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**REPORT FOR: CABINET**

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<b>Date of Meeting:</b>	9 January 2020
<b>Subject:</b>	2020-2021 Upgrade/renewal of Fire Door 30 front entrance doors at 3 storey blocks.
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Nick Powell, Divisional Director of Housing Services
<b>Portfolio Holder:</b>	Councillor Philip O'Dell, Portfolio Holder for Housing
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	None

## **Section 1 – Summary and Recommendations**

1.1 This report asks Cabinet for authority to go to the market and procure a contractor to deliver and install FD30 fire doors to 3 storey blocks across the London Borough of Harrow. We anticipate letting a 30 week programme as part of the 2020/21 Housing Capital Programme.

We are also seeking delegated authority to award the contract following the outcome of the tendering process.

## **Recommendations:**

1.2 Cabinet is requested to:

1. Give authority to officers to undertake a procurement process for a contractor to deliver a variety of FD30 fire doors across the Borough, as part of general improvements to the safety of Harrow Council's housing stock, funded entirely from HRA capital resources with no impact on General Fund in financial year 2020-21.
2. Delegate authority to the Corporate Director Community following consultation with the Portfolio Holder for Housing, together with the Director of Finance to enter into the procurement and implementation of the contract to the value specified within the capital programme.

### **Reason: (For recommendations)**

Due to the estimated value of the project exceeding the key decision schedule Cabinet authorisation is required to comply with the Council's Contract Procedure Rules.

## **Section 2 – Report**

- 2.0 The intention is to procure the above works immediately as part of the 2020/21 programme. These works are statutory and meet the need of the health and fire safety compliance of our properties.
- 2.1 Cabinet approval is required to begin the process of procuring contractors for all projects with an estimated value in excess of £500k.
- 2.2 Cabinet is asked to delegate authority to award and to arrange the execution of a contract or contracts with the successful tenderer(s) to the Corporate Director of Community in consultation with the Portfolio Holder for Housing, together with the Director of because of the timescales for this procurement exercise, to enable a phased start to the works.

## **3.0 Options considered**

- 3.1 The procurement options considered were as follows:

### **a) Open tender and award to one provider**

Engage in an open tender which in this instance would allow for wider competition. This would be subject to Section 20 of the Commonhold and Leasehold Reform Act 2002 ("Section 20 consultation") and will allow us to recover a proportion of the costs from leaseholders.

### **b) Setting up a framework**

This would be a time consuming process and we would also need to build in formal statutory consultation with our Leaseholders for use of any external framework. Given the nature and duration of the works this is something the Council would like to avoid due to associated

costs.

**c) Exploration of other frameworks from neighbouring authorities**

Again as the service will be provided to a number of Leaseholders we would need to build in formal statutory consultation with them into the tender process and this is not supported by drawing down from external/internal frameworks. In this instance, we would be unlikely to save money. Also if we call off from a framework, we will still be required to consult with the Leasehold body across Harrow which will be time consuming.

**d) Do nothing**

This is not an option, as these are required works to ensure continued Health and Safety for our residents.

**3.2 Conclusion**

In conclusion from the options considered above, Option A is preferred as the open tender will invite competitive prices, provide a quicker route to market (especially as there is an urgent need to carry out the compliance works) and enable the recovery of a proportion of costs from the leaseholders under statutory Section 20 consultations. This is the recommended option.

Leaseholders will be fully consulted regarding these works in accordance with statute as set out in Section 20 of the Landlord and Tenant Act 1985. This has a number of stages including a notice of intention, notification of estimates and notification of award of contract. As part of this process leaseholders will receive a copy of the Council's fire safety standard which explains why these works are necessary and at least two estimates of the likely cost.

**4.0 Background**

4.1 This project will be included within the 2021 Housing Capital Programme appearing elsewhere on this agenda. The works are essential to improve fire safety and overall stock maintenance. This forms part of a multi-faceted approach to fire safety where several projects are running simultaneously in order to achieve fire safety within our assets.

Following the Grenfell incident of 2017, the Council's focus and approach has changed and there is an increased emphasis on prioritising health and safety related works to ensure the safety of our residents. The aim of this project is to supply and fit new flat doors, closers and frames which are FD30 standard and to remove the existing door and frame and dispose of them responsibly. Doors have been identified by carrying out Fire Risk Assessments (FRA) and have been placed on an internal programme.

The strategy of door replacement has been a phased approach focussing on our highest risk blocks; therefore, the focus will be on 4 Storey Blocks as these represent the highest buildings in our asset

stock. The intention is to complete this phase by spring 2020. Following on from this, it is intended to complete all 3 storey's blocks and then 2 Storey's blocks.

Alongside the door renewal project, the Council has engaged with Passive Safety Fire frameworks in order to improve the fire compartmentation of its stock. We are currently working across the 18 sheltered scheme sites where there has been installation of fire doors and door closers.

The Council is also undertaking renewal of alarm detection systems within individual dwellings (Residents and Leaseholders) and emergency lighting in communal stairwells.

4.2 This programme will be working in conjunction with the upcoming Homesafe 3 programme which will cover further elements of fire safety. The replacement of fire doors is on a separate programme as we are pro-actively managing our highest risk in terms of fire safety. The Homesafe programme consists of renewal of communal block entrance doors with video phone entry systems to improve security and safety. Front Entrance doors and any communal store doors and emergency lighting in communal areas along with alarm detection systems. The Council is currently running with its Homesafe 2 programme which consists of work to over 40 blocks of 4 Storey height.

4.3 Installation of certified fire doors  
A test certificate for all replacement doors will be provided by the contractor supplying/fitting the door, confirming that it meets the required fire safety standard. The fire doors will be marked in accordance with an accredited fire door installation scheme. Composite fire doors on the market should all have furnace test certificates for both sides of the door e.g. from Warrington Fire FIRAS Scheme for fire doors (Industry Standard Test House).

If necessary, the work may also include upgrading integral fan lights/side panels and meter cupboards. The properties for the above works are located across the London Borough of Harrow. We are currently installing new Fire Doors to our four storey blocks. In 20/21 we will complete the install to all our 3 storey bocks.

4.4 The result will be improved fire safety for all residents. There will be 1126 doors across the Borough that are to be replaced and the new doors will be fully compliant with all relevant statutory and regulatory requirements. The contract will also include integral side/ top panes and meter cupboards.

## **5.0 Why a change is needed**

5.1 A change is needed because this is statutory improvement work under the Regulatory Reform (Fire Safety) Order 2005 (RRO). The fire rated doors offer a minimum of 30 minute protection from smoke and fire and self-closer to prevent the spread of fire and smoke. This ensures

sufficient compartmentation of the communal and private areas within the block of flats that ensure escape routes and common spaces are protected.

- 5.2 Where the dwelling doors are deemed to already have a minimum rating of 30 minute protection, they will be upgraded with a new door closer.

## **6.0 Resources, costs**

- 6.1 The tender will be awarded to a certified installer. The expected external resources for the project will be CDM Consultants, Principal Contractor and sub-contractors. The costs associated with the project will be determined by the winning tender. This will be based on both monetary and quality and social value.

## **7.0 Staffing/workforce**

- 7.1 The in-house staff required to manage the works will consist of the Project Manager who will be managing all the stages in the project cycle to ensure a quality product is being delivered and the Clerk of Works will be supervising the site works and reporting any issues as appropriate. We will be working alongside approved contractors and accredited installers to carry out the necessary works. We will also be implementing our Fire Safety Audit tool which will provide a further control ensuring that the works are delivered to quality standards and the fire loading of the building is reduced.

## **8.0 Ward Councillors' comments**

- 8.1 This programme of works affects blocks all across the Borough and it is our statutory duty to carry out the necessary works to continue to ensure the continued safety of our residents. All Councillors will be informed of the works and invited to the scheduled consultation events.

## **9.0 Performance Issues**

- 9.1 The new contractor will be managed effectively from mobilisation to completion. Performance statistics will be reviewed on a monthly basis and monitored through a combination of regular site visits and formal meetings. This will ensure that any concerns raised can be rectified promptly. We will ensure that the project is managed within the Build a Better Harrow framework.

In addition to the above, any future reactive maintenance after the initial defects liability period will be incorporated in an on-going maintenance programme.

- 9.2 In addition we intend to form monthly project groups, inviting residents and members to support the management and monitoring of the schemes throughout their implementation. We will also adhere to our internal health and safety guidelines and requirements by implementing our internal Fire Audit tool for each block where works will be going ahead. This can be monitored by the appropriate officers and any issues arising are brought to a swift resolution.

## 10.0 Environmental Implications

- 10.1 It is the intention that the delivery of any contract will contribute to the Council's objectives around social, economic and environmental sustainability. We will do all we can to ensure that we support Harrow's economy by buying locally wherever practical and maximise opportunities for local people in employment and training. The project will ensure that tenders provide detailed information about how they intend to contribute to the environment and are sustainable. We also require bidders to sign up to the Considerate Contractor Scheme.
- 10.2 Specific requirements on social, economic and environmental matters will vary according to the value and duration of each contract and are detailed in the appendices.

## 11.0 Data Protection Implications

All personal data required to progress the project will fulfil the criteria as set in the GDPR to prevent any legal challenges.

## 12.0 Risk Management Implications

Risk included on Directorate risk register? **Yes**

Separate risk register in place? **Yes**

- 12.1 The table below identifies the high level risks associated with this contract, and the controls in place to mitigate them. Additionally, a risk register specific for this procurement will be started from the outset of the process and will be maintained and reviewed by all relevant staff regularly.

<b>Risk</b>	<b>Risk Control</b>
Failure to deliver fire doors not compatible with fire door certification / impact of poor operating practices that is detrimental to the reputation of LBH.	The documentation relating to the specs of the doors have been pre- validated by LBH in-house Fire safety Officer and the product type is part of the contract. All doors will be installed by fully qualified operatives who will strictly adhere to method statements as relating to accessing the property, resolving no access issues, start of works, removal process of the door, installation of the new door and clearance of the old door from site. All doors will carry the necessary warranty from the contractor. As part of the contract, the contractor will carry the necessary insurance to indemnify against H&S mishap relating to the works.
Lessons learnt from Grenfell and implementation throughout Harrow.	Following the Grenfell Tower disaster and publishing of The Hackett Report on Fire Safety the impact on LBH is as follows.  The H & S department has formulated a rigorous risk based FRA inspection programme of all social housing properties, including sheltered accommodation and community centres. The findings are collated, prioritised

	<p>by level of risk and sent to the maintenance team for action. All major works are programmed and sent to the PIT for planning and installation.</p> <p>Regular auditing is carried out on all our higher risk properties to ensure continued compliance across all areas and compliance with Article 17 of the RRO 2005 Fire Safety Order Legislation.</p> <p>Senior Managers and the fire risk assessor regularly attend group Council meetings and Institution seminars to discuss the outcomes and impact that the Hackett report will have on the LBH. The report is currently aimed at High Rise Resident Buildings (HRRB) but all housing below 18m will be eventually fall under this vigorous umbrella of safety.</p>
The potential risk of Asbestos in core of door and vicinity of work area.	<p>An Asbestos register of all block properties surveyed by LBH will be provided to the contractor. The trained contractor is to contact LBH if there is a likelihood of identified asbestos being disturbed during the works. If doors have not been surveyed for Asbestos then it will be assumed to be an Asbestos containing Material (ACM).The contractor will follow a pre-planned method statement to removing, storing and disposing the ACM before installation of the new doors.</p> <p>Any PPE required will be supplied to the operatives by the contractor.</p>
Contractors unable to fulfil the requirements of the contract e.g. poor performance, Leading to the need to terminate the contract.	<p>The Council will use back up arrangements within the contract. All references will be checked for similar type of works before being allowed to go on approved list of contractors.</p>
Does not achieve competitiveness and value for Money.	<p>The tender will be assessed on a price, quality and social basis.</p> <p>The price payable to the contractor will be calculated by reference to the rates and prices set out in the Contractor's pricing schedule.</p>
<p>Communication of the works to all parties including Residents to avoid reputational risk and hindering development coming forward.</p> <p>Failure to deliver / impact of poor operating practice detrimental to reputation.</p>	<p>Effective communication strategy to mitigate concerns about performance and ensure deliverability is not impeded. Positive campaign adopted by the Council and administration.</p> <p>Only contractors that can satisfy obligations are appointed.</p>
The hazards associated with door renewal and its implication for residents, visitors and bystanders	<p>Ensure that all risks are considered and included in the construction phase plan to be assessed by the principal designer and make certain that the hazards are either removed or reduced.</p> <p>Ensure there are RAMS for sub-tasks.</p> <p>Contractor is to ensure that all sub-contractors are competent (knowledge, skill, experience).</p> <p>Ensure that the Contractor has the necessary insurance</p>

to indemnify the risks involved.

### **13.0 Procurement Implications**

13.1 The value of this procurement is below the OJEU threshold for Works and therefore not subject to the Public Contract Regulations 2015 (PCRs). The procurement route will be an open procedure. All tender documentation pertaining to the procurement of contractors will be published via the London Tenders Portal.

### **14.0 Legal Implications**

14.1 The value of this procurement is below the financial threshold requiring a tender procedure that complies with the Public Contracts Regulations 2015 so there is no requirement to advertise in OJEU or to follow one of the prescribed procedures.

14.2 The procurement will also comply with the Council's Contract Procedure Rules, which requires the Council to conduct a competitive tender process.

14.3. The Council also has a statutory duty under Section 20 Commonhold and Leasehold Reform Act 2002 to undertake a two stage consultation with leaseholders whose homes will be included on the programme and who will subsequently be charged a proportion of the costs incurred. Stage 1 Consultation will take place as soon as Cabinet approval is granted.

14.4 The form of contract used will be the JCT Intermediate Building Contract and Legal services will ensure that the contract is properly executed.

### **15.0 Financial Implications**

15.1 This project will form part of the 2020-21 HRA capital programme appearing elsewhere on this agenda. This will be funded from HRA resources and there will be no impact on General Fund

As budgets for 2020-21 will not be approved by Council until 27<sup>th</sup> February 2020, final clearance to enter into contract, will be granted through delegated authority once the appropriate budgets have been approved and made available.

15.2 Assuming no contract expenditure will be incurred clearance granted to seek quotations for works and commence Section 20 consultation process.



## **16.0 Equalities implications / Public Sector Equality Duty**

- 16.1 The procurement exercise is designed to deliver existing policies and strategies maintaining the current level of equality in service provision. The project will be very clear on the equalities related duties on contractors, given the wide range of needs of our customers.
- 16.2 An initial Equality Impact Assessment has been prepared for the delivery of the overall Housing Capital Programme. This identified no need for a full assessment at this stage because it did not identify any potential for unlawful conduct or disproportionate impact. All opportunities to address diversity, particularly vulnerability for all tenants and leaseholders will be addressed through the contract specification and ensure residents receive the same service regardless of, but taking into account specific needs. We will address these in our tendering documents and processes. The assessment will be updated as the project moves forward.

In order to enable appropriate fire safety measures for the hard of hearing we will dedicate an RLO resource to liaise with relevant residents on a case by case basis and working closely with resident services, we will install appropriate solutions for these particularly vulnerable residents.

## **17.0 Council Priorities**

- 17.1 Below we have identified how the decision sought will deliver on some of the Council's priorities:-

### **Building a Better Harrow**

- Specifications for all contracts will ensure that the successful contractor is equipped to provide a high level of customer service to all our residents.
- In addition every effort will be made to ensure that local businesses are encouraged to submit tenders and that added social value to support communities will be a part of the evaluation process.

### **Supporting Those Most in Need**

- Projects on the Housing Capital Programme are provided to some of the Council's tenants and leaseholders –many of whom are vulnerable.
- All are targeted to improve the quality of the housing stock and the environment in which our tenants live.

### **Delivering a Strong local Economy for All**

- The London Borough of Harrow recognises the importance of employing local people to provide local labour, and also key opportunities for apprenticeship schemes.

### Section 3 - Statutory Officer Clearance

Name: Tasleem Kazmi  \* on behalf of the \*  
Chief Financial Officer

Date: 03/12/2019

Name: Sarah Inverary  \* on behalf of the \*  
Monitoring Officer

Date: 17/12/2019

Name: Lisa Taylor  \* on behalf of the \*  
Head of Procurement  
Nimesh Mehta

Date: 13/12/2019

Name: Paul Walker  Corporate Director

Date: 20/12/2019

#### **MANDATORY**

**Ward Councillors notified:**

**YES – will be consulted  
through future  
consultation**

**EqIA carried out:**

**YES**

**EqIA cleared by:**

An overarching EQIA  
was undertaken for the  
programme and was  
cleared previously.

## **Section 4 - Contact Details and Background Papers**

**Contact:** Andrew Campion,  
Head of Asset Management  
0208 424 1339  
[Andrew.Campion@harrow.gov.uk](mailto:Andrew.Campion@harrow.gov.uk)

**Background Papers:** None

<b>Call-In Waived by the Chair of Overview and Scrutiny Committee</b>	<b>NO</b>
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