

Decision Report

Proposed Decision Date – 2 December 2024
Key Decision – Yes



Award of Contract for Fire Door Replacement Programme

Executive Member: Councillor Federica Smith-Roberts, Lead Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity.
Division Affected – West

Executive Director: Chris Hall, Executive Director for Community, Place and Economy

Executive Summary

Somerset Council own and manage approximately 6000 social rented homes in the Taunton area (prior to April 2023, Somerset West and Taunton District) and under the capital maintenance programme (HRA Capital contract) needs to ensure continued compliance with the Decent Homes Regulatory Standard and Fire Safety Regulations.

The Council has a need to continue its programme of ensuring all doors opening on to communal areas comply with fire regulations.

Approval is sought for the award of three contracts to three different contractors following a procurement procedure carried out in accordance with the authority's Contract Procedure Rules and Standing Orders, and Public Contracts Regulations 2015.

The Council expects appointed Fire Door Contractors to be able to install circa 285 flat entrance front doors as well as c.165 service and cupboard doors as necessary within the initial one-year period of the contracts. Each appointed contractor is to be instructed to deliver approximately an equal portion of the programme by the Capital Programme team (depending on performance). The total value of the contracts in the initial period will be c£3.5m across all of the three contracts. The contract will be a separate JCT Measured Term Contract for each contractor.

Recommendations

The Lead Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity agrees:

- a. To approve the award of three contracts for an initial period of 1 year, with options to extend by mutual agreement for a further 1 + 1 years to accommodate any residual works in the following years.
- b. To approve the delegation of authority to the Executive Director, Community Services, to approve any further extensions of the contracts subject to mutual agreement and confirmation of available funding.

- c. Agree the case that Appendix B is regarded as exempt information and is to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.

Reasons for Proposals

The reason for appointing three contractors is to support efficient delivery of the programme and provide resilience in our supply chain against contractor delivery failure.

This programme is discrete and will only affect Somerset Council's social housing tenants. Improved delivery of the programme should help to support tenant satisfaction with their home.

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Main report and supporting information



Background and purpose of report

The Council expects appointed Fire Door Contractors to be able to install circa 285 flat entrance front doors as well as c.165 service and cupboard doors as necessary within the initial one-year period of the contracts. Each appointed contractor is to be instructed to deliver approximately an equal portion of the programme by the Capital Programme team (depending on performance). The total value of the contracts in the initial period will be c£3.5m across all of the three contracts. The contract will be a separate JCT Measured Term Contract for each contractor.

Contractors on the Westworks DPS were invited to bid for this opportunity based on the following weighted criteria:

- Price 40%
- Quality criteria
 - Customer Service and Client Liaison 20%
 - Contract mobilisation, delivery and contract management 20%
 - Health and Safety 10%
- Social Value offer at 10%.

Seven contractors bid for this opportunity and three preferred contractors have been identified for the programme

The purpose of this report is to provide all the information necessary for the recommendation to be considered and a Decision agreed.

Links to Council Plan and Medium-Term Financial Plan

The costs are accounted for fully within the Housing Revenue Account (HRA) Medium-Term Financial Plan.

The provision of good housing supports the Council Plan and is a particularly key element in delivering the 'A Healthy and Caring Somerset' and 'A Fairer, Ambitious Somerset' priorities.

Other options considered

These contracts support the Council in meeting its obligations under the Decent Homes Regulatory Standard and Fire Safety Regulations.

The provision of these works, following a competitive procedure via the Westworks Dynamic Purchasing System (DPS) that resulted in seven bids received from external contractors, means that the market has been well-engaged and value for money fully tested. To have run an open competition may

have increased the number of contractors expressing an interest, but these may not necessarily have been competent contractors and this approach would have increased the procurement timeline..

Key considerations for the Council

Scrutiny comments / recommendations:

The Chair of the Communities Scrutiny Committee has been consulted on the proposed contract.

Consultation and feedback

No consultation has been undertaken as those tenants affected by the proposal will be individually contacted prior to any works commencing in their home, and the detail of what works and how these will be undertaken clearly explained to them. They also have the right to refuse these works if they choose to do so.

Financial and Risk Implications

The costs are accounted for fully within the Housing Revenue Account (HRA), with funding for work included in the approved HRA budget for 2024/25.

The HRA capital programme includes approved budget of £4,975,383 for 2024/25 on the Fire Safety Works Scheme (HR1018000) and is fully funded from borrowing, as all other HRA major works schemes fully utilise the estimated funds available from the major repairs reserve. This is part of the approved 2024/25 business plan.

The projected costs to deliver circa 285 flat entrance doors as well as circa 165 service and cupboard doors during the initial one-year contract is £3.5m across the three supplier contracts.

To note that the remaining budget of £1,475,383 will be spent on installation of a new fire emergency lighting system to an extra-care scheme, a door entry system / curtain wall upgrade to a flat block, and the remainder on a range of Fire Risk Assessment recommended remedial works (primarily compartmentalisation upgrades). Therefore this contract, along with other fire safety contracts, remains within the approved budget.

The proposed contract start date is 2nd December 2024 with a contract end date of 1st December 2025. Therefore capital expenditure will occur in both 2024/25 and 2025/26.

These contracts are essential in supporting the management of the following corporate risks.

CMSH0030					
HRA: Failure to maintain housing stock through robust repairs and capital works leading to deterioration of housing stock and customer dissatisfaction.					
Current					
Likelihood	4 Likely	Impact	4 Major	Risk Score	16 Very high
Projected					
Likelihood	2 Slight	Impact	2 Minor	Risk Score	4 Very low
CMS0065					
HRA: Decent Homes Compliance – Failure to deliver decent homes capital programme and inability to report overall decency to RSH leading to breach of statutory reporting requirements and reputational damage.					
Current					
Likelihood	3 Feasible	Impact	3 Significant	Risk Score	9 Medium
Projected					
Likelihood	1 Very unlikely	Impact	2 Minor	Risk Score	2 Very low
CMSHRA0014					
HRA: Landlord Safety Checks – Failure to comply with Landlord Property Safety Compliance requirements leading to regulatory failure, failure to comply with the law, incident causing injury or death, negative PR, and financial loss (compensation and/or fine)					
Current					
Likelihood	3 Feasible	Impact	4 Major	Risk Score	12 Medium
Projected					
Likelihood	2 Slight	Impact	2 Minor	Risk Score	4 Very low

Legal and Procurement Implications

Legal Services have also reviewed the JCT Form of Contract and the Somerset Schedule of Amendments. Proposed additions to the Schedule of Amendments will be incorporated into the final agreements..
The Head of Commercial and Procurement has reviewed the procurement evaluation report and is satisfied to proceed

HR / Workforce Implications

This work will be carried out by third party contractors and existing Somerset Council staff will be unaffected by the works. The contractors were required to provide a Resident Liaison Officer under the Specification of requirements and in accordance with the Equality Impact Assessment, and this is costed into their proposals - there is no impact on Somerset Council's HRA funded staff structure. There are no TUPE implications.

Equalities Implications

The Equalities Impact Assessment is included as Appendix 1 Equality Impact Assessment – this provides details on the potential impacts of the works and subsequent installations, identifying mitigating actions that will be put in place during the contract. Tom Rutland has been consulted on the Equality Impact Assessment and any recommendations for mitigation.

Community Safety Implications

The fire door programme is essential for the health and well-being of residents, staff, contractors, and all members of the community who may be exposed to fire in the Council's properties.

Climate Change and Sustainability Implications

Contractors have made specific proposals on the Social Value Theme 'Environment: Decarbonising and safeguarding our world'..

Health and Safety Implications

Using the Westworks Dynamic Purchasing System means that all contractors have met Westwork's Health & Safety requirements in addition to Somerset's own evaluation of the contractor's approach to health and safety, particularly in resident's homes.

Health and Wellbeing Implications

All new installations will consider the specific needs of individual households and are designed and installed accordingly. This is likely to provide a positive impact on the health and wellbeing of households.

Social Value

Social Value offers have been required as part of the procurement exercise (weighted at 10%) using the Somerset Social Value Calculator and supporting guidance. This required all contractors to submit proposals on the following themes:

The combined commitment from the three contractors over the potential a 1-year initial period includes but is not limited to the following:

- 1 new apprentice.

- 8 weeks of training opportunities and work experience for NEETs (NT9a) and 8 weeks of work placements.
- Engaging with the local community to support wellbeing initiatives donating £1000 to any reputable schemes promoting physical activities for children.
- Donations to the value of £2000 split between help elderly & vulnerable people engage in community networks as well as purchase equipment or resources for local VCSEs.
- All vehicles on this contract will be low or no emission electric vans and the estimate of 5000 miles per year.
- A donation of £2k per annum will offset the carbon usage for this contract. SC will be involved to help select the chosen offset scheme.
- C.£70k on firestopping product from local suppliers.
- £500 to donate to local food banks to help the local community. £500 in donations of materials such as paint to support local community projects and charities maintain and reduce overall costs of community regeneration projects.
- 3 hours of support into work provided to unemployed people through career mentoring, including mock interviews, CV advice, and careers guidance.
- 25 hours Equality, diversity and inclusion training provided both for staff and supply chain staff.

The delivery of contractor commitments will be monitored as part of the contract management arrangements. This will be done by the Contract Manager, SC's Housing Management resident engagement lead and the appointed contractors.

Background Papers

Appendix A Tender Evaluation Fire Door Replacement Programme

Appendices

Please refer to the following Appendices:

- Appendix A Tender Evaluation Report Fire Door Replacement Programme
- Appendix B Tender Evaluation Confidential Report Fire Door Replacement Programme
- Appendix 1 Equality Impact Assessment (below)

**Report assurance checklist ahead of report publication
(for Audit, Executive, Full Council and Scrutiny Committees)**

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	07.11.2024
Finance & Procurement	Nicola Hix	09.10.24
Workforce (*)	Alyn Jones	11.10.24
Asset Management (*)	Simon Lewis	N/A
Executive Director	Chris Hall	14.10.24
Executive Lead Member	Cllr Federica Smith-Roberts	14.10.24
Consulted:		
Local Division Members	N/A	On publication
Opposition Spokesperson(s)	Cllr Suria Aujla	11.11.24
Relevant Scrutiny Chair(s)	Cllr Gwil Wren	06.11.24

Note:




Directors may nominate additional officers to act on their behalf

(*) – these areas only need to be consulted on proposals if the proposals have workforce or asset management implications

Reports will not be published if assurance checklist has not been adequately completed – report author to liaise with Democratic Services well ahead of publication deadlines

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or www.somerset.gov.uk/impactassessment

Organisation prepared for (mark as appropriate)	 Somerset Council	 NHS Somerset	 NHS Somerset NHS Foundation Trust
Version	V2.0t	Date Completed	30/10/2024
Description of what is being impact assessed			
<p>Fire Door Replacement Programme</p> <p>Somerset Council own and manage approximately 6000 social rented homes in the Taunton area (prior to April 2023, Somerset West and Taunton District) and under the capital maintenance programme (HRA Capital contract) needs to ensure continued compliance with the Decent Homes Regulatory Standard and Fire Safety Regulations.</p> <p>The Council has a need to continue its programme of ensuring all doors opening on to communal areas comply with fire regulations.</p>			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset’s Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p>			

Our residents will have a diverse range of needs and some may be vulnerable.

Whilst resident attributes (characteristics) are held in the OPEN Housing system, there is uncertainty over the quality and reliability of this data. For the purposes of this EIA, therefore, we will assume that affected residents will comprise people from all the protected characteristics.

All contractors are required to have a full time Site Manager and Resident Liaison Officer in place for this contract. Communication and resident liaison is an important part of on-going contract and service management.

Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?

The award criteria for these contracts was developed in consultation with a third party fire consultant, the SC Landlord and Compliance Specialist and the Capital Programme Manager. The weightings were as follows to ensure that appointed contractors have the skills to appropriately manage the requirements of SC's residents.

Quality criteria

- Customer Service and Client Liaison 20%
- Contract mobilisation, delivery and contract management 20%
- Health and Safety 10%

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works. A key consideration in the installation sign-off process will the resident's ability to open the door with ease and safely after the installation.^t 	☒	☒	☐
Disability	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works. A key consideration in the installation sign-off process will the resident's ability to open the door with ease and safely after the installation.^t 	☒ X	☒	☐
Gender reassignment	<ul style="list-style-type: none"> We recognise that contractors could be engaging with individuals from this community. We know this community is currently more likely to experience discrimination and this could potentially come from these staff. 	☒	☐	☐

Marriage and civil partnership	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works.^t 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works.. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none"> There may be cultural considerations around men being alone with women in their home. In some cultures, this would not be acceptable. It may be that those living in our properties don't have a good comprehension of English.. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<ul style="list-style-type: none"> We recognise that contractors could be engaging with individuals from this community. We know this community is currently more likely to experience discrimination and this could potentially come from these staff. There may also be cultural considerations around men being alone with women in their home. In some cultures, this would not be acceptable.^t 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sexual orientation	<ul style="list-style-type: none"> We recognise that contractors could be engaging with individuals from this community. We know this community is currently more likely to experience discrimination and this could potentially come from these staff. 	☒	☐	☐
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works.^t 	☒	☐	☐
Other, e.g. carers, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> The Contract Manager role will be important in identifying and addressing specific needs whereby the works could have a negative impact on the resident such as difficulty in accessing areas of the home or having use of services during the works. 	☒	☒	☐

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
SC will provide resident profile information to contractors prior to survey and contractors will further identify resident vulnerabilities during the survey, when they will complete a resident information form. This will determine any access and cultural requirements that need to be considered and addressed before starting the work.	02/12/2024	Contractors	Via Customer Feedback process, Customer Satisfaction KPI monitoring and Contract management review meetings	☐

Reassurance that the Contractor will be skilled in engaging with people in different ways to meet their communication and cultural needs.	02/12/2024	MD Group	Contract management review meetings	<input type="checkbox"/>
A clearly defined feedback process identified should the contractors be discriminatory including a process that is made available to tenants.	02/12/2024	Somerset Council Contract Manager	via Customer Feedback process, Customer Satisfaction KPI monitoring and Contract management review meetings	<input type="checkbox"/>
Before works commence establish responsibility for who is providing translation and interpretation (where required) and who is paying for it. If the council chooses to arrange the service or does so on contractor's behalf, use the council's contracted provider WORD360	02/12/2024	Somerset Council Contract Manager (to be confirmed) will co-ordinate and fund.	Contract management review meetings	<input type="checkbox"/>
The sign-off procedure for acceptance of the doors should include liaison with residents to ensure they can open the door easily and safely.	02/12/2024	Somerset Council Contract Manager	Contract management review meetings	<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				

Completed by:	Ian Candlish
Date	27/09/2024
Signed off by:	Chris Hall
Date	14/10/24
Equality Lead sign off name:	Nigel Loxton
Equality Lead sign off date:	03/09/2024
To be reviewed by: (officer name)	Nigel Loxton
Review date:	27/09/2024