

<b>Report title</b>	Procurement - Award of Contracts for Works, Goods and Services	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Leader of the Council	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Claire Nye, Director of Finance	
<b>Originating service</b>	Procurement	
<b>Accountable employee</b>	John Thompson	Head of Procurement
	Tel	01902 554503
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<b>Report to be/has been considered by</b>	Directorate Leadership Team	

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**Recommendations for decision:**

The Cabinet (Resources) Panel is recommended to:

1. Delegate authority to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of City Housing and Environment, to approve the award of a contract for Framework for Minor Works to Highways Structures when the evaluation process is complete.
2. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Asbestos Removal when the evaluation process is complete.
3. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Demolition of Void Buildings in Oxley and Hickman Avenue Depot when the evaluation process is complete.

4. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Fordhouse Industrial Estate – Roof replacement when the evaluation process is complete.
5. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Former Loxdale School – Conversion of site when the evaluation process is complete.
6. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Director of City Housing and Environment, to approve the award of a contract for Heath Town Regeneration Project - Phase 2 when the evaluation process is complete.

## 1.0 Councillor Evans, Steve, Cabinet Member for City Environment and Climate Change

### 1.1 Delegated Authority to Award a Contract – Framework for Minor Works to Highway Structures

Ref no:	CWC22040
Council Plan aim	Thriving economy in all parts of the city
Originating service	Highways
Accountable officer	Amjid Mehmood, Professional Lead New Works (01902) 55717
Leadership Team approval	19 April 2022
Accountable Lead Cabinet Member	Cllr Steve Evans, Cabinet Member for City Environment and Climate Change (01902) 861498
Date Lead Cabinet Member briefed	22 April 2022
Procurement advisor	Sandeep Kapoor, Procurement Business Partner – Construction

### 1.2 Background

- 1.3 The Highways Act 1980 (as amended) places an absolute duty (under section 41) to a highway authority to maintain at the public expense its highways. This duty includes inspection, maintenance, repair and strengthening of highway structures – an integral part and often critical to the continued safe operation of the highway network.
- 1.4 The City of Wolverhampton Council (CWC) in its capacity as the highways authority is responsible for 140 structures, which consists of 58 bridges, 21 subways, 17 footbridges, 19 culverts, and 25 retaining walls. All structures are inspected at regular intervals in line with national standards and any dangerous defects found during the inspection are repaired.
- 1.5 CWC, together with partner authorities in the Black Country, require a Framework Agreement as a mechanism to carry out minor works to highway structures on a planned and reactive basis. CWC as the lead authority purchasing on behalf of Coventry City Council and the Metropolitan Boroughs of Dudley, Sandwell, Solihull and Walsall and will administer this Framework.

1.6 The establishment of a Framework will provide CWC and Partnering organisations with a mechanism to procure a range of works for the maintenance of Highway Structures (ensuring their statutory obligations under the Highways Act 1980 are met) for a period of four years; includes the following types of structures:

- Highway over bridges
- Highway under bridges (over roads, canals, watercourses and disused railways)
- Footbridge (over roads, canals, watercourses and disused railways)
- Subways
- Retaining walls
- Culverts
- Fences and safety barriers
- Any other highway-associated structures advised by the local authority/partnering organisation

<b>Proposed Contract Award</b>	
Contract duration	Four years
Contract Commencement date	31 August 2022
Annual value	£5 million
Total value	£20 million

### 1.7 Procurement Process

1.8 The intended procurement procedure will be an Open Procedure in accordance with the Public Contract Regulations 2015. This route to market has been decided as it will give the opportunity for local suppliers to participate in the tender. This collaborative approach will encourage more spend to go through the framework benefiting all parties from economies of scale and reduced rates offered through the framework. Other options considered were to use third party frameworks to deliver future works, however, CWC would have to pay a framework usage fee and so it is recommended that CWC conduct an open tender to establish a Black Country framework, to where possible support local suppliers

1.9 The evaluation scoring balance will be 60% Price and 25% Quality and 15% Social Value. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

1.10 The evaluation team will comprise:

Name	Job Title	Organisation (if not WCC)
Amjid Mehmood	Professional Lead New Works	
Rashpal Bhogal	Senior Engineer	Dudley MBC
Trevor Chatwin	Engineer	Sandwell MBC
David Elliott	Senior Structures Engineer	Coventry City Council
Linda Tees (Commercial Only)	Quantity Surveyor – Network Development	
Further evaluator tbc	tbc	

### 1.11 Evaluation of alternative options

- 1.12 **Option 1 – Do Nothing:** Doing nothing is not an option as CWC is committed to cross partnership working within the Black Country and the wider One Public Estate Programme in generating tangible efficiencies via their procurement and commissioning strategy. The current ad hoc approach to procurement gives rise to a duplication in tendering processes across the Council and the Black Country due to a fragmented (silo) approach to the procurement of highway minor works: leading to increased costs for both the public sector organisations and contractors alike. A decision not to procure would necessitate the Council awarding on an individual project by project basis. This would not enable framework savings, including the reduction in operational overheads to be realised and is not therefore a recommended option.
- 1.13 **Option 2 – Do Something:** Procurement of highway minor works undertaken via the mechanism of a Framework Agreement and by utilising and coordinating the purchasing power of the Black Country provide an opportunity to significantly reduce the procurement time and associated costs.
- 1.14 All participants in a Framework Agreement will be able to achieve cost savings and additional benefits through:
- a reduction in tendering costs
  - reduced contract administration
  - regional innovation
  - creativity and collaboration
  - improved customer service
  - delivery of social value benefits and improved measurement of outcomes.

### **1.15 Reason for decisions**

- 1.16 In considering the need for more collaboration in public sector procurement and in adopting the overarching principles of the Construction Playbook as the gold standard to the procurement and delivery of construction works, a scale, pace and saving in the delivery of highway minor works can be achieved.
- 1.17 In financial terms, the frameworks across the Black Country have been shown to achieve 10% year-on-year improvement delivered through coordinated buying action. Working together at strategic level will enable the Black Country and the wider communities to achieve significant efficiency and transformational benefits and streamline the procurement process by acting together rather than a fragmented approach.
- 1.18 This will also enable the partnership to address the wider determinants of Time, Cost, Quality whilst addressing and promoting Social Value to help local communities recover from COVID-19 thus tackling economic inequality, promote equal opportunities, and improve community health and wellbeing.

### **1.19 Financial Implications**

- 1.20 Defects to structures, if identified and remedied early can often be rectified with relatively minor works. Defects that are not identified and remedied will often deteriorate to a point where more expensive and disruptive works are required. Early rectification of defects such as cleaning out expansion joints will greatly extend the life of a structure for relatively little cost.
- 1.21 Each participating Authority will be responsible for funding its own call-off contract. There will be costs incurred in procurement which will alter dependent on the use of the call-off contract by the authorities involved. The estimated value of works (call-off contract) expected to be procured through the Framework during the four year term excluding VAT is £20 million but there are no guarantees of minimum value or business placed as a result of the Framework Agreement.
- 1.22 The total value and forecasted expenditure for CWC works is £1.6 million over the duration of the Framework corresponding to £400,000 per annum and will be funded from existing Transport capital and future bid funding opportunities, and Transport revenue budgets.

### **1.23 Legal implications**

- 1.24 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.
- 1.25 The Traffic Management Act 2004 imposes a network management duty on CWC to manage day-to-day operational use of its highways to 'keep traffic moving'.

1.26 Section 130 of the Highway Act, provides for protection of public rights. It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority.

### **1.27 Equalities implications**

1.28 Any contracts called-off against the Framework Agreement must include provision to ensure compliance with the CWC's obligations under the Equality Act 2010. Accountable officers will ensure that evidence is collected and used to demonstrate compliance with the Council's legal obligation under the Equality Act 2010.

### **1.29 All other implications**

1.30 CWC has a mandatory requirement to meet the obligations in the inspection and maintenance requirements under the Highways Act 1980 based on the following overarching principles;

- To detect in good time any defect that may cause an unacceptable safety or serviceability risk or a serious maintenance requirement, in order to safeguard the public, the structure and the environment and to enable appropriate remedial action to be taken.
- To provide information that enables the management and maintenance of a stock of structures to be planned on a rational basis in a systematic manner, in order to support the achievement of the objectives of the Overseeing Organisation.
- To ensure that works are undertaken by suitably experienced and competent Contractors.

### **1.31 Recommendation**

1.32 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Environment and Climate Change, in consultation with the Director of City Housing and Environment, to approve the award of a contract when the evaluation process is complete.

## 2.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing

### 2.1 Delegated Authority to Award a Contract – Asbestos Removal

Ref no:	CWC22011
Council Plan aim	Healthy, inclusive communities
Originating service	City Assets
Accountable officer	Neal Shore, Buildings Compliance Safety Manager (01902) 555082
Leadership Team approval	6 April 2022
Accountable Lead Cabinet Member	Cllr Bhupinder Gakhal, Cabinet Member for City Assets and Housing
Date Lead Cabinet Member briefed	20 April 2022
Procurement advisor	Anna Du-Mont, Procurement Manager (01902) 551099

## 2.2 Background

- 2.3 CWC is the duty holder, under the Control of Asbestos Regulations (2012) for 220 sites (including maintained schools) where asbestos has been identified. Where appropriate, asbestos is managed in situ through an asbestos management plan and site arrangements.
- 2.4 Where asbestos cannot be managed in situ, or where works need to be undertaken which may disturb asbestos, removal works need to be undertaken to ensure the safety of occupants, contractors and any other persons on site. To date, these works have been undertaken on individual orders without a formal contract being in place.
- 2.5 This contract seeks to procure a suitably qualified provider to carry out asbestos removal works. The contract will contain a non-exclusivity clause as asbestos removals may be commissioned by a main contractor when project works are being undertaken. Additionally, if individual asbestos removal works exceed £15,000, a further competitive process will be followed.

<b>Proposed Contract Award</b>	
Contract duration	Five years (4+1)
Contract Commencement date	1 September 2022
Annual value	£75,000
Total value	£375,000

## 2.6 Procurement Process

2.7 The intended procurement procedure will be an open above threshold procedure in accordance with Public Contract Regulations 2015. This route to market has been decided as it will enable small, local suppliers to bid for the contract, and support the Wolverhampton Pound. The evaluation scoring balance will be 80% quality and 20% price. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

2.8 The evaluation team will comprise:

<b>Name</b>	<b>Job Title</b>
Neal Shore	Buildings Compliance Safety Manager
Gavin Baker	Senior Compliance Officer
Tim Munro	Head of Service Health & Safety

## 2.9 Evaluation of alternative options

2.10 The alternative option would be to do nothing. This option would mean that staff, contractors and asset occupants would be left at significant risk of ill health and would also contravene CWC's requirement as duty holder under Control of Asbestos Regulations 2012. This option is therefore not recommended.

## 2.11 Reason for decisions

2.12 Procuring a suitably qualified contractor will allow CWC to meet its requirements under the Control of Asbestos Regulations 2012, while achieving value for money and ensuring a quality service.

### **2.13 Financial implications**

- 2.14 Asbestos removal works are funded from the City Assets' buildings compliance revenue budget, the maintenance programme budget, other devolved property maintenance budgets, or approved capital projects where removals are being undertaken to facilitate those project works.
- 2.15 Maintained schools may also be responsible for funding asbestos removals, where works fall under their devolved funding.
- 2.16 Cost savings can be identified by developing appropriate mitigation works with the successful tenderer, for example encapsulating asbestos rather than removing where appropriate and jointly developing robust management arrangements.

### **2.17 Legal implications**

- 2.18 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

### **2.19 Equalities implications**

- 2.20 The Senior Equality Diversity and Inclusion Officer has confirmed that, other than the issue identified in the initial Equalities Analysis (EA), it is not necessary or proportionate to proceed to a full EA.
- 2.21 The issue identified in the initial equalities analysis is that tenderers will be "vetted" to ensure that they do not have a history of discrimination regarding their own employees. This includes any persons with temporary or permanent disabilities, making any reasonable adjustments required.

### **2.22 Recommendation**

- 2.23 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Asbestos Removal when the evaluation is complete.

### 3.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing

#### 3.1 Delegated Authority to Award a Contract – Demolition of Void Buildings in Oxley and Hickman Avenue Depot

Ref no: CWC22044	
Council Plan aim	Thriving economy in all parts of the city
Originating service	City Assets
Accountable officer	Nicky Sahota-Brown, Project Delivery Manager (01902) 555473
Leadership Team approval	1 March 2022
Accountable Lead Cabinet Member	CLlr Bhupinder Gakhal, Cabinet Member for City Assets and Housing
Date Lead Cabinet Member briefed	1 March 2022
Procurement advisor	Sandeep Kapoor, Procurement Business Partner

### 3.2 Background

3.3 CWC is seeking to develop new residential accommodation together with a modern health and well-being facility. Existing buildings need to be demolished for this purpose. Additionally, the identified buildings are voids. Former Oxley Day Training Centre and Oxley Moor House is subject to repeated vandalism and anti-social behaviour. Hickman Avenue Depot is in poor condition posing a health and safety risk.

Proposed Contract Award	
Contract duration	Three months
Contract Commencement date	15 August 2022
Estimated value	£710,000

### 3.4 Procurement Process

3.5 The intended procurement procedure will be an open tender in accordance with Public Contract Regulations 2015. An open tender process has been chosen as it will enable CWC to consider a wider group of local companies. This will enable local suppliers to

participate in the tendering process and where chosen will help local economy to prosper.

3.6 The evaluation scoring balance will be 70% quality and 30% cost. Quality has been given higher weightage as during demolitions quality of service delivery is of prime concern due to Health and Safety issues during demolition process. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

3.7 The evaluation team will comprise:

Name	Job Title
Nicky Sahota-Brown	Project Delivery Manager
Julie Bell-Barker	Head of Project and Works

### 3.8 Evaluation of alternative options

3.9 **Option 1- Do nothing:** As the decision has been made to develop the site further, any development project will need to be preceded by the demolition of existing buildings. This option has therefore been discounted.

3.10 **Option 2- Undertake an open tender to undertake the demolition:** Options to consider frameworks have been considered, including CCS framework and NHC framework. These frameworks have several national suppliers and limited number of local suppliers. Therefore, open tender option has been chosen.

### 3.11 Reason for decisions

3.12 CWC has a duty to ensure that all assets are statutorily compliant and fit for purpose. Approval is required for the project to allow the assets to remain operational and to ensure they remain available for the continued delivery of CWC services.

### 3.13 Financial Implications

3.14 The capital budgets have been approved as part of an Individual Executive Decision Notices (IEDN) dated 17 March 2022 titled 'Corporate Asset Management Fund - Approval of Schemes 2022-2023'.

3.15 The budget for these works is contained in the approved Council's Capital Expenditure Programme for 2022-2023.

3.16 The budget for the project allows for any associated professional fees that may be required together with an allowance for contingencies and risks. The constituent costs may be

modified as the project progresses although any requests for additional funding would be subject to CWC's financial governance arrangements for capital expenditure budgets.

### **3.17 Legal implications**

3.18 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

### **3.19 Equalities implications**

3.20 The project will enable wider development of the region which will have positive impact. The Works related to demolition itself does not have any equality implications.

### **3.21 All other implications**

3.22 There are no other implications arising from the recommendations of this report.

### **3.23 Recommendation**

3.24 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Demolition of Void Buildings in Oxley and Hickman Avenue Depot when the evaluation process is complete.

#### 4.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing

#### 4.1 Delegated Authority to Award a Contract – Fordhouse Industrial Estate Roof replacement

<b>Ref no: CWC22045</b>	
Council Plan aim	Thriving economy in all parts of the city
Originating service	City Assets
Accountable officer	Nicky Sahota-Brown, Project Delivery Manager (01902) 555473
Leadership Team approval	17 March 2022
Accountable Lead Cabinet Member	Cllr Bhupinder Gakhal, Cabinet Member for City Assets and Housing
Date Lead Cabinet Member briefed	23 February 2022
Procurement advisor	Sandeep Kapoor, Procurement Business Partner

#### 4.2 Background

4.3 CWC is seeking to replace the roof of Fordhouse Industrial Estate. The current roof has aged and is in very poor condition and beyond economical repair. Repair work has been declined by several roofing contractors due to insurance reasons.

<b>Proposed Contract Award</b>	
Contract duration	Eight months
Contract Commencement date	15 August 2022
Estimated value	£1.2 million

#### 4.4 Procurement Process

4.5 The intended procurement procedure will be an open tender in accordance with Public Contract Regulations 2015. This route was chosen as an open tender will enable CWC to consider a wider group of local companies and give opportunities to local suppliers to participate in CWC's tendering process.

4.6 The evaluation scoring balance will be 50% quality, 10% Social Value and 40% price. Any amendments to the procurement procedure will be reported in a Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

4.7 The evaluation team will comprise:

Name	Job Title	Organisation (if not WCC)
Nicky Sahota-Brown	Project Delivery Manager	
Adrian Boyle	Construction Quality Supervisor	
Gareth Mascarenhas	Architectural Technician	
Tom Caisbrook – Cost Only	Quantity Surveyor	Arcadis

#### 4.8 Evaluation of alternative options

4.9 **Option 1- Do nothing:** This option has been discounted as the roof is beyond the state of economic repair and needs replacement due to the poor condition and asbestos related health and safety issues.

4.10 **Option 2- Undertake the procurement through an open tender procedure:** It is recommended to undertake the project and repair the roof. It is CWC's duty to upkeep assets in a safe condition. No frameworks have been considered in order to attract widest and local suppliers to the project to delivery works.

#### 4.11 Reason for decisions

4.12 CWC has a duty to ensure that all assets are statutorily compliant and fit for purpose. Approval is required for the project to allow the assets to remain operational and to ensure they remain available for the continued delivery of CWC services.

#### 4.13 Financial Implications

4.14 The capital budget has been approved as part of an Individual Executive Decision Notice (IEDN) dated 17 March 2022 titled 'Corporate Asset Management Fund - Approval of Schemes 2022-2023'.

4.15 The budget for this work is contained in the approved Council's Capital Expenditure Programme for 2022-2023.

4.16 The budget for the project allows for any associated professional fees that may be required together with an allowance for contingencies and risks. The constituent costs may be modified as the project progresses although any requests for additional funding would be subject to CWC's financial governance arrangements for capital expenditure budgets.

#### **4.17 Legal implications**

4.18 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

#### **4.19 Equalities implications**

4.20 The project will be replacing an existing roof structure and so will not have any equality implications.

#### **4.21 All other implications**

4.22 There are no other implications arising from the recommendations of this report.

#### **4.23 Recommendation**

4.24 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Fordhouse Industrial Estate – Roof replacement when the evaluation process is complete.

## 5.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing

### 5.1 Delegated Authority to Award a Contract – Former Loxdale School – Conversion of Site

<b>Ref no: CWC22046</b>	
Council Plan aim	Thriving economy in all parts of the city
Originating service	City Assets
Accountable officer	Nicky Sahota-Brown, Project Delivery Manager (01902) 555473
Leadership Team approval	17 March 2022
Accountable Lead Cabinet Member	Cllr: Bhupinder Gakhal, Cabinet Member for City Assets and Housing
Date Lead Cabinet Member briefed	23 February 2022
Procurement advisor	Sandeep Kapoor, Procurement Business Partner - Construction

## 5.2 Background

5.3 CWC is seeking to undertake site conversion of Former Loxdale School. The Loxdale School site has been vacant for more than four years and has been identified as suitable for the needs of the Taxi Licensing team. The purpose of site conversion is to relocate the Taxi Licencing Team (responsible for handing out licences to taxi drivers and checking vehicles) on a temporary basis to facilitate the redevelopment of the Hickman Avenue Depot.

5.4 The works consist of remodelling an existing modular build for office spaces and providing car parking externally on the existing playground. Part of the site will be converted. Temporary accommodation will only be for two years and will accommodate 15-20 staff of the taxi licencing team.

<b>Proposed Contract Award</b>	
Contract duration	Three months
Contract Commencement date	15 August 2022
Estimated value	£320,000

## 5.5 Procurement Process

- 5.6 The intended procurement procedure will be an open tender in accordance with Public Contract Regulations 2015. This route to market has been decided as it will enable CWC to consider a wider group of local suppliers. This will enable local suppliers to learn about local authority tendering exercises, and where chosen will help the local economy to prosper.
- 5.7 The evaluation scoring balance will be 50% quality, 10% Social Value and 40% price. Any amendments to the procurement procedure will be reported in a Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.
- 5.8 The evaluation team will comprise:

Name	Job Title	Organisation (if not WCC)
Nicky Sahota-Brown	Project Delivery Manager	
Adrian Boyle	Construction Quality Supervisor	
Gareth Mascarenhas	Architectural Technician	
Kam Faulkner – Price Only	Quantity Surveyor	Arcadis

## 5.9 Evaluation of alternative options

- 5.10 **Option 1- Do Nothing:** This Option has been discounted as we need to make use of our assets and provide suitable accommodation for the taxi licensing team.
- 5.11 **Option 2- Undertake a tender to convert the site to accommodate the Taxi Licensing Team:** This is the recommended option as it will allow local suppliers to participate and compete for the project, as well as bring a currently vacant property into use.
- ### 5.12 Reason for decisions
- 5.13 The Council has a duty to ensure that all council assets are statutorily compliant and fit for purpose. Approval is required for the project to allow the assets to remain operational and to ensure they remain available for the continued delivery of Council services.
- 5.14 The Loxdale School site has been vacant for more than four years and has been identified as suitable for the needs of the Taxi Licensing team.

### **5.15 Financial Implications**

- 5.16 The capital budget has been approved as part of an Individual Executive Decision Notice (IEDN) dated 17 March 2022 titled 'Corporate Asset Management Fund - Approval of Schemes 2022-2023'.
- 5.17 The budget for this work is contained in the approved Council's Capital Expenditure Programme for 2022-2023.
- 5.18 The budget for the project allows for any associated professional fees that may be required together with an allowance for contingencies and risks. The constituent costs may be modified as the project progresses although any requests for additional funding would be subject to CWC's financial governance arrangements for capital expenditure budgets.

### **5.19 Legal implications**

- 5.20 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

### **5.21 Equalities implications**

- 5.22 The equality assessment is not applicable for this scheme.

### **5.23 Schedule of background papers**

- 5.24 IEDN for Corporate Asset Management Fund - Approval of Schemes 2022-2023

### **5.25 Recommendation**

- 5.26 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Director of Assets, to approve the award of a contract for Former Loxdale School – Conversion of site when the evaluation process is complete.

**6.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing**  
**6.1 Delegated Authority to Award a Contract – Heath Town**

<b>Ref no:</b>	<b>CWC22042</b>
Council Plan aim	Good homes in well connected neighbourhoods
Originating service	City Assets and Housing
Accountable officer	Sangita Kular, Project Delivery Manager (01902) 553362
Leadership Team approval	19 April 2022
Accountable Lead Cabinet Member	CLr Bhupinder Gakhal, Cabinet Member for City Assets and Housing
Date Lead Cabinet Member briefed	20 April 2022
Procurement advisor	Sandeep Kapoor, Procurement Business Partner - Construction

**6.2 Background**

- 6.3 CWC is delivering new council housing development on a number of sites across the Heath Town Estate, Heath Town Ward, Wolverhampton, for management by the Council's Arms Length Management Organisation (ALMO), Wolverhampton Homes.
- 6.4 The Procurement is for the design and construction of Phase 2 of the Housing Revenue Account (HRA) council housing and the developer/contractor construction and sale of the open market properties. The second phase consists of around 166 new housing units over ten infill sites across the Heath Town estate, inclusive of all statutory services, S278 works improvements, external works and drainage connections. The works will also include refurbishment of the existing multi use games area and the development of a green gym to support wider development.
- 6.5 Phase 1 has been awarded.
- 6.6 Other works are ongoing concurrently across the Heath Town estate with Wolverhampton Homes (WH) delivering a major investment programme to upgrade the remaining existing residential blocks. Whilst this procurement's phased programme has been considered to minimise the interfaces with WH's works, there is still potential for some interfaces to exist from time to time and these are to be managed by coordination between CWC's contractor and WH's contractor(s).

Proposed Contract Award	
Contract duration	Three years
Contract Commencement date	1 May 2023
Total value	£23 million

## 6.7 Procurement Process

6.8 The intended procurement procedure will be a framework further competition (Pagabo Developer Led Lot 3a). Several frameworks were considered but Pagabo framework is the only Developer Led Framework specifically for the Midlands. Market engagement has been undertaken with suppliers on the Pagabo Framework and CWC has received some initial market interest. This framework also provides opportunity for Midlands-based suppliers to work with CWC. In addition, the framework also provides added value by providing a social value calculator based support where one can identify how much social value benefit is generated through the contract.

6.9 The evaluation scoring balance will be 55% quality, 15% Social Value and 30% cost. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

6.10 The evaluation team will comprise:

Name	Job Title	Organisation (if not WCC)
Sangita Kular	Housing Development Project Manager	
Lee Wheeler	Development Manager	
Mace Representative	Cost consultant	Mace
Social Value Representative (To be confirmed)	To be Confirmed	

## 6.11 Evaluation of alternative options

6.12 **Option 1- Do Nothing:** As decision has been made to develop the site further, the do nothing option has been discounted.

6.13 **Option 2-** Undertake project to develop the site through a partnering approach where a developer will be contracted who will review the sales market, design, and unit types along with CWC's Housing Strategy Team to ensure they meet the current and future needs of all prospective occupants of the new properties.

6.14 The outcome is intended to have a positive impact on the local community and economy in terms of improved availability of housing and provision of new housing to latest standards of energy efficiency; there is also an overall improvement to the profile of the estate and the local environment.

#### **6.15 Reason for decisions**

6.16 In consideration of a need to develop the site for wider regeneration, CWC is proposing to go into a partnership approach.

6.17 The Heath Town project has already been tendered and all approached providers failed to submit tenders for the project on several grounds, design, deliverability, viability and market intelligence (on sales units). The progress of the project has been hampered further by the original architect of the project (Architectural Practice that designed the estate) going into administration.

6.18 The procurement of a contractor/developer (partner) would be able to deliver all aspects of the project (review the sales market, design, and unit types to ensure they meet the current and future needs of all prospective occupants) working closely with the residents, stakeholders and CWC in delivering the whole project.

#### **6.19 Financial Implications**

6.20 The budgets for Phases 2 and 3 of new build development at Heath Town total £23.0 million. The budget was approved as part of the HRA Capital Programme which was approved in the HRA Business Plan, Rents and Service Charges Cabinet report of 19 January 2022. The budgets will be combined to reflect that this development will be delivered as a single phase. There is potential to apply for Homes England/West Midlands Combined Authority funding which would be based on £30,000-£40,000 per unit, with an estimated value £1.4 million to £1.9 million for the Phase 2 scheme. This would reduce overall HRA borrowing.

#### **6.21 Legal implications**

6.22 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

#### **6.23 Equalities implications**

6.24 Equality Analysis shows there are positive equalities implications as this contract seeks to provide affordable housing to residents in housing need. The project will enable wider development of the region which will have a positive impact. Significant resident engagement has taken place to share the masterplan proposals for the estate. More focussed consultation will be required once detailed proposals have been drafted.

## **6.25 Schedule of background papers**

6.26 Heath Town Regeneration – 26 March 2014 – Cabinet Report

6.27 Heath Town Regeneration – Preparation for Procurement – 28 June 2016 – Cabinet (Resources) Panel

6.28 Delegated Authority – Heath Town Residential Development – 29 June 2020 – IEDN for Phase1

## **6.29 Recommendation**

6.30 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Director of City Housing and Environment, to approve the award of a contract for Heath Town Regeneration Project - Phase 2 when the evaluation process is complete.

## **7.0 Evaluation of alternative options**

7.1 All alternative options are included within the relevant section of the report.

## **8.0 Reasons for decisions**

8.1 The reason for the recommendations are included within the relevant section of the report.

## **9.0 Financial implications**

9.1 All financial implications are included within the relevant section of the report.  
[RP/09052022/E]

## **10.0 Legal implications**

10.1 All legal implications are included within the relevant section of the report.  
[SZ/09052022/P]

## **11.0 Equalities implications**

11.1 The relevance to equalities and progress in terms of equality analysis will vary for each proposal included in this report. Accountable officers have and will ensure that evidence is collected and used to demonstrate compliance with the Council's legal obligations under the Equality Act 2010.

## **12.0 All other implications**

12.1 All other implications are included within the relevant section of the report.

## **13.0 Schedule of background papers**

13.1 Relevant background papers are included within the relevant section of the report.