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| **Report of the Housing Asset Manager**  **to**  **the Head of Housing**  **on**  18 February 2022 |
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| **Tideswell Court Complex - Compliance & Refurbishment Programme –**  **Main Contractor Procurement and Award of Contract.** | |

**1. SUMMARY**

* 1. This report requests approval to begin the procurement of a main contractor to deliver the compliance and refurbishment work to Tideswell Court sheltered complex in Mansfield. The procurement exercise will be carried out to comply with the Councils Contract Procurement Rules and in conjunction with the Projects Procurement Team at Nottingham City Council with a tendering exercise for the works.
  2. This is a key decision as the value of the contract awarded will be over £250,000 Capital.
  3. That the Asset Manager is given authority to instruct the Shared Legal Team to draft and finalise the necessary contract documentation and to enter into any warranties and agreements that may reasonably be necessary to enable completion of the project.

**2. RECOMMENDATIONS**

**Recommendation to the Head of Housing**

* 1. That the Head of Housing approve the commencement of a procurement exercise for the compliance and refurbishment work to Tideswell Court sheltered complex in Mansfield.
  2. That subject to a satisfactory tender exercise and evaluation the Head of Housing approve the appointment of the successful tenderer and that the appointment be administered under a JCT Intermediate building contract with contractors design as the form of contract.
  3. That authority is given to permit an instruction to be given to the Shared Legal Team to draft and finalise the necessary contract documentation and to enter into any warranties and agreements that may reasonably be necessary to enable delivery of the project.

**3. BACKGROUND**

* 1. The Tideswell complex requires essential refurbishment to upgrade the fire safety protection provisions within the complex.
  2. The refurbishment works will also include to improvement to both internal and external building elements and circulation areas in assisting the authority to comply with the Equality Act 2010 along with improving the decorations.
  3. The tender package for the above works will be advertised on the open tender portal. The Council’s detailed requirements are set out in the specification, preliminaries and further accompanying tender documentation. The tender selection criteria will be divided between quality 30% and price 70%. The appointment of the successful tenderer will be administered under a JCT Intermediate building contract with contractors design as the form of contract. The duration of the works will be for approximately 52 weeks with the cost controlled via the tender process and the contract form.

**4. OPTIONS AVAILABLE**

**Option 1 (recommended option)**

* 1. Option 1 - That the Head of Housing authorise the commencement of a procurement exercise (as detailed in section 2 above) for the compliance and refurbishment work to Tideswell Court sheltered complex in Mansfield.

4.1.1 The tender package for the above works will be advertised on the open tender portal. The Authority’s detailed requirements are set out in the specification, preliminaries and further accompanying tender documentation that are currently being prepared. The tender selection criteria will be divided between quality 30% and price 70%. The appointment of the successful tenderer will be administered under a JCT Intermediate building contract with contractors design as the form of contract. The duration of the works are expected to be will be for approximately 52 weeks with the cost controlled via the tender process and the contract form.

**Option 2 (alternative procurement exercise)**

* 1. Option 2 - That the Head of Housing request that an alternative procurement route is chosen to commission the works. This will still require the Public Contract Regulations 2015 to be followed, is unlikely to reduce the cost of the works required and will cause some delay to commencing the delivery of the project.

**Option 3 (not to approve the recommendation)**

* 1. Option 3 - The Head of Housing does not authorise the refurbishment work to go ahead and looks at options that achieve safety and compliance via delivering a much reduced scope of works. This is not recommended as such works are slower to roll out, can achieve a loss of interconnection between systems and often do not reduce the duration and level of disruption to residents of the complex.

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

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| **Risk** | **Risk Assessment** | **Risk Level** | **Risk Management** |
| Financial | Funding to undertake the work. | Low | The costs associated with this work are contained within the Capital and Housing Repairs Budget. |
| Financial | Failure to remain within the budget allocated. | Medium | Costs managed as a form of contract with regular project meetings proposed including monthly finance updates.  Any variations will need formal approval via the contract rules. |
| Project Delivery | The selected contractor ceases to exist. | Medium | This will only cause delays in project delivery, whilst an alternative contractor is selected and delay the efficiency savings for the Capital and Housing Repairs service |

**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 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 (2015), 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 throughout 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 2022/23 Housing Capital Programme.

**8. COMMENTS OF STATUTORY OFFICERS**

1. Monitoring Officer – The legislation and associated considerations are set out within the main body of the report.
2. Section 151 Officer – No specific comments.

**9. CONSULTATION**

None.

**10. BACKGROUND PAPERS**

None.

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