

ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

Please use this form to record those executive decisions which are taken by officers and are **not** designated as 'Key Decisions' – or in other words those decisions which are **not** included in the Forward Plan. There is a separate form for recording Key Decisions.

You should also use this form to record decisions about those functions which are reserved to the Council or to its committees. The Constitution explains what these reserved functions are and who is responsible for them.

<p>1. Title / Subject Matter:</p> <p>Formalise arrangements for the Property Health & Safety Check / Service (PH&SC/S) contract with J. Tomlinson Limited (Company number 03168455).</p>
<p>2. Decision Reference No:</p> <p>HAA-TEC/RD-ODR382</p>
<p>3. Decision Taken:</p> <p>To enter into contract with J. Tomlinson Limited following the completion of a procurement exercise undertaken by the Shared Procurement Unit (SPU).</p> <p>The work undertaken associated with this contract will be for work completed by both the Planned, Cyclical & Estates Maintenance Section and the Responsive & Void Maintenance Section and will commence on 01 February 2022.</p> <p>The procurement exercise was completed as per the Executive Decision Record signed on 13.09.2021</p>
<p>4. Reasons for the Decision:</p> <p>J. Tomlinson Ltd were identified as submitting the most advantageous bid following a procurement process undertaken by the SPU which included a review of price, quality and social value.</p>
<p>5. Alternative Options Considered / Rejected:</p> <p>The option to self-deliver these works is not viable at present due to the scope of the works being large in nature and / or including specialisms surrounding certain elements of work that the Authority does not have the required skills to deliver.</p>

A review has also been undertaken with regards to the completion of the PH&SC/S which has determined that this is not viable to be delivered in-house.

The Authority has also experienced difficulties and challenges in the past recruiting into Trade Operative positions as the buoyancy of the construction industry has affected recruitment activities. This also takes into account the differential between the salaries available in the Private Section when compared to the Public Sector for Trade based positions.

6. Implications

Legal

The Council has the power to enter into contract in order to discharge its functions (Local Government Act, s111 and the Local Government (Contracts) Act 1997, s1).

The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations.

The Shared Legal Service will provide advice and assistance to formalise the contract by way of correct legal documentation. (LE 03/12/2021)

Finance

The submitted tender is within the current approved 2021/22 budget and the proposed 2022/23 HRA budget for this scheme of works. The procurement exercise was to get the best value for ADC. This is a call off only contract and no financial obligation to use the supplier. Any changes to the values of these contracts will be reviewed in the financial year and any differences will be managed within the overall Planned, Cyclical & Estates Maintenance budget. This is based on a 3 + 2 year contract. (PH 26/11/2021)

Name / Title of the officer taking the Decision:

Use your own name and title. Do not 'pp' for a more senior officer who has asked you to take the decision

Paul Parkinson - Director of Housing & Assets (Deputy CEO)

Date: 06.12.2021

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

(This decision is not subject to call-in and is circulated for information only). **If a Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.**

Date: