

## **CABINET – 14TH OCTOBER 2021**

### **Report of the Head of Landlord Services Lead Member: Councillor James Poland**

#### **Part A**

#### **ITEM 10      PROCUREMENT OF CONTRACTOR FOR ASBESTOS REMOVAL**

##### Purpose of Report

To seek approval from Cabinet to procure, through a framework, services sufficient to meet the Council's requirements for asbestos removal at properties within the Housing Revenue Account

The Contract value is estimated at over £500,000, therefore under the Council's Contract Procurement Rules, this distinct report to Cabinet is necessary.

##### Recommendation

That the Head of Landlord Services be authorised to commence a procurement exercise, identify a suitable framework, and subsequently award a contract for asbestos removal for a period of up to four years.

##### Reason

To support compliance with the Control of Asbestos Regulations 2012 by having a suitably qualified contractor in place to deliver asbestos removal works at properties within the Housing Revenue Account, and to award a contract in a way that is consistent with the Council's procurement rules.

##### Policy Justification and Previous Decisions

The services delivered under the contract will support compliance with the Homes and Communities Agency Home Standard (2012), which, in summary, states that the Council must:

- ensure that tenants' homes meet the standard set out in the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard.
- meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.
- ensure a prudent, planned approach to repairs and maintenance of homes and communal areas.

##### Implementation Timetable including Future Decisions and Scrutiny

The existing contract for the delivery of asbestos removal works concludes in March 2022.

Subject to call in, it is expected that procurement will commence in October 2021 and the new service will commence in April 2022.

### Report Implications

The following implications have been identified for this report.

#### *Financial Implications*

The new contract will run for a maximum period of four years. The estimated contract value is £150,000 per year. The spend under the current Contract is fully funded in the 2021/22 budget, and similar levels of expenditure for future years have been assumed in the Housing Revenue Account Business Plan.

#### *Risk Management*

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failure to follow the Council's Procedures leading to a breach of procurement legislation and not obtaining best value.	Unlikely (2)	Significant (3)	Moderate (6)	Procurement advice to be obtained from Nottingham City Council.  Procurement via framework provides a route which is compliant with the Council's procedures and legislation.

Key Decision: Yes

Background Papers: None

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## **Part B**

### Background

1. To comply with legislation, and to keep its tenants, employees, and contractors safe, the Council removes asbestos where a survey / risk assessment determines it cannot remain in situ.
2. The existing Contract with European Asbestos Services comes to an end in March 2022. It is therefore necessary for the Council to put in place arrangements to award a new contract.
3. Procurement via framework has the following advantages:
  - Compliance with procurement legislation - framework providers go out to the market, conducting legally compliant procurement processes on behalf of their members.
  - Economies of scale - through the framework buying power.
  - Speed - a contract can be put in place within an appropriate timescale
  - Contract management support - the Council will benefit from the framework's established contract and supply chain management processes.

### Process

2. The Council will identify and approach a suitable framework provider. Depending on the framework rules a direct award to an appropriate supplier may be made, or alternatively a further mini-competition may be undertaken to refine pricing and / or quality statements.
3. Subject to call in, it is envisaged that the procurement exercise will commence in October 2021 and the new contract will start in April 2022.