

ED2. EXECUTIVE DECISIONS BY A CABINET MEMBER OR AN OFFICER

A. Report Title: Housing Responsive Repairs Contracts	
B. Report Author(s): Maureen McEleney	Tel: Ext 2230 E-mail: mmceleney@thurrock.gov.uk
C. Decision Maker: Cllr Garry Hague	
D. Position held: Leader of the Council	
E. Key decision: YES	F. Delegation ref: Chapter 3, Part 4 cl 3.2(b) and 6)
G. Is the decision urgent? Yes	
H. If yes, state why. The interim contractors must immediately be placed on contractual terms and conditions until the new contracts come into effect.	

I. DECISION (strike out whichever does not apply) :	
1. I agree the recommendations in the attached report for the reasons given in the report; OR	
2. *My decision is:	
*The reason for my decision is:	
* Continue overleaf or on an additional sheet if necessary.	
Signed:	Date:

URGENCY

Democratic Services will arrange for the completion of the following:	
J. I confirm that in my opinion a decision on this matter is urgent and cannot reasonably be delayed:	
Signed:	Date:

To be completed by Democratic Services

Date decision received by Dem. Services:	Date decision published:
Implementation date:	

Relevant O & S Committee:

21st April 2010		ITEM
Cabinet		
Housing Responsive Repairs Contracts		
Portfolio Holder: Cllr. Ojetola Portfolio Holder for Housing		
Wards and communities affected: All	Key Decision: Yes	
Accountable Head of Service: Maureen McEleney		
Accountable Director: Lorna Payne CWB		
This report is public , and is accompanied by an exempt report on this matter, containing exempt information under Schedule 12A Local Government Act 1972		
Purpose of Report: To seek approval to extend a number of existing repair contracts until the commencement of the proposed new repair contract arrangements.		

EXECUTIVE SUMMARY

The Housing Responsive Maintenance and Voids service is currently delivered via a mix of Direct Services Organisation (DSO) supported by local general and specialist contractors. As the proposed new arrangements have been going through the tendering process the existing contracts have lapsed, and therefore interim arrangements are needed.

As the new Repairs contract is not planned to commence prior to July 2010, arrangements are needed to regularise the current arrangements over this limited period.

1. RECOMMENDATIONS:

- 1.1 Agree that authority be given to enter into interim contracts with pre-existing major repairs contractors until the commencement of the new repairs contract, and to waive the requirement for tendering under the Council's Constitution.
- 1.2 Utilise these extended contracts plus the DSO to deliver all required works over this period.

2. INTRODUCTION AND BACKGROUND:

- 2.1 The Council has completed a tendering exercise for the provision of the Housing Responsive Repairs Service, with a provisional commencement date of July 2010.
- 2.2 Arrangements need to be put in place to ensure effective contract management for the period to July utilizing existing contractors.

3. ISSUES AND/OR OPTIONS:

- 3.1 The options available to the Council are:
- To continue the current arrangements
 - Undertake a retendering exercise
 - Put in place arrangements to extend the current contract arrangements with existing major contractors to formalize contract arrangements in the interim period until the new Service Provider commences

From the above, the third option is identified as the preferred option.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

- 4.1 Consultation has taken place with existing contractors.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 5.1 The revised arrangements will improve Council efficiency and contract arrangements.

6. IMPLICATIONS

6.1 Financial

Implications verified by: Michael Jones
Telephone and email: 0137 565 2772
mxjones@thurrock.gov.uk

By agreeing this report existing operations will be able to continue until the commencement of the new contract in July 2010.

This will avoid the incurrence of costs associated with a procurement exercise, as well as the potential loss of income as a result of disruptions to operational activity.

6.2 *Legal*

Implications verified by: **Daniel Toohey**
 Telephone and email: **0137 565 2049**
dtoohey@thurrock.gov.uk

Legal are advised by the Accountable Head of Service that a long-term provider of these services has now been selected as part of a tendering exercise but that that contract will not commence until July 2010, and that the previous contracts have now expired.

Legal are advised by the Accountable Head of Service that the value of each proposed interim contract, for the period which is proposed, is below the threshold for the application of the EU regulations for tendering as set out in the Public Contracts Regulations 2006. EU-compliant tendering is therefore not required in this case

Where a contract is not governed by the EU regulations the Council may decide (under Rule 13 of the Council's Contract Procedure Rules) to waive its own requirements for tendering, where the works, supply or service is required as a matter of urgency and a delay would be likely to lead to financial loss, personal injury or damage to property.

6.3 **Diversity and Equality**

None directly arising from this Report.

6.4 **Other implications**

Putting in place arrangements to extend the current major contract arrangements will strengthen the Council's contract management and control arrangements.

7. **CONCLUSION**

7.1 The arrangements be put in place to extend existing major contractors until the commencement of the new repairs contracts.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Existing contract documents

