The decision to award the contract has been taken following a procurement exercise with the Council’s appointed procurement unit and complies with the Council’s procurement rules and legislation The contract will be prepared by the Council’s Legal team.

(c) Section 151 Officer – no specific comments.

**9. CONSULTATION**

None.

**10. BACKGROUND PAPERS**

None

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