



ADVANCED PUBLICATION OF REPORTS

This publication gives five clear working days' notice of the decisions listed below.

These decisions are due to be signed by individual Cabinet Members
and operational key decision makers.

Once signed all decisions will be published on the Council's
Publication of Decisions List.

1. **SUPPLIER A HOSTED APPLICATION SERVICES** (Pages 1 - 12)
2. **APPROVING MAJOR WORKS SCHEMES OUTLINED IN THE MAJOR WORKS PROGRAMME 19/20 AND EMERGENCY BUILDING SAFETY WORKS** (Pages 13 - 24)

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MUNICIPAL YEAR 2019/2020 REPORT NO.**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY**

OPERATIONAL DECISION OF:
Executive Director of Resources

Agenda – Part: 1	KD Num: 4972
Subject: Supplier A Hosted Application Services	
Wards: n/a	

Contact officer and telephone number:

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1. RECOMMENDATIONS

To seek approval to award the renewal contract for application services provided by Supplier A for the period to 30th September 2025. *See Part 2.*

2. BACKGROUND

Since 2010, Enfield Council has been in partnership with Supplier A to host the Revenues and Benefits System (which supports Council Tax, Benefits, Business Rates and Overpayments) and the supporting integrated Workflow and Document Management systems. Since 2017 Enfield has been implementing the replacement Housing System system in the same environment and in 2018 Supplier A have acquired the Single View of Customer system that is used for the Single View of the Customer in Enfield.

These contracts co-terminate on 30th September 2020. Having reviewed that the products and hosting arrangements remain Enfield's preferred way forward, EY were engaged to work with IT to look at getting the best value from any future extension or re-award of the contract.

As part of the re-negotiation, the services using the live applications confirmed that they are happy with the products in use, and IT confirmed that they would fit with the future strategy. The Housing product (Housing System) is expected to go live at the end of 2019, within the lifetime of the current contract, and there is no appetite to replace that system at this point.

As a result, the negotiations focussed on the following:

- To reduce costs paid to Supplier A during the implementation project
- To reduce the impact of the RPI increase on the current contract terms
- To acquire services within the contract so Enfield does not have to keep acquiring new services that are developed in the contract lifetime
- To ensure that the products are developed in line with Enfield's IT strategy
- To remain on the current applications

At the point of negotiations, the annual costs of Revenues and Benefits, Workflow system, Housing System, Single View of Customer and the Hosting of them is see *Part 2*. The existing RPI increase is 3.5% which would apply in the final year.

Following negotiations, Supplier A have proposed that Enfield undertakes an early renewal which would provide a new 5 year period plus the remaining period of the current term. The proposal meets the requirements above.

See Part 2

3. COMMENTS OF THE DIRECTOR OF FINANCE AND OTHER DEPARTMENTS

3.1 Financial Implications

See Part 2

3.2 Legal Implications

Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate or is conducive or incidental to the discharge of their functions.

Furthermore, the Council has a general power of competence under Section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided that it is not prohibited by legislation and subject to public law principles.

The Council will need to ensure that any contracts which are entered into pursuant to the IT rationalisation programme are procured in accordance with the Public Contracts Regulations 2015 (where applicable) and the Council's Contract Procedure Rules.

The contracts will need to be in a form approved by the Director of Law and Governance.

This will be a Key Decision as it involves expenditure of more than £250,000 and therefore the Key Decision governance process will need to be followed (see CPR 1.22.4).

The Council needs to be mindful that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply to any future service provision change, and legal advice should be sought on this at the appropriate time.

Legal Implications provided by Wilton Thomas

3.3 Property Implications

N/A

3.4 Procurement Implications

3.4.1 Any procurement must be undertaken in accordance with the Councils contract Procedure Rules (CPR's) and the Public contract Regulations 2015.

3.4.2 The award of the contract, including evidence of authority to award, promoting to the Councils contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract. Where this has not happened then copies of the evidence must be provided to the P&C Hub to create a Contract Register entry for the contract. (As in this instance).

3.4.3 All award projects must be promoted to Contracts Finder to comply with the Governments transparency requirements.

3.4.4 Supplier A and Enfield entered into the agreement for Revenues and Benefits on the 30th September 2015 via a signed LASA agreement (the pre-cursor to the current DAS framework).
Supplier A and Enfield entered into the agreement for Housing System on the 1st May 2016 via a signed LASA agreement.

3.4.5 In order to align the contracts a single contract would be needed and therefore Supplier A are proposing the use of the DAS Framework (<https://ccs-agreements.cabinetoffice.gov.uk/data-and-application-solutions>). This is the new crown commercial framework that has replaced LASA and is effective from the 22nd February 2019. The framework has pre-agreed T&Cs with the crown commercial service that Supplier A has accepted. Supplier A would be able to use this as a framework to add other services throughout the term as required.

3.4.6 As the council is a current customer of Supplier A for Revenues and Benefits and Housing then the council can purchase the renewal and additional modules direct from Supplier A under the terms of the framework as a **direct award**. This therefore allows the council to procure the extension under one agreement directly from Supplier A.

3.4.7 If the council would like to discuss the option further Supplier A would be happy to engage with the relevant parties. A direct award can be completed under the CCS DAS Framework Agreement, this can be an

Initial Period of five years with an extension period of a further two years. The extension period can be invoked immediately following signature of the Call Off Order form via a CCN to the Call Off Contract. This would mean that in order to execute the agreement a Call Off Contract and CCN will be issued and both must be signed to enter into the six year arrangement.

3.4.8 It is expected that this contract will be monitored and managed effectively to ensure that it delivers value for money, and all KPI's are met and delivered. The payments are made in line with contracted pricing. That any renewal/re-procurement will be started with sufficient time to carryout a full and compliant process prior to the end of this contract.

3.4.9 See Part 2 *Implications provided by Claire Reilly*

3.5 HR Implications

None

3.6 ICT Implications

This is to maintain the existing service until the end of September 2025 and also implements the following additional services that fit the IT strategy of the council including:

- Single Sign On Capability
- Golden Record Production
- Integrated platform for delivery of two critical service lines
- Agile delivery and R&D approach to service innovation
- API access

4. ALTERNATIVE OPTIONS CONSIDERED

The following options have been considered:

4.1 Do nothing

The contract period ends in September 2020, we will be left without a supplier so this is not feasible.

4.2 Alternative supplier

The existing products are well embedded within the organisations enterprise architecture. Acquiring and implementing an Enterprise wide change for these solutions would require at least 3 years, so is not feasible.

5. REASONS FOR RECOMMENDATIONS

Proceeding with this proposal will provide business continuity, cost avoidance and reduction, develops an existing partnership and adds value to the current services by making them fit to the future IT Strategic goals of fewer suppliers, single sign on and potential for application rationalisation.

6. KEY RISKS

The risks of proceeding with the recommendations in this report are as follows:

- **Timescales/Costs:** That we do not complete the acquisition in time and lose potential savings over the term of the contract
- **Mitigation:** Supplier A are aware of the timescales and potential impact on future partnership and opportunities with Enfield and are expected to maintain there offer in the event of delays
- **Procurement :** Alternative Suppliers not offered opportunity to bid:
- **Mitigation:** Procurement have confirmed proposed process meets all rules

7. IMPACT ON COUNCIL PRIORITIES

8.1 Good homes in well-connected neighbourhoods

- Applications support delivery of all Revenues, Benefits and Housing services which in turn support all the council priorities

8.2 Sustain strong and healthy communities

- Applications support delivery of all Revenues, Benefits and Housing services which in turn support all the council priorities

8.3 Build our local economy to create a thriving place

- Applications support delivery of all Revenues, Benefits and Housing services which in turn support all the council priorities

9 EQUALITIES IMPACT IMPLICATIONS

N/A

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Key Performance Indicators in line with existing service provision, supporting the current ICT KPI's. There are no new implications as this a continuation of service.

11. HEALTH AND SAFETY IMPLICATIONS

N/A.

12. HUMAN RESOURCES IMPLICATIONS

N/A.

13. PUBLIC HEALTH IMPLICATIONS

N/A

Background Papers

N/A.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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MUNICIPAL YEAR 2019/2020**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY**

PORTFOLIO DECISION OF:
Cabinet Member for Social
Housing

Agenda – Part: 1	KD Num: 4922
Subject: KD - Approving major works schemes outlined in the Major Works Programme 19/20 and Emergency Building Safety Works	
Ward: Chase and Lower Edmonton	

Contact officer and telephone number: Paul O'Donnell 07866921805

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1. EXECUTIVE SUMMARY

- 1.1 This project was identified as part of the Better Council Homes Workplan and Budgets 2019/20 (KD 4830) which was approved by Cabinet on 13 February 2019.
- 1.2 The project is included in the 30-year HRA Business Plan, which was detailed in Housing Revenue Account (HRA) Business Plan Budget 2019/20, Rent Setting and Service Charges report (KD 4741) and was approved by Cabinet on 13 February 2019 and Council on 27 February 2019.
- 1.1 Officers are developing a new standard for High Rise Blocks which will include safety, maintenance, management, feasibility to install sprinklers and emergency standards which will then set the budget and approach for safety works.
- 1.2 This report proposes the direct award of a contract through the Fusion 21 Procurement Framework, to replace the previously installed cladding at both Bliss House and Purcell House with a new external wall insulation system.

2. RECOMMENDATIONS

- 2.1 That approval be given to award the external wall insulation installation aspect of Bliss House and Purcell House pilot project works.
- 2.2 See Part 2 report.
- 2.2 See Part 2 report.

3 Background

- 3.1 Enfield Council is undertaking a fire safety pilot programme for high rise blocks aimed at developing a new standard which will include safety, maintenance, management, feasibility to install sprinklers and emergency standards which will then set the budget and approach for safety works for other high-rise housing blocks.
- 3.2 Council Officers commissioned an assessment of the existing cladding system at Bliss House and Purcell House in July 2018. This assessment was carried out by M10 Fire Engineers who determined that the system did not provide suitable protection against the spread of fire. ENGIE were instructed to complete urgent removal works on behalf of the Council.
- 3.3 Following the emergency removal of the existing insulation, a proposed solution was developed for reinstatement using a replacement external wall insulation (EWI) system (Alumasc Silkolitt). This would be applied to the two flank walls of each building.
- 3.3 Design details were submitted to Planning for approval, which was subsequently granted on 25 July 2019.
- 3.4 A full site set up including access arrangements, namely scaffolding and a passenger hoist was established for the phase 1, removal works. This has remained in place for the second phase in order that reinstatement works can be completed as soon as possible, ideally allowing works to commence during the summer months. It was also considered that retention of the site setup and access equipment would reduce disruption to the residents of each block and the surrounding area.
- 3.5 See Part 2 report.
- 3.6 The proposed works would form part of the pilot project for the Councils fire safety programme.
- 3.7 At the Cabinet Meeting dated 13 February 2019 delegated authority was approved for the Cabinet Member for Housing in consultation with the Director of Law and Governance to approve the major works procurement plan noting that all such procurement activity would be carried out in accordance with the statutory OJEU framework and the Council's procurement rules to ensure that the programme delivers value for money for tenants and leaseholders and to note that arising from this process the Executive Director – Place would authorise the award of the contracts.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Consideration was given to the procurement of the reinstatement works through a competitive tender process.
- 4.2 In terms of procurement options there were two main routes for consideration:
 - i. Use of a suitable consortia framework agreement, with appointment via direct award or mini tender
 - ii. Unilateral tendering of a bespoke contract utilising either the open or restricted process
- 4.3 Using a framework can save time and money, while still delivering a service specified to local requirements. Contractors are assessed for suitability prior to joining the framework and have signed up to pre-agreed terms and conditions. Standard documentation is also provided as well as support from the framework itself.
- 4.4 Frameworks provide a direct award option which enables Clients to enter into contract with Suppliers using the most expedient route to market available, whilst remaining compliant with the Public Contract Regulations 2015.
- 4.5 Tendering a contract allows clients to create bespoke documentation designed to fit its requirements. This approach also opens up the opportunity to tender to a wider group of bidders.

5. REASONS FOR RECOMMENDATIONS

- 5.1 It is important that works commence at the earliest opportunity to make use of milder conditions. Inclement weather slows works progress down, possibly resulting in additional costs and potentially impacting on the External Wall Insulation System.
- 5.2 See Part 2 report
- 5.3 See Part 2 report
- 5.4 See Part 2 report

6 COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

A fire safety budget was approved as part of the rent setting report in February 19. This agreed budget will fund the £750k spend required to replace the cladding at Bliss and Purcell House with a new external wall insulation system.

These costs are included in the HRA 30-year business plan.

6.2 Legal Implications

- 6.2.1 Section 111 of the Local Government Act 1972 gives a local authority power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The matters outlined in this report are incidental to the functions of the Council's departments and are intended to help ensure an effective service.
- 6.2.2 The Council also has a general power of competence in section 1(1) of the Localism Act 2011. This states that a local authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation.
- 6.2.3 The Council's Constitution, in particular the Contract Procedure Rules ("CPR's") permit the Council to procure services from an existing legally compliant framework as long as the framework terms permit such and the framework is accessible by the Council.
- 6.2.4 The Council's Corporate Procurement Service should conduct due diligence on the use of the Framework and must be satisfied the Council may procure these services in accordance with the Framework Agreement. The Call Off must be undertaken strictly in accordance with the terms of the Framework
- 6.2.5 The Council must comply with its obligations relating to obtaining best value under the Local Government (Best Value Principles) Act 1999.
- 6.2.6 As the Call Off Contract's value is over £250,000 this is a Key Decision and the Key Decision procedure should be followed.
- 6.2.7 The Call Off Contract will need to be sealed on behalf of the Council.

Legal Implications provided by LJS on 08.08.2019 based on a Report circulated on 05.08.2019.

6.3 Procurement Implications – *Procurement Implications provided by Peter Alekkou on 15th August 2019.*

- 6.3.1 Any procurement must be undertaken in accordance with the Councils Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015).
- 6.3.2 As the contract is over £250k the service must ensure that sufficient security has been considered.

- 6.3.3 Any use of a Framework must be agreed by the Procurement & Commissioning Hub.
- 6.3.4 No direct award over £10,000 can be made via a Framework without documented approval from the P&C Hub.
- 6.3.5 Only legally compliant frameworks will be approved and the P&C Hub will ensure that Due Diligence is carried out on the Framework prior to any procurement.
- 6.3.6 Any call-off from a Framework must be carried out in line with the relevant framework process and via the [E-Tendering Portal](#), with all documentation retained.
- 6.3.7 The service must ensure that authority to procure has been obtained and must be uploaded onto the London Tenders Portal.
- 6.3.8 The procurement and award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of the executed contract must be undertaken on the London Tenders Portal including future management of the contract.
- 6.3.9 The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

6.2.8 Property Implications

There are no property implications in connection with this report.

6.2.9 Performance Implications

Project specific performance measures (KPI's) will be incorporated into the contract to track progress, satisfaction, quality and financial performance. These will be monitored at monthly progress meetings.

7 KEY RISKS

The table below highlights risks identified and mitigating actions taken.

Risk	Mitigating action	Residual risk High / Medium or Low
Necessary procurement	Bailey Garner Consultants are providing specialist contract	Low

skills for the project	<p>administration and procurement support services</p> <p>The Council's Project Manager has significant procurement experience.</p> <p>Procurement support provided by Framework provider (Fusion 21)</p>	
Supplier has necessary skills and qualifications	Contractors undertook a rigorous pre-qualification process when joining the framework	Low
Compliance with Public Contracts Regulations 2015	Contract procured via established framework with support from the framework providers who ensure compliance with the framework rules and Public Contract Regulations 2015	Low
Contractual issues	The Councils requirements are built into the bespoke contract and tender documentation	Med
Supplier performance	<p>Clearly defined key performance indicators (KPI's) have been incorporated into the contract.</p> <p>Adequate contract management and administration will be applied and contract monitoring meetings take place at regular intervals.</p> <p>Retention clauses have been Incorporated into the contract.</p>	Low

8 INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION

The Major Works Team has sufficient and suitably experienced management resource for the administration of this contract.

Residents will be invited to attend consultation events at each block. They will also have the opportunity to meet Enfield's Resident Liaison Officer and the Contractors Management Staff in their homes by request. Regular updates will be posted on notice boards in the common areas of each building and residents will also be updated by letter.

9 IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD.

9.1 Good homes in well-connected neighbourhood

The programme will improve the quality of existing homes creating thriving neighbourhoods and places

9.2 Sustain strong and healthy communities

Developing and sustaining good quality housing in areas where people desire to live will help to create and maintain strong sustainable communities.

9.3 Build our local economy to create a thriving place

Support residents to take more responsibility to increase the local economy and improve their communities by more active engagement in project delivery.

10 EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report, however it should be noted that the any contracts awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

11 HEALTH AND SAFETY IMPLICATIONS

Work is notifiable under CDM and appropriate appointments will be made.

The proposed fire safety works are supported as a means of tackling various fire safety concerns that have been raised in Fire Risk Assessments completed on the blocks in recent years. The safety benefits and learning experiences from the project will be valuable and

shared with the London Fire Brigade to continue our good working relationship.

12 PUBLIC HEALTH IMPLICATIONS

The work will contribute towards reducing heating bills, sustaining tenancies, reducing fuel poverty and improving the environment for the residents of the block.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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