



## **RECORD OF CABINET PORTFOLIO HOLDER DECISION**

### **CONTRACT AWARD**

<b>1. Decision Reference No.</b>	<b>PH036</b>
<b>2. Decision made by</b>	<b>Portfolio Holder for Housing &amp; Communities</b>
<b>3. Name and job title of Officer requesting the decision (inc Officer email address)</b>	<b>Craig Spence Assistant Director for Housing Management <a href="mailto:cspence@melton.gov.uk">cspence@melton.gov.uk</a></b>
<b>4. Title / Subject Matter:</b>	<b>Award of Contract for Stock Condition Surveys</b>
<b>5. Type of Decision:</b> (The decision will be published in its entirety unless it contains exempt information as described in Section 1.4 of the <a href="#">Council's Access to Information Rules</a> )	<b>Public</b>
<b>6. Key Decision?</b>	<b>Yes</b>
<b>7. Decision Taken:</b>  1. Award the contract for HRA Asset Surveying to Michael Dyson Associates via the Fusion 21 framework.	
<b>8. Reasons for Decision:</b>  Due to a need for current stock condition data which shall inform our HRA Business Plan and Capital Programmes within the HRA, we explored options to procure a contractor to enable us to robustly and accurately capture the required data. Following exploration of the marketplace we identified the Fusion 21 framework as the compliant vehicle to deliver this contract. Following extensive engagement to share our scope of works and challenging delivery timescales we have identified Michael Dyson Associates as the supplier to contract.  The contractor has been procured through a compliant framework, Fusion 21. Through thorough consultation and clarification via references we are confident that the supplier understands and can satisfy our: <ul style="list-style-type: none"><li>• Expectations of the contract</li><li>• Timescale's for delivery of the various aspects of work</li></ul>	

- Data return standards, which shall enable effective upload to our Northgate system
- Various survey requirements to include, Stock Condition, EPC, Garage and Structural

The supplier has been procured in compliance with the contract procedure rules, and all necessary due diligence has been carried out by the Council Officer.

## 9. Authority / Legal Power:

Legal – See below

## 10. Background Papers attached?

(Background papers are to be attached (unless exempt))

**No**

## 11. Alternative options available / rejected:

(Briefly summarise what other options, if any, are available or considered and why they were rejected.)

1. Utilise a contractor to collate cloned data for our stock. This carries a high level of risk and was rejected due to the upcoming increased regulation of the housing sector.
2. Continue to manage the stock reactively without up to data asset data. This is not a sustainable position and carries a high level of risk.

## 12. Implications:

### Legal

The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) 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 Council's Contract Procedure Rules permit a contract of any value to be procured via a framework agreement or DPS, compliance with these Rules and relevant national and EU law is achieved through compliance with the framework agreement/DPS terms and conditions.

The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. The Officer is responsible for the subsequent storage and safe keeping of the signed contract.

If the above criteria is satisfied, using a framework agreement will reduce the risk of challenge for the Authority

Legal Approval 7 May 2021

### Finance

The contract spend is forecast to be £260,000 over the lifetime of the contract. This is within the existing budget plan.

	Finance Approval 6 <sup>th</sup> May 2021
<b>Other</b>	The following checks have been carried out in relation to the contract provider prior to their entry on to the framework, MBC shall undertake financial checks once agreement is forthcoming: - Financial credit checks - Insurance certificates - Health and safety policies
<b>13. Signature of Officer with authority to sign (See Section 9):</b> Please do not 'pp' for a Senior Officer	Craig Spence Assistant Director for Housing Management Signature redacted
<b>14. Officer Responsible for Procurement</b>	I confirm compliance with the Contract Procedure Rules Name: Craig Spence
<b>Call In Waived by Scrutiny Committee Chair? (Under urgency Procedures)</b> Where urgency procedures used please provide approved urgency notice	N/A
<b>Has this been discussed by Cabinet Members?</b>	This has been an item discussed as a key part of HIP updates to Cabinet.
<b>Cabinet Portfolio Holder Signature</b>	Councillor Joe Orson Portfolio Holder for Housing & Communities (Email approval received)  17 May 2021
<b>Declarations/conflict of interest?</b>	-

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