

<p>London Borough of Hammersmith & Fulham</p> <p>OFFICER DELEGATED DECISION</p> <p>29th April 2019</p>		
<p>AWARD OF CONTRACT FOR THE APPOINTMENT OF MOVING COMPANY SERVICES RELATING TO THE WEST KING STREET RENEWAL DECANT PROGRAMME</p>		
<p>Report to the Chief Executive, Kim Smith</p>		
<p>Classification: Open Report with Exempt Appendix</p> <p>This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 and also legally professional privileged under paragraph 5 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p>		
<p>Accountable Director: Jo Rowlands, Strategic Director, Growth and Place</p>		
<p>Report Author: Katie Randall, West King Street Renewal Programme Director</p>		<p>Contact Details: Tel: 07525 798841 E-mail: Katie.randall@lbhf.gov.uk</p>

AUTHORISED BY:

The Chief Executive has signed this report....

DATE: 28 May 2019...

1. SUMMARY

- 1.1 This report seeks approval to award the contract to provide moving company services for the decant of the Town Hall, Town Hall Extension and 181 King Street (the “Town Hall site”) to Restore Harrow Green Ltd. Moving company services are required to provide vacant possession of the Town Hall site to enable the successful delivery of the West King Street Renewal (‘WKSRR’) Programme.
- 1.2 The procurement will be undertaken via the ESPO ‘Removal Solutions’ Framework. This framework has been tendered in an OJEU compliant process, however the framework is a single supplier framework and so does not require further competition in order to appoint, as value for money has already been considered in the appointment to the framework. It is therefore recommended that the supplier, Restore Harrow Green Ltd, is appointed to provide the services.
- 1.3 Approval for this contract award is being sought under powers delegated to the Chief Executive in consultation with the Cabinet Member for the Economy and the Arts by Cabinet at its meeting on 3rd December 2018. The costs associated with this contract award are to be funded from the WKSRR Decant Programme budget, which was also approved by Cabinet on 3rd December 2018.

2 RECOMMENDATION

It is recommended that the Chief Executive, in consultation with the Cabinet Member for the Economy and the Arts:

- 2.1 approves the call off from the ESPO framework agreement Removal Solutions to award the contract for moving company services relating to the delivery of the West King Street Renewal Decant Programme to Restore Harrow Green Limited for the sum detailed in Exempt Appendix 1 of this report.

3 REASONS FOR DECISION

- 3.1 In December 2018, Cabinet agreed the following recommendations as part of the approval of the business case and delivery strategy for the West King Street Renewal Programme:

“To waive Contract Standing Order (CSO) 8 for a procurement strategy to be approved for contracts over £100,000 for the two contracts (i) and (ii) below on the grounds that this is in the Council’s overall interests due to there being insufficient time to obtain approval for the Procurement Strategy, and delegate authority to the Chief Executive in consultation with the Cabinet Member for the Economy and the Arts, to approve the award of the following services contracts, following CSO and EU procurement rules-compliant appointment exercises:

- (i). a client-side West King Street Renewal and Town Hall refurbishment programme delivery team; and
- (ii). services required to enable the relocation of Council services from the Town Hall site to alternative temporary or permanent locations (including move management and clearance services and CCTV network relocation services).”

- 3.2 Moving company services are required to coordinate the safe transition of services, records and equipment, members of staff and their belongings from the Town Hall site to the identified decant premises according to a detailed moves schedule, to be agreed with the Council's Strategic Leadership Team.
- 3.3 The costs associated with this contract award are to be funded from the WKSRR Decant Programme budget, for which the latest budget was approved by Full Council on 23rd January 2019.

Arrangements for Non-Office Functions

- 3.4 The Town Hall is only one third staff office accommodation; it is also home to several other functions that need to be decanted, re-located or otherwise altered. Similarly, 181 King Street hosts parking enforcement officers who also need to be moved.
- 3.5 These moves are expected to have longer lead times and have a higher risk of unforeseen complications and delay.
- 3.6 Where it allows for better service delivery, to minimise expense and disruption some of these facilities will be re-located to a new, permanent home. Premises for this have been identified at 43 Beavor Lane.
- 3.7 Negotiations with the landlord of the specialist decant property 43 Beavor Lane have now concluded and a draft lease has been finalised. This includes one large space including a small mezzanine area which will provide the Council with 6,300 sq ft of decant accommodation for up to five years.

4 PROPOSAL AND ISSUES

- 4.1 In order to deliver vacant possession of the Town Hall site to enable delivery of the WKSRR Programme, the Council has a requirement to decant approximately 1,200 staff into two main decant sites for the duration of the WKSRR development. In addition, there are approximately 100 members of staff operating specialist functions that require permanent relocation from the Town Hall site to another identified decant site.
- 4.2 In order to facilitate this decant, the Council is required to appoint a moving company who will facilitate and carry out the physical moves. This will involve relocating all staff personal equipment via locker crates and all team and corporate equipment such as desktop IT, storage and filing from the existing sites (the Town Hall, Town Hall Extension, 145 King Street and 181 King Street) into the identified decant buildings (3 Shortlands, Clockwork Building and 43 Beavor Lane).
- 4.3 A Moves Manager has been appointed in order to oversee the work of the moving company.

The key objectives of the Move Manager are to:

- develop a detailed moves schedule, to be agreed by the Council's Strategic Leadership Team;
- ensure Heads of Service and Directors are familiar with the space they will be working in and have signed off the detailed move plans;

- develop a moves process to ensure everyone is clear on their role, what will happen and when;
- identify and arrange for the resources needed to support the move schedule and process;
- co-ordinate and manage all move activity to ensure a smooth transition of services, people and belongings from their current location to the relevant decant sites;
- support communication of the move schedule and provide advice and support to staff affected by the move;
- oversee the work of the moving company (the external contractor) executing the 'lift and shift' to ensure they are completing agreed tasks as required;
- manage all data associated with the move including personal information, team lists and any associated inventories; and
- Conduct a full furniture audit covering The Town Hall, Town Hall Extension & 145 King Street.

4.4 The Move Manager appointment is designed to coordinate and manage all move activity to ensure a smooth transition of services and oversee the work of the external moving company contractor to execute the 'lift and shift' for the decant to the relevant sites and ensure they are completing agreed tasks as required. It is anticipated that the supplier will provide crates, labels, seals, labour, vehicles and specialist labour required in order to complete the moves.

4.5 The procurement of the moving company will be undertaken via the ESPO 'Removal Solutions' Framework. This framework has been tendered in an OJEU compliant process, however the framework is a single supplier framework and so does not require further competition in order to appoint, as value for money has already been considered in the appointment to the framework. It is therefore recommended that the supplier, Restore Harrow Green Limited, is appointed to the work.

5 OPTIONS AND ANALYSIS OF OPTIONS

Do nothing

5.1 Providing vacant possession of the Town Hall site is required to enable the successful delivery of the WKSRR Programme within agreed timescales. There is a risk to business continuity and service delivery if team moves associated with providing vacant possession of the Town Hall site are not well managed.

5.2 The appointment of an experienced moving company is essential to mitigating risks to business continuity and service delivery. Failure to award the contract for moving company services is likely to delay the decant of the Town Hall site, which in turn risks delays to the overall WKSRR programme. This option is not recommended.

Award the contract for moving company services relating to the WKSRR Decant Programme to Restore Harrow Green Limited.

5.3 This option is therefore recommended.

6 CONSULTATION

- 6.1 The Cabinet Member for the Economy and the Arts has been consulted on the decision to be taken by the Chief Executive under delegated powers via this report.

7 PROPERTY IMPLICATIONS

- 7.1 There are no property implications arising from this report.

Property implications prepared by Nigel Brown, Head of Asset Strategy and Portfolio Management, telephone: 020 8753 2835.

8 FINANCE IMPLICATIONS

- 8.1 The decant programme move budget is £2.373m as most recently approved in the WKS R Programme report that went to Full Council on 23rd January 2019.

Financial Context

- 8.2 The budget approved by Full Council on 23rd of January 2019 is sufficient to fund the award of this contract. Therefore the plans set out in this report are not expected to adversely impact on the current projected level of cashable reserves or adversely impact on the level of council debt as measured by the Capital Financing Requirement (CFR).
- 8.3 Exempt financial implications are detailed in the Exempt Appendix 1 of this report.

Financial implications prepared by Firas Al-Sheikh, Head of Housing Financial investment and Strategy, telephone: 020 8753 4790

Financial implications verified by Emily Hill, Assistant Director, Corporate Finance, 020 8753 3145.

9 LEGAL IMPLICATIONS

- 9.1 This report recommends the award of a contract in respect of the appointment of moving services following a call-off from the ESPO framework agreement "Removal Solutions".
- 9.2 The Cabinet decision of 3rd December 2018 waived the requirement for approval of the Procurement Strategy for this service.
- 9.3 As stated below in the Commercial Implications, this contract exceeds the current EU procurement threshold for Services of £181,302, therefore the full procurement regime set out in the Public Contracts Regulations ('PCR') applies in full.
- 9.4 However the EU requirements can be met by the use of an EU-compliant framework. Use of an existing framework agreement also secures compliance with Contract Standing Order (CSO) 10.2a on permitted tendering procedures. This ESPO framework, from which the award of a call off contract is recommended, has been tendered by ESPO in accordance with the PCR as a

single-supplier framework. This does mean that there is an absence of any competition for this contract, however the framework rates that apply were submitted as part of the ESPO process.

- 9.5 The Cabinet Decision on 3rd December 2018 in respect of the WKS^R programme, delegated authority to award contracts for certain services relating to this programme, including the proposed contract award for Move Company Services, to be made by the Chief Executive in consultation with the Cabinet Member for the Economy and the Arts. This delegation is permitted under CSO 17.3.1. Accordingly, the subject matter of this report is for the Chief Executive to decide following the consultation with the relevant Cabinet Member.
- 9.6 The decision-maker needs to be satisfied that the award of contract is in the best interests of the Council.
- 9.7 The Council must publish this contract award that is based on a framework agreement, within a reasonable time, on Contracts finder in accordance with regulation 108 of the PCR. The Council must provide the name of the contractor, the date on which the contract was entered into and the value of the contract.

Implications provided by: Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council tel 0207 405 4600

10 RISK MANAGEMENT IMPLICATIONS

- 10.1 The appointment recommending the appointment of an experienced moving company to mitigate risks to business continuity and service delivery. Failure to award the contract for moving company services is likely to delay the decant of the Town Hall site, which in turn risks delays to the overall WKS^R programme.
- 10.2 Officers will work closely with the Council's Insurance Team to ensure that appropriate risk assessments undertaken, and arrangements are put in place with the contractor for the removal, transportation and secure storage (in the chosen decant location) of valuable items owned/held by the Council, including works of art. Officers will ensure that sufficient insurance coverage is provided by the contractor to cover the items being moved, following advice from the Insurance Team.

Risk implications verified by David Hughes, Director of Audit, Fraud, Risk and Insurance, telephone: 0207 361 2389.

11 EQUALITY IMPLICATIONS

- 11.1 The proposed awarding of the contract for moving company services relating to the delivery of the WKS^R Decant Programme to Restore Harrow Green Ltd will have no direct negative equality implications for protected groups, under the Equality Act 2010.

12 IMPLICATIONS FOR LOCAL BUSINESS

- 12.1 The procurement will be undertaken via the ESPO 'Removal Solutions' Framework. This framework has been tendered in an OJEU compliant process, however the framework is a single supplier framework so local businesses have not been considered for this contract.

Implications verified by: Alben Karameros, Economic Development Programme Manager, tel. 07739 316957

13 COMMERCIAL IMPLICATIONS

- 13.1 The report seeks approval to award the contract for moving services to WKS for the value detailed in the Exempt Appendix 1 attached to this report, following a call off from the ESPO framework agreement "Removal Solutions". This is a single supplier framework and no further competition is required. The value of the contract is above the statutory threshold for services and therefore the full Public Contracts Regulations (PCR) 2015 apply. The ESPO framework has been procured in line with the regulations, at statutory level. As a result, the call off is compliant with the PCR 2015 requirements.
- 13.2. The proposal is also compliant with the Council's Contracts Standing Orders (CSOs) which require calling off from a compliant established framework agreement or undertaking a compliant procurement exercise.
- 13.3. The Cabinet paper from December 2018 approved a waiver from the CSOs requirement of a procurement strategy for all contracts over £100,000 and delegated the authority to award the contract to the Chief Executive in consultation with the Cabinet Member for the Economy and the Arts.
- 13.4. A contract entry must be created in the Council's Contracts Register to ensure compliance with statutory transparency requirements.

Implications verified by Andra Ulianov, Head of Contracts and Procurement, tel. 07776672876

14 IT IMPLICATIONS

- 14.1 This report requests approval to award the contract to provide moving services for the decant of the Town Hall, Town Hall Extension and 181 King Street (the "Town Hall site") to Restore Harrow Green Ltd. The decant will require a number of specialist services to be relocated, including the council's Network Comms Hub which will be relocated to 145 King St. It will also require adequate IT service provision to put in place at each of the decant sites (for example, internet connectivity; structured cabling; data points, etc). Existing IT equipment such as desk monitors will also need to be safely relocated alongside staff.

- 14.2 The relocation of other specialist services, such as the CCTV network and Careline, also has IT implications. IT Services is working closely with the WKSJ Decant programme and the relevant service providers to minimise the impact of this highly demanding timeline. The tight timescales may result in less than optimal solutions in order to decant, and it is possible some follow-up work may be required to ensure adequate service resilience during the length of the decant.
- 14.3 IM Implications: Restore Harrow Green Ltd will be expected to have a GDPR policy in place and all staff will be expected to have received GDPR training.
- 14.4 If not already covered by the existing Privacy Impact Assessment (PIA), a PIA will need to be completed and kept up to date, to ensure all potential data protection risks around the contract with Restore Harrow Green Ltd are properly assessed with mitigating actions agreed and implemented. For example, a contract data protection and processing schedule or an information sharing agreement template and a Supplier Security Checklist to ensure the systems used by the contractors comply with H&F's regulatory requirements.
- 14.5 Any contracts will need to include H&F's new data protection and processing schedule. This is compliant with the General Data Protection Regulation (GDPR) enacted from 25 May 2018.

Implications verified/completed by: Tina Akpogheneta, Interim Head of Strategy and Strategic Relationship Manager, tel. 020 8753 5748

Signature of officer exercising delegated powers		Date
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LIST OF APPENDICES:

Exempt Appendix 1