

To: Cabinet
Date: 13 April 2022
Report of: Executive Director- Communities and People
Title of Report: Award of a works contract for concrete and guard rail repairs to balcony walkways and access stairs to 5 apartment blocks at Blackbird Leys

Summary and recommendations	
Purpose of report:	To seek Cabinet approval for concrete and guard rail repairs to balcony walkways and access stairs; and delegation to the Executive Director (Communities and People) to authorise, sign and award a works contract.
Key decision:	Yes
Cabinet Member:	Councillor Diko Walcott, Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless
Corporate Priority:	Meeting Housing Needs
Policy Framework:	Housing Strategy 2020 - 2024

Recommendations: That Cabinet resolves to:	
1.	Approve the award of a contract for concrete and guard rail repairs to balcony walkways and access stairs at 5 apartment blocks at Blackbird Leys.
2.	Delegate authority to the Executive Director of Communities and People to award the concrete repairs contract to suppliers following completion of the procurement competitive closed compliant tender process described in this report.

Appendices	
Appendix 1	Risk Register
Appendix 2	Appendix 2 Confidential Information Paragraphs 4 & 7

Introduction and background

1. Property Services was notified through housing management of the poor condition of the access staircases to the low rise apartment block at Strawberry Path, Blackbird Leys in 2020 resulting in temporary closure to one. The stairs and walkways were surveyed and it was found that there was loose and spalling concrete to the balcony soffits and evidence that some areas concrete had become detached and fallen. Low rise apartment blocks of similar construction and design on the Blackbird Leys estate were also surveyed, these being Starwort Path, Field Avenue, Warburg Crescent and Druce Avenue. Similar degradation was found on all of these blocks.
2. A more detailed concrete assessment was then arranged, which involved chemical analysis, to help us understand the underlying causes of the concrete spalling and disrepair. The report also considered the condition of the guard rails to the balconies, walkways and access stairs.
3. The concrete assessment presented immediate concerns with the current condition of balconies, walkways and stairs to the surveyed blocks; and the likelihood of further concrete deterioration. The defects need urgent rectification to minimise the risks to residents and of further deterioration which will become more costly to repair. If these works are not carried out the properties could become uninhabitable.

4. Tender Process

Please see Confidential Appendix 2.

5. Evaluation Criteria

Because a number of the tenants at these blocks are leaseholders the tender will be subject to consultation with leaseholders under S20 of The Landlord and Tenant Act 1985. This states that tenders should be awarded primarily on price and whilst quality may play a part in the evaluation of tenders it must be of direct benefit to the leaseholder. For this reason the evaluation criteria for the tender will differ to the standard council evaluation criteria and will be set at 60% price and 40% quality.

The quality of each contractor's proposal will be assessed on how the tenderer will meet the industry standard and deliver the contract competently. The Council's standard 0-5 scoring mechanism will be used.

6. Contract Rules Compliance and Financial Assessment

An ITT (Invitation to tender) will be issued to five suppliers who meet the certified requirements of the project via the corporate procurement system (South East Business Portal). This satisfies the Oxford City Council procurement rules regarding clause 19.16 Open Tendering of the constitution and 19.20 when submitting a tender for the number of quotes sought and the requirement to use the corporate system.

The requirement to comply with the contract rules within the constitution using the open tender clause 19.16 and 19.20 will ensure how the requirement for all the relevant guidance, rules and laws are satisfied during the procurement procedure also ensuring transparency throughout. Using the South East Business Portal and

following the prescribed procurement format we have identified 5 potential suppliers who satisfy the industry standards and may wish to tender.

The required works within the product specification for the reinstatement mortar repair solutions requires the selected contractors to be accredited and trained to apply the repair solutions to the industry standard of BS EN 1504 and to issue the required warranty certification, there are 5 concrete industry identified specialist contractors that could potentially tender ensuring the chosen contractor is experienced.

A financial assessment will be carried out to the successful tenderer using credit check information to confirm previous turnover, current commitments and liabilities offering a total credit score of not less 81%.

7. **Financial implications**

Please see Confidential Appendix 2.

8. **Legal Issues**

Under Section 77 of the Building Act 1984 a property owner is required to make sure a property is safe. Should the property be allowed to degrade further it may be subject to an order from building control to make safe.

Health and Safety regulations will apply throughout the construction period.

The tender process will follow the open tender process of the South East Business Portal and will comply with Public Contract Regulations 2015.

S20 of the Landlord and Tenant Act 1985 will apply as there are long tenancy leaseholders, therefore under section 20 of the act the Council must serve a S20 notice on any leaseholders who will be affected by work the Council intends to carry out, or who will receive a service the Council (as Landlord.) intends to provide.

If the council do not consult the consequence would be that the statutory caps are imposed on how much the Council can recover through service charge payments collected from tenants. These are £100 per leaseholder per year for a long-term contract, or £250 per leaseholder for work to the building.

9. **Level of Risk**

Please refer to the risk register at Appendix 1.

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Background Papers: None

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