

DECISION MAKER Leader of the Council	DATE 3 May 2024
TITLE Award of Contract for the Service and Maintenance of Fire Detection Equipment and Fire Fighting Equipment	WARD (S) All
CHIEF OFFICER Director of Housing and Safer Communities	CABINET MEMBER Housing, Neighbourhoods and Homelessness
DECISION CLASSIFICATION Key Decision published on the Forward Plan on 8 August 2023 Subject to call-in Non-exempt	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes

1. **Decision required**

This report makes the following recommendations to the decision-maker:

- 1.1 To agree to the award of a contract for the servicing, visual inspections, testing, maintenance and repairs of communal fire detection and fire-fighting equipment within the Borough for a period of five years commencing on 1 April 2024 to 31 March 2029 to The Wiggett Group Ltd (company registration number 09644698) at an estimated value of £300,263.36 annually. The contract includes the option to extend by a further five years.
- 1.2 To note that the award followed a competitive “open tender” procedure in accordance with Contract Standing Orders (“CSO”) 14.

Signed.....Date:
Councillor Anthony Okereke, Leader of the Council

2. **Links to Our Greenwich missions**

2.1 This report relates to the Council's agreed missions as follows:

- People's health supports them in living their best life.
- Everyone in Greenwich is safer and feels safer.
- People in Greenwich have access to a safe and secure home that meets their needs.

2.2 The service that will be undertaken by the recommended contractor will improve the safety of council properties ensuring that fire detection and safety equipment is thoroughly inspected, and maintenance is carried out where necessary.

3. **Purpose of Report and Executive Summary**

3.1 This decision report seeks agreement to the award of a contract for the servicing, visual inspections, testing, maintenance and repairs of communal fire detection and fire-fighting equipment within the Borough over the next five years.

4. **Introduction and Background**

4.1 The Royal Borough of Greenwich has a duty of care to its tenants and residents in general to provide safe and operational fire detection systems/equipment and fire-fighting equipment in its communal buildings. Failure to provide this service would mean RBG would not be compliant with its obligations to provide safe and operational systems.

4.2 In July 2023 the Royal Borough ran a regulated procurement for the provision of the service via the Find a Tender Service (FTS) Open Procedure. The Council received 13 tender submissions of which one submitted a non-compliant bid in relation to the requirements set out in the tender documentation.

4.3 The 12 remaining tenderers passed stage 1 of the evaluation process (Selection Questionnaire). The tenders were evaluated on the basis of a 60:40 quality/price ratio with a further 10 marks awarded for a social value offering. Council officers with technical expertise of the required provision scored the technical responses

and a moderation meeting was chaired by a member of the procurement team. Prices were analysed and scored in accordance with the evaluation criteria. The Social Value Portal (SVP) evaluated the social value responses. A detailed breakdown of the evaluation scoring is in the table below.

	Weighted Quality Score	Weighted Price Score	Social Value	Total	Ranking
The Wiggett Group	55.61	28.87	3.48	87.96	1
Tenderer A	57.07	20.50	7.13	84.70	7
Tenderer B	45.37	28.65	2.51	76.53	8
Tenderer C	32.20	40	0	72.20	9
Tenderer D	38.05	6.91	0	44.96	12
Tenderer E	48.29	33.35	4.63	86.27	4
Tenderer F	51.22	29.03	6.01	86.26	5
Tenderer G	48.29	31.09	7.62	87.01	3
Tenderer H	40.98	26.28	2.30	69.56	10
Tenderer I	60	21.52	5.50	87.02	2
Tenderer J	51.22	30.86	3.38	85.46	6
Tenderer K	48.29	12.82	0	61.11	11

- 4.4 Although tenderer C submitted the lowest price tender, they failed to submit a social value response which resulted in a 0 score for social value and their score against the technical evaluation was also very low.

5. **Available Options**

- 5.1 Option 1: Do Nothing – this would lead to the discontinuation of the service provision. This would mean that RBG would be non-compliant with its obligations to provide safe and operational systems.
- 5.2 Option 2: Agree to award the contract to The Wiggett Group for the servicing, visual inspections, testing, maintenance and repairs of communal fire detection and fire-fighting equipment within the Borough.

6. **Preferred Option**

- 6.1 The preferred option is 5.2. Awarding the contract to The Wiggett Group will provide the required outcomes and allow the council to meet its statutory obligations.

7. **Reasons for Recommendations**

7.1 Option 2 will ensure that the council meets its statutory obligations as a landlord. The Wiggett Group also provided the most economically advantageous tender based on the quality/price criteria set out in the tender documents which has provided comfort to council officers that they can deliver the service provision effectively and efficiently.

8. **Consultation Results**

8.1 The Lead Member has been consulted on the recommendations of this report and is content with the outcome.

8.2 This award is subject to a Section 20 Leaseholder Consultation that will conclude in May 2024.

9. **Cross-Cutting Issues and Implications**

Issue	Implications	Sign-off
Legal including Human Rights Act	<p>The Leader of the Council is requested to authorise the award a contract for the Service and Maintenance of Fire Detection Equipment and Fire Fighting Equipment for a period of five years commencing on 1 April 2024 to 31 March 2029 with the option to extend for 5 years to The Wiggett Group Ltd (company registration number 09644698) at an estimated total value of £1,501,316.80 for 5 years.</p> <p>Compliance with Contract Standing Orders (“CSOs”) and Public Contract Regulations (“PCRs”) 2015</p>	<p>Mohammed Patel, Contracts and Procurement Lawyer</p> <p>25/04/2024</p>

Issue	Implications	Sign-off
	<p>CSO 3.1 states that every contract made by or on behalf of the Council must comply with National Law, these Standing Orders and the Council's Financial Regulations.</p> <p>CSO 14 states that where the estimated value of the contract is above the relevant National Threshold, Chief Officers will invite tenders in accordance with the National Law and will record their reasons for deciding which procedure to use.</p> <p>In accordance with CSOs 14 and 18, the Council used an Open Procedure. The Open Procedure complied with the Public Contracts Regulations 2015. The contract value in this matter was estimated to be above the relevant procurement threshold for service contracts therefore the Public Contracts Regulations 2015 applied to this contract.</p> <p>CSO 28.3 states that the Chief Officer may accept tenders within budget and £500,000 and over, provided they are the lowest price, or within 10% of the lowest if it is the Most Advantageous Tender. All other tenders are to be awarded by the Leader. In this case, the winning tenderer's price wasn't within 10% of the lowest</p>	

Issue	Implications	Sign-off
	<p>price but was the Most Advantageous Tender.</p> <p>The Leader of the Council is therefore required to make this award. The Lead Member has been consulted on these contract awards and the result of this is outlined in section 8 of this report.</p> <p>Best Value Under the Local Government Act 1999 the Council is required to achieve the best value in the exercise of its functions. In reaching a decision, the Chief Officer must take into account the reasons for the award of these framework contracts as set out in the body of the report and the Council's fiduciary duty to achieve Best Value.</p> <p>Human Rights Under the Human Rights Act 1998 local authorities have a duty to promote and protect human rights. The award of these framework contracts does not have legal implications under the Human Rights Act 1998.</p> <p>Consult with Legal The report author should consult with the Legal Department regarding the drafting and execution of the contract.</p>	

Issue	Implications	Sign-off
<p>Finance and other resources</p>	<p>This report makes the following recommendations to the decision-maker:</p> <ol style="list-style-type: none"> 1) To agree to the award of a contract for the servicing, visual inspections, testing, maintenance and repairs of communal fire detection and fire-fighting equipment within the Borough for five years commencing 1 April 2024 to The Wiggett Group Ltd at an estimated value of £300,263.36 annually. The contract includes the option to extend by a further five years. 2) To note that the award followed a competitive “open tender” procedure in accordance with CSO 14. <p>The current annual budget available within Estates Services for this contract is £200,000. No additional budget has yet been identified for the additional contract cost, and this overspend will be reflected within Estates Services. The budget will need to reviewed to look for efficiencies elsewhere within the service.</p> <p>This is a key decision.</p>	<p>Joanne Stark Head of Accounting & Business Change 25.04.2024</p>
<p>Equalities</p>	<p>The decisions recommended through this paper have a remote or low relevance to the substance</p>	<p>James Henry – Building</p>

Issue	Implications	Sign-off
	<p>of the Equality Act. There is no apparent equality impact on end users.</p> <p>In addition, the recommendations in this report make no specific contribution to the Council's Equality and Equity Charter and the Council's Equality Objectives 2020-2024?</p>	<p>Services Engineer 19/01/2024</p>
Climate change	<p>The recommendations contained within this report make no specific contribution to the Greenwich Carbon Neutral Plan agreed by Cabinet on 18 November 2020</p>	<p>James Henry – Building Services Engineer 19/01/2024</p>
Procurement & Social Value	<p>The award follows a regulated procurement undertaken through the Find a Tender Service (FTS) Open procedure. The Wiggett Group has submitted the most economically advantageous tender based on the evaluation criteria set out in the procurement documents. The award is endorsed by procurement.</p> <p>Social Value</p> <p>The Wiggett Group Ltd have committed to two apprenticeship opportunities per year through this contract using 'The Wiggett Academy'. They have also committed to spending a minimum of £100,000 throughout the duration of the contract on</p>	<p>Michael Barrett Senior Procurement Officer 12/01/2024</p> <p>Approved by Stefanie Seff Head of Procurement 19/1/24</p>

Issue	Implications	Sign-off
	<p>four local fire protection and axillary electrical materials providers.</p>	
<p>Home Ownership</p>	<p>There are currently approximately 5200 leasehold properties (excluding RTB applicants) that may be affected by the proposed works in this report. Notice of Intentions were issued on the 7th December and expired on the 10 January 2024. Notice of Proposals have yet to be issued with a further 30 day observation period.</p> <p>This contract no doubt will be in respect of both planned and responsive works. A further 'Schedule 3, Notice of Intention' for qualifying works within the QLTA will need to be issued where any one leasehold contribution is likely to exceed £250, and allow a further 30 days observation period. Failure to serve this notice will limit the charges to these thresholds.</p> <p>The Service Charge Regulations are very rigid and in the case of Qualifying Long Terms Agreements where works are above the thresholds would have required this to be published in the Official Journal of the European union (OJEU) or now I</p>	<p>Hardev Sandhu 23/04/2024</p>

Issue	Implications	Sign-off
	<p>believe Find a Tender Service (FTS).</p> <p>Non-compliance in the case of QLTA's of the first two notices issued would mean a limitation of £100 per leaseholder per year which would severely impact the amount that can be recovered especially on a five year contract.</p> <p>There is no way of estimating leaseholders charges at this stage without the schedule of rates and because responsive works are an unknown quantity.</p> <p>Please also note that only works identified and consulted upon in the notices can be charged for, and any variations outside of this scope of works is no longer rechargeable and will therefore become a loss.</p> <p>Failure to comply or should the First Tier Tribunal (FTT) decide we have not complied with the consultation requirements, would severely limit the amount we are able to charge (i.e. £250 for qualifying works and £100 per leaseholder per year for qualifying long term agreements).</p>	

11. **Report Appendices**

11.1 The following documents are to be published with and form part of the report:

- None

12. **Background Papers**

There are no background papers

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