



## **PUBLICATION OF DECISION LIST NUMBER 56/21-22**

**MUNICIPAL YEAR 2021/2022**

Date Published: 8 March 2022

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 (0208 132 1154)

## INDEX OF PUBLISHED DECISIONS – Tuesday 8 March 2022

List Ref	Decision Made by	Date of Decision	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page Number
1/56/21-22	Doug Wilkinson (Director of Environment & Operational Services)	Tuesday 8 March 2022	Part 1	Mechanical & Electrical Maintenance Services for Corporate Properties (non-housing)	KD 5431	Town	No (Call-in Waiver)	1

### DECISIONS

For additional copies or further details please contact Claire Johnson (020 8132 1154), Governance and Scrutiny Team.

**LIST REFERENCE: 1/56/21-22**

<b>SUBJECT TITLE OF THE REPORT:</b>							
<b>MECHANICAL &amp; ELECTRICAL MAINTENANCE SERVICES FOR CORPORATE PROPERTIES (NON-HOUSING)</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	Town	Doug Wilkinson (Director of Environment & Operational Services)	Tuesday 8 March 2022	None	KD: 5431	James Wheeler Head of Construction, Maintenance & Facilities Management james.wheeler@enfield.gov.uk 0204 526 7112 or 07929 185629	No (Call-in Waiver)
<b>DECISION</b>							
<p><b>AGREED :</b></p> <ol style="list-style-type: none"> <li>To agree an annual price of £1.5m represents Value for Money based on the previous tender outcome after adjustment for inflation and a scope. (explained in detail in paras 19-22 of the report).</li> <li>To agree that a replacement supplier (or suppliers) of mechanical &amp; electrical maintenance services be procured via the Fusion 21 framework, and that the Council enter into a call off contract with the successful supplier/s.</li> <li>To delegate authority to the <b>Director of Environment &amp; Operational Services</b> to procure and award a contract for a 4-year term to a replacement supplier, or multiple suppliers if separation of the services is beneficial to the Council, of mechanical &amp; electrical maintenance services for corporate properties (non-housing) in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules if the tender outcome is <b>no greater than £1.5m per annum</b>; or:</li> <li>To delegate authority to the <b>Director of Environment &amp; Operational Services</b> to procure and award a contract for a 1-year term to a replacement supplier, or multiple suppliers if separation of the services is beneficial to the Council, of mechanical &amp; electrical maintenance services for corporate properties (non-housing) in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules if the tender outcome is <b>greater than £1.5m per annum and less than £1.8m</b>; or:</li> <li>To delegate authority to the <b>Director of Environment &amp; Operational Services, in consultation with the Executive Director Resources</b> to procure and award a contract for a 1-year term to a replacement supplier, or multiple suppliers if separation of the services is beneficial to the Council, of mechanical &amp; electrical maintenance services for corporate properties (non-housing) in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules if the tender outcome is <b>greater than £1.8m</b>.</li> </ol>							

**ALTERNATIVE OPTIONS CONSIDERED**

1. Do nothing - It would be unlawful to cease provision of the mechanical & electrical maintenance services for corporate properties (non-housing). Rejected.
2. Attempt to renegotiate the contract value and / or terms with the incumbent supplier – this would be a breach of the EU / Public Contracts Regulations 2015 as it would materially alter the contract awarded and be anti-competitive. It would also likely decrease the Value For Money to the Council. Rejected.

**REASONS FOR RECOMMENDATIONS**

1. The purpose of the mechanical & electrical maintenance services for corporate properties (non-housing) is threefold: (i) to provide statutory safety inspections and risk assessments; (ii) to provide planned preventative maintenance; and (iii) to provide reactive investigations, minor repairs and adjustments necessary to ensure the operational continuity of buildings.
2. The Council has a duty to ensure its buildings are maintained in a safe condition and without risk to health and safety as required by S2(e) of the Health and Safety at Work Act 1974 and as directed by the many secondary legislation relating to individual building systems such as legionella, fire, asbestos, electricity, lifting equipment and so on, all generically known as Mechanical & Electrical services.
3. Failure by the Council to meet this duty would present an increased risk of injury or death to employees and the public and could result in criminal prosecution, fines and imprisonment. The Council would also be at risk of claims for personal injury and associated costs.

**BACKGROUND**

Please note that a copy of the Part 1 report is available on the Council's democracy pages.