

Decision by Portfolio Holder



Report reference: HCS-023-2020/21

Date of report: 06 May 2021

**Epping Forest
District Council**

Portfolio: Housing – Councillor Holly Whitbread

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(Ext: 4245)**

**Democratic
Services: J Leither**

**Subject: Acceptance of Tenders – The Refurbishment of Roofs and Replacement of
Rooflights and Cladding at Council Owned Shops (548-562 Limes Avenue,
Chigwell, Essex IG7 5NT)**

Decision:

- 1) That, Tower Asphalt Ltd be awarded the contract to carry out the following:
 - a) Renew all roof water proofing, roof insulation and rooflights
 - b) Replacement of rooflight opening cladding (which is required to be replaced to facilitate replacement of the rooflights and removal of asbestos to such openings).
 - c) Investigatory works to timber infill panel walls in conjunction with EFDC Building Control.
Findings of such investigation to form potential basis for further works that would be procured separately from the works referred to herein.

That all cladding works referred to within the tender document other than b) and c) above are to be excluded from the works. This is due to main areas of front canopy and covered walkway cladding currently being in an acceptable condition.

The Timber infill panel wall cladding condition is not as good as the main canopy and covered walkway area cladding but is in an acceptable condition. If this area deteriorates in near future the works to such area can be procured separately to the works described herein.

That the above is in satisfaction of EFDC Planned Maintenance Programme for EFDC commercial units (except for excluded works to cladding to canopy and covered walkway as referred to above).

That the above is to be carried out by Tower Asphalt Ltd for the tendered sum of £301,475.00+vat.

The aforementioned tendered sum being the lowest economically advantageous tender received; and

- 2) That, should it not be possible to enter into contract with Tower Asphalt Ltd that MJ (Construction & Roofing) Group Ltd. be awarded the contract as a

reserve contractor, being the second most economically advantageous tender received, with a tender sum of £327,638.50+vat; and

3) That the contract issued for the works is to be a lump sum contract.

ADVISORY NOTICE:	
<i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/ do not approve (delete as appropriate) the above decision:	
Comments/further action required: None	
Signed: Councillor H Whitbread	Date: 12 May 2021
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i>	<i>Dispensation granted by Standards Committee:</i>
None	Yes/No or N/A
Office use only:	
Call-in period begins: 12 May 2021	Expiry of Call-in period: 19 May 2021

After completion, one copy of this pro forma should be returned to Democratic Services IMMEDIATELY

Reason for decision:

The roof coverings, roof insulation, roof lights and cladding are all identified as being due for renewal within the Council's '5 year Planned Maintenance Programme 2017-2022 Operational and Commercial Properties'. The works are therefore planned (Capital Works) required to satisfy the requirements of the above referred 5 year programme.

The specific cladding works referred to above have been excluded from these works. However, all other works are to be carried out due to the poor condition of the existing roof, rooflights and roof insulation.

The works need to be procured in accordance with the councils Procurement Rules relevant to the contract value. The Councils Procurement Rules have been followed including the undertaking of a competitive tender exercise.

Options considered and rejected:

- (1) Tender using LHC Procurement. If the works were re tendered this would substantially delay the works. There are no known current roof leaks however multiple repairs appear to have been carried out to the roof previously and due to its current poor condition, it's not advisable to further delay the works.

Furthermore, Tower Asphalt are the existing EFDC Measured Term Contractor for flat roof works to the council's housing stock.

Tower Asphalt have therefore previously been proven to be an economically advantageous contractor through providing the most economically advantageous

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tender (and winning tender) in a competitive tender for the existing EFDC Measured Term Contract. In view of this it was decided that it would be beneficial to EFDC for Tower Asphalt to be included in any tender. Tower Asphalt are not an LHC contractor and therefore Tower Asphalt would not be able to tender if works were re-tendered through the LHC.

Background Report:

1 The existing roof waterproofing lifecycle has expired. It is in poor condition While there are currently no leaks there is evidence multiple repairs have been previously carried out. Existing roof insulation is very aged and judged to be below that required by current Building Regulations. Existing Rooflights are very aged and no longer allow much light to pass through. Rooflight opening cladding is generally an asbestos containing board material. This rooflight cladding must be removed to facilitate the rooflight replacement works (and therefore should be replaced with new non asbestos cladding material).

Cladding to the covered walkway and front canopy is of good condition and does not require replacement at this stage (although it looks a little tired and aged).

The cladding to rear timber infill panel walls are of a similar although slightly deteriorated condition to the aforementioned cladding. If this deteriorates further in the near future the same can be renewed (procured separately to the works referred to herein).

- 2. A full specification for works recommended to be carried out was included in the tender.
- 3. Four contractors were selected to be invited to tender. All such contractors were selected on the basis as being Constructionline members and Alumasc approved contractors – this being an indication of their suitability for this type of work.
- 4. The Tender Process was managed by the Braintree Council Procurement Hub (with input from EFDC Procurement management). The Invitation to Tender (ITT) has been launched via the Delta esourcing portal by the Braintree Council Procurement Hub. The Invitation to Tender was issued to the following contractors:

Contractor;		Constructionline Registration Number;
1.	Tower Asphalt Ltd	98550
2.	M&J Group (Construction & Roofing) Ltd.	01371473
3.	Central Roofing & Building Services Ltd	00444854
4.	Higham Flat Roofing Ltd.	44235

- 5. The contract is to be a lump sum contract.
- 6. The contractors were advised that their responses would be a competitive tender exercise and an Excel file titled the 'Pricing Schedule' contains all the items that are to be priced by the contractor in the tender process.
- 7. The contractors were advised that their completed scanned Tender Submission must be uploaded into the Delta eSourcing Tender-box no later than 3pm on Tuesday 24th November 2020.
- 8. The tenders were opened by Braintree Procurement Hub and the tenders submitted to A.

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Beves by e mail attachments on 27th November 2020.

9. Four contractors were invited to tender. One such contractor (Higham Flat Roofing Ltd.) declined to tender. All three other contractors who submitted tenders uploaded their tender return documents into Delta eSourcing Tender- box before the return date and time. The results of the tender opening based on the Collection Page Totals submitted by the contractors are shown in the table below:

Contractor;		Tender Sum £;	Position;
1	Tower Asphalt Ltd	301,475.00	1 st
2	M&J Group (Construction & Roofing) Ltd.	327,638.50	2 nd
3	Central Roofing & Building Services Ltd	Failed tender- failed quality questions	3 rd

10. In order to ensure consistency between the submitted tenders a full and comprehensive Tender Evaluation was undertaken on all submitted tenders. The tender evaluation included a full arithmetical check and the identification of any pricing inconsistencies within the pricing schedules.
11. The initial budget allocated for these works in the Council's '5-year Planned Maintenance Programme 2017-2022 Operational and Commercial Properties' was £206,000. The Head Of Operational Assets and compliance (Dean Epton) (Level 2 manager) has approved the cost of the works being in excess of the initially planned budget sum.
12. The lowest tenderer, Tower Asphalt Ltd, are registered on Constructionline, and have complied fully with the tender process. Tower Asphalt are Gold members of Constructionline as verified by Andrew Beves checking the same on 5/5/2021.
13. It is therefore recommended that Tower Asphalt Ltd, be awarded the contract for the works described herein.
14. In order to mitigate the risk of the Council not being able to enter into a contract with Tower Asphalt Ltd for whatever reason or if in the future they cease trading, it is recommended that M&J Group (Construction & Roofing) Ltd. (being the second most economically advantageous tender received) be selected as the Council's Reserve Tenderer for the works referred to herein.

Resource Implications:

Refer to Background Report item 11.

Legal and Governance Implications:

The financial expenditure is below that requiring an OJEU Procurement Exercise. Therefore, this tender complies with the requirements as set out in the Council's Procurement Rules.

Safer, Cleaner and Greener Implications:

This programme of work provides:

- A safer environment from reduced risks of slips in wet areas and reduced risk of property damage (caused by water) both resulting from water ingress from the roof.
- Improved energy efficiency by improving thermal insulation to the roof.

Consultation Undertaken:

Consultation has been carried out with Dean Epton (EFDC manager).

Background Papers:

A completed Tender Evaluation has been undertaken for the tender referred to herein.

Impact Assessments: None

Risk Management:

A risk assessment has been undertaken which includes performance, quality, and health and safety risks.

Tower Asphalt Ltd Constructionline Registration Number; Constructionline ID: 98550

It should be noted that any invoices submitted by the contractor will only be settled if the works that such invoices relate have been completed and checked. As invoices are not settled until the works have been inspected and completed these works are considered to be a low risk.

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix 1 to the report.

Key Decision Reference (Y/N): N