



## **PUBLICATION OF DECISION LIST NUMBER 53/20-21**

### **MUNICIPAL YEAR 2020/21**

Date Published: 26 March 2021

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers Key, Non-Key, Council and Urgent Decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Governance and Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Governance and Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision, please refer to:

– Claire Johnson (ext.1154)

*Phone 020 8132 then extension number indicated*

**INDEX OF PUBLISHED DECISIONS – 26 March 2021**

<b>List Ref</b>	<b>Decision Made by</b>	<b>Date Decision came/ comes into effect</b>	<b>Part 1 or 2</b>	<b>Subject/Title of Report</b>	<b>Category of Decision</b>	<b>Affected Wards</b>	<b>Eligible for Call-In &amp; Date Decision must be called in by (If Applicable)</b>	<b>Page No.</b>
1/53/20-21	Sarah Cary (Executive Director Place)	Wednesday 7 April 2021	Part 1 & 2 (Para 3)	Award of External Works Contracts	KD: 5129	All	Yes Tuesday 6 April 2021	1 -2
<b>DECISIONS</b>								
For additional copies or further details please contact Claire Johnson (020 8132 1154), Governance and Scrutiny Team.								

**LIST REFERENCE: 1/53/20-21**

<b>SUBJECT TITLE OF THE REPORT:</b>							
<b>AWARD OF EXTERNAL WORKS CONTRACTS</b>							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision comes into effect</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1 & 2 (Para 3)	All	Sarah Cary (Executive Director – Place)	Wednesday 7 April 2021	None	KD: 5129	Sarah Stevenson-Jones (Resident Safety Programme Director) 020 8132 1848 <a href="mailto:Sarah.Stevenson-Jones@enfield.gov.uk">Sarah.Stevenson-Jones@enfield.gov.uk</a>	Yes Tuesday 6 April 2021
<b>DECISION</b>							
<p><b>AGREED</b> subject to not being called in:</p> <ol style="list-style-type: none"> <li>That approval be given to award three, two-year contracts with the option to extend each contract for a further 12 month period at the sole discretion of the Council, for external refurbishment works to 2,676 Council owned homes to those successful contractors mentioned in the restricted appendix to the report, following a compliant tender process.</li> </ol>							
<b>ALTERNATIVE OPTIONS CONSIDERED</b>							
<p>Consideration was given to several alternative options to deliver the works that can be summarised as follows:</p> <p>Option A: A single contract covering the whole borough of a long duration i.e. 5 years or more.</p> <p>Option B: 2 geographically based contracts of up to 3 years duration</p> <p>Option B was selected based upon the following:</p> <p>Option A: Single Long-Term Contract - This approach is commonly used within the sector and does have benefits in terms of management input i.e. a single relationship to manage. However, the key factors that led to its rejection were: Failure or poor performance is systemic and provides a major risk for the Council.</p> <ul style="list-style-type: none"> <li>Only Major Contractors have the capacity to tender for these works and therefore competition is limited.</li> <li>The potential involvement of Small/Medium Enterprises (SMEs) is limited to working for the Main Contractor.</li> <li>The Contract would probably exceed the OJEU threshold and would therefore require an OJEU Compliant approach which takes longer and is less cost effective than a sub-OJEU procurement.</li> </ul>							

## **ALTERNATIVE OPTIONS CONSIDERED CONTINUED**

### Option B: 2 geographically based contracts

Officers considered that this option provides the optimum solution, it was selected because:

- Having 2 contractors reduces the impact of failure or poor performance.
- Performance appraisals will determine whether 12-month extensions will be agreed.
- The Council's management team and structure is ideally suited to this scale of Contract.
- The size of the contract would enable smaller SMEs to tender.
- The Council's experience in working with SMEs to deliver this type of work has been mixed but the experience gained would enable them to identify high performing contractors.
- The Contracts would not exceed the OJEU threshold and procurement timescales would therefore be reduced.

## **REASONS FOR RECOMMENDATIONS**

1. Given the high volume of properties included in the programme and planned timescale for completion of the works, it is recommended to award three separate contracts to ensure the Council mitigates risks around possible future labour shortages and supply chain performance.
2. The procurement plan for the 20/21 capital programme was approved at the Procurement and Commissioning Hub on Tuesday 24th September 2019, noting that all such procurement activity would be carried out in accordance with the Council's procurement rules to ensure the programme delivers value for money and achieves the quality standards expected for tenants.

## **BACKGROUND**

Please note that a copy of the Part 1 report is available on the Council's democracy pages. As the part 2 appendix contains exempt information it will not be available to press and public.