

REPORT 1

REPORT TO THE EXECUTIVE MEETING OF 8 JUNE 2016

Meeting: Executive
Date: 8 June 2015
Subject: The Symington Building; Roof Resurfacing Works Tender
Report of: Mark Perris
Portfolio Holder: Councillor Phillip King; Financial & Commercialisation
Status: Decision
Relevant Ward(s): Great Bowden & Arden

1. Purpose of the Report

- 1.1. To seek approval for the appointment of a contractor for the replacement of the roof covering and associated works on the “return wing” of The Symington Building as outlined in the tender pack attached as Appendix A.

2. Recommendations:

- 2.1. **The Executive delegates authority to the Corporate Director (BJ), in consultation with the Portfolio Holder, Financial and Commercialisation together with the Head of Legal and Democratic Services to award, negotiate and finalise the roof resurfacing works contract.**

3. Summary of Reasons for the Recommendations

- 3.1. To ensure that the Council appoints a suitable contractor to undertake the replacement of the roof coverings and associated works contract within the programme timescales.

4. Key Facts

Tender

- 4.1 Harborough District Council resolved at its Full Council meeting on 22 February 2016 to include the replacement roof covering works in the capital programme for 2016/17.
- 4.2 There have been a number of performance issues, with the roof during 2015 and 2016 with several leaks continuing despite works to address the same. These performance issues have precipitated the re-surfacing works being programmed for 2016/17.

- 4.3 Following the Capital Programme approval in February 2016, the Council appointed Rhomco to prepare the specification for the replacement of the roof covering, and this has now been completed and the tender process opened.
- 4.4 In addition, the Council utilised the constructionline service, a system where contractors are pre-checked removing burdensome administration, as this has already been undertaken.
- 4.5 The opportunity has been advertised as follows;
- Contract Finder (in accordance with new procurement regulations);
 - Source Leicestershire (in accordance with Constitution).
- 4.6 The tender has been conducted using the “Bip Delta” e-tendering system and followed the process set out in the tender documentation. Weighting of the evaluation was:
- Technical: 30%
 - Price: 70%.
- 4.7 Tenders close on 6 June 2016, and will be evaluated by a panel including the external technical consultant.
- 4.8 A programme is included in Appendix B. This shows that in order to ensure that the works commence in July 2016 to make best use of staff holidays and better weather that the Executive will need to delegate award of the contract to ensure the timescales are met.

Mitigation Measures during replacement of the roof covering

- 4.9 Inevitably there will be some inconvenience for building users, primarily District Council staff based on the 3rd floor, which will result in no access being available to the “return wing” during the works.

Therefore, following consultation with other users of the building the following measures will be put in place to reduce the impact of the works;

- Works being carried out during holidays periods to reduce numbers of staff affected;
 - Works being undertaken alongside the lift replacement works, to reduce the time that staff will be impacted.
- 4.10 Additional desks will be provided within the remaining third floor during the works and additional home working will be implemented to address reduced capacity within the building.
- 4.11 Consultation has been undertaken with the various services and adequate capacity, utilising the aforementioned mitigation measures, has been identified.

5. Legal Issues

- 5.1 The Council would lay itself open to legal challenge if it failed to comply with EU procurement directives, UK law and its own constitution. These obligations require a degree of confidentiality whilst the tender process is current.
- 5.2 Award of the contract is subject to the Executive's approval; the option of deciding not to proceed is available. However, the decision regarding the choice of provider could not be overturned without exposing the Council to a serious risk of legal challenge.
- 5.3 In effect, the Council can award a contract to the preferred contractor, to be identified through the evaluation process or award to no provider and seek an alternate approach.
- 5.4 The proposed form of contract is the JCT Intermediate Contract.

6. Resource Issues

- 6.1 Funding of £150,000 has been allocated within the Capital Programme for the project, as identified in General Fund Revenue Estimates and Capital Programme Report to Council in February 2016. The Budget framework provides for a 10% tolerance on the approved capital programme if tender prices were to come in higher than the budget estimate. Costs in excess of this tolerance would need additional approval.
- 6.2 Additional flexible working will be required. No additional revenue budget has been identified for any additional temporary ICT costs arising from the need for the Council to relocate staff from the return wing of The Symington Building. However, these are not anticipated to be material and will therefore be funded within existing budgets.

7. Equality Analysis Implications/Outcomes

- 7.1 There are no equality impacts as a result of this report.

8. Risk Management Implications

- 8.1 Failure to identify a suitable roof contractor could jeopardise the future operation of the building, delivery of frontline services and contractual obligations with Partners.

9. Consultation

- 9.1 Consultation has been undertaken with partners and with Council officers to determine the most appropriate time of year to undertake the works.
- 9.2 Through this consultation, the 10-12 weeks commencing 4 July 2016 has been identified as the preferred option, and in order to ensure that these

timescales are met, a consultant was appointed to prepare the tender documentation.

10. Options

10.1 The options available to the Executive are;

- Delegate authority to the Corporate Director (BJ) in consultation with the Portfolio Holder, Financial and Commercialisation and the Head of Legal and Democratic Services to award, negotiate and finalise the contract, in order to meet the necessary timescales;
- To require a full report to award the contract, but this will result in the preferred timescales not being achieved.
- Not to award the contract

11 Background Papers

11.1 None.

Previous report(s): Council 8 February 2016; General Fund Revenue Estimates and Capital Programme

Information Issued Under Sensitive Issue Procedure: Yes (part)

Ward Members Notified: Yes

Appendices:

Appendix A	Tender Pack
Appendix B	Programme