

REPORT FROM: CORPORATE DIRECTOR

TO: EXECUTIVE

DATE: 25TH MAY, 2017

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TENDERS

PURPOSE OF REPORT

To report, for information, tenders which have been received and accepted and to report any exemptions from the requirements of the Contract Procedure Rules.

RECOMMENDATION

That the Executive:-

- (1) notes the tenders which have been received and accepted;
- (2) accepts the highest offers for land at Algar Street, Nelson and Hartley's Terrace, Colne;
- (3) notes the exemption granted from Contract Procedure Rules for the Council's telephony arrangements and Domestic Abuse Services.

REASON FOR RECOMMENDATION

To agree acceptance of tenders/offers in accordance with Contract Procedure Rules.

ISSUE

Award of Contracts

1. Following the relevant procurement process, tenders have been received and accepted in relation to the following projects:-

(a) Disabled Facilities Grant – Extension 76 – 8 Penrith Crescent, Colne

Tenderer	Tender Figure (£)
A. Rollinson & Son (Builders) Ltd	21,424.49
Bricon Builders Ltd	29,854.00
Speakman Contractors Ltd	38,962.17

The contract has been awarded to A. Rollinson & Son (Builders) Ltd and will be funded from the approved capital programme for Disabled Facilities Grants.

(b) Disabled Facilities Grant Batch 158 – 19 Eckroyd Close, Nelson and 42 Elizabeth Street, Nelson

Tenderer	Tender Figure (£)
Ocean Bathrooms, Tiles and Heating Ltd	17,840.00
Bluebell Northwest Ltd	17,950.00
Spain Building and Maintenance Ltd	No tender received

The contract has been awarded to Ocean Bathrooms, Tiles and Heating Ltd and will be funded from the approved capital programme for Disabled Facilities Grants.

(c) Bradley Public Realm Demolition

Tenderer	Tender Figure (£)
Howard Stott Demolition Ltd	12,716.55
Lee Ashworth Excavators Ltd	18,590.00
Steptoos Yard Ltd	20,969.30

The contract has been awarded to Howard Stott Demolition Ltd and will be funded from the Bradley Project within the Housing Capital Programme 2017/18 (Housing Regeneration).

(d) Improvements to Footpath 157 off Casterton Avenue, Burnley

Tenderer	Tender Figure (£)
Colin Braithwaite Excavators Ltd	14,680.09
Monk of Colne Ltd	17,231.31
O'Callaghan Ltd	18,295.46

Pendle Council has been commissioned by Lancashire County Council (LCC) to procure this on their behalf. The contract has been awarded to Colin Braithwaite Excavators Ltd and will be funded from LCC.

(e) Nelson Back Streets – Package A

Tenderer	Tender Figure (£)
Blackoak Surfacing Ltd	57,182.95
O'Callaghan Ltd	71,831.48

Monk of Colne Ltd	73,534.73
Colin Braithwaite Excavators Ltd	81,052.67
Marchbridge Builders Ltd	115,750.16

The contract has been awarded to Blackoak Surfacing Ltd and will be funded from LCC's Priority Neighbourhood Fund; Nelson Committee's capital programme; and Nelson Town Council.

(f) Nelson Back Streets – Package B

Tenderer	Tender Figure (£)
Blackoak Surfacing Ltd	17,372.85
O'Callaghan Ltd	22,499.40
Monk of Colne Ltd	23,544.46
Colin Braithwaite Excavators Ltd	27,082.93
Marchbridge Builders Ltd	35,396.74

The contract has been awarded to Blackoak Surfacing Ltd and will be funded from LCC's Priority Neighbourhood Fund; Nelson Committee's capital programme; and Nelson Town Council.

(g) Nelson Back Streets – Package C

Tenderer	Tender Figure (£)
Colin Braithwaite Excavators Ltd	43,470.57
O'Callaghan Ltd	44,773.24
Blackoak Surfacing Ltd	47,280.20
Monk of Colne Ltd	49,761.53
Marchbridge Builders Ltd	75,897.21

The contract has been awarded to Colin Braithwaite Excavators Ltd and will be funded from LCC's Priority Neighbourhood Fund; Nelson Committee's capital programme; and Nelson Town Council.

(h) Improvements to Brierfield Back Streets 2017 – Package A

Tenderer	Tender Figure (£)
Monk of Colne Ltd	27,290.53
Colin Braithwaite Excavators Ltd	30,556.07
O' Callaghan Ltd	31,939.46

The contract has been awarded to Monk of Colne Ltd and will be funded from Brierfield and Reedley Committee's capital programme; Lancashire County Council; and Brierfield Town Council.

(i) Improvements to Brierfield Back Streets 2017 – Package B

Tenderer	Tender Figure (£)
Monk of Colne Ltd	28,544.98
Colin Braithwaite Excavators Ltd	33,468.96
O' Callaghan Ltd	33,530.36

The contract has been awarded to Monk of Colne Ltd and will be funded from Brierfield and Reedley Committee's capital programme; Lancashire County Council; and Brierfield Town Council.

Sale of Assets

2. Following the relevant process offers have been received in relation to the following sites:-

(a) Land at Algar Street, Nelson

The Executive agreed at its meeting on 9th February 2016 to declare the Land at Algar Street, Nelson surplus to the Council's requirements in order for it to be marketed for sale for an alternative use, subject to planning consent. Liberata have been advertising the land without an asking price and offers of £6,000 and £10,500 have been received which are subject to the offerors obtaining planning permission for change of use to their proposed uses. The Executive is requested to accept the highest offer.

(b) Land at Hartley's Terrace, Colne

The Executive agreed at its meeting on 23rd October 2014 to declare the land at Hartley's Terrace, Colne surplus to the Council's requirements in order for it to be marketed for sale and authority was granted for submission of a planning application. The Council was granted Outline Planning Permission for up to ten houses on 10th February 2017 and Liberata marketed the land for sale without a guide price, with sealed bids invited by 4th May 2017. Four offers were received at £7,000, £80,000, £120,000 and £155,000 with a late offer of £120,000 received.

The Executive is requested to accept the highest offer of £155,000 subject to the purchaser obtaining full planning permission within 6 months of completing the purchase and building the properties to a habitable standard within 18 months of being granted permission.

Exemptions from Contract procedure Rules (CPRs)

3. CPR 5 include provision for exemption from the requirements to comply with CPRs in certain circumstances where it is considered justifiable, value for money is maintained and such action does not contravene EU and domestic legislation. Exemption from CPRs is, however, subject to the prior approval of the Corporate Director and Financial Services Manager provided that details of such exemptions granted are reported to the next possible meeting of the Executive.
4. Since the last meeting of the Executive, the following exemptions to CPRs have been granted:-

(a) Council's telephony arrangements

Procurement options have been considered for both the Council's fixed landline and mobile

telephones.

Whilst the latter has not yet concluded, in connection with the former, the national framework agreement established by the Crown Commercial Service has been used and, as part of this, quotes have been sought from the following four suppliers listed under the framework, in addition to our current provider (BT).

- Azzurri Communications
- Daisy Communications Ltd
- Freedom Communications Ltd
- Virgin Media

Currently the Council is spending approximately £15,000 per annum with BT and under the framework agreement, covering a two year period, this would reduce to £9,400 per annum.

Of the other four providers only Daisy Communications Ltd responded. However their service offering differs from BT, who offer an inclusive calls/rental package for landlines. As there has been no response from the other providers, it is assumed that our scale is not of interest to them.

In view of the above, an exemption to the requirements of Contract Procedure Rules has been granted.

The contract has been awarded to BT and will be funded within the approved telephony budget for 2017/18.

(b) Domestic Abuse Services

In March 2017, Lancashire County Council (LCC) along with the 14 district housing authorities (inc. Pendle), all Lancashire current domestic abuse refuge providers and the Office of the Police and Crime Commissioner successfully bid for funding to Department for Communities and Local Government (DCLG) under the 2016/18 Fund for refuges, specialist accommodation based support and service reform to help local areas meet the Priorities for Domestic Abuse Services scheme.

The specific request for Pendle sought funding over the period 2016-18 for the following services to be provided:-

- Three safehouses / dispersed accommodation within the borough + staffing support
- Access to support for a Family Worker at the refuge

LCC have been awarded £1,353,100.99 and the Council, will receive £88,230.00 to deliver these specific services in Pendle.

Although Refuge staff have expertise to deliver some of these types of services, there is insufficient staffing capacity to take on such levels of additional hours. Whilst these various workstreams could be offered as new jobs, as the funding will be time limited, the Council would then be subject to potential redundancy payments. As liabilities for redundancy could extend beyond actual service completed i.e. if the postholder has previous substantial local authority service, there could be a significant financial risk to the Council.

The Council has for many years worked closely with Pendle Action for the Community (PAC) and its subsidiary Pendle Domestic Violence Initiative (PDVI). PDVI is located within the Refuge building complex, delivers outreach domestic abuse services to the Borough and helps deliver an integrated service with the Refuge. Further, the Council worked closely with PDVI in helping to develop the Pendle element of the bid and financial figures submitted were based on the costs that PDVI would incur in managing these elements of the successful bid.

PDVI are ideally situated to deliver this service in light of their close proximity to the Refuge itself and long-standing working relationship. It would build on existing service provision and would minimise any set up costs as PDVI are already in situ. The additional funding is time limited, so the proposed service level agreement would be comparatively short. A procurement exercise could entail significant use of staffing resource in undertaking the procurement process, add to costs and will cause a delay in commencing service provision and is therefore not sensible in the circumstances

In view of the above, an exemption to the requirements of Contract Procedure Rules has been granted and the contract has been awarded to PAC for the provision of the additional services.

The Council is expected to enter into a Grant Agreement with LCC and would subsequently enter into a Service Level Agreement (SLA) with PAC which will specify the details of the services to be provided.

IMPLICATIONS

Policy:	None arising directly from the report.
Financial:	The financial implications are generally as provided in the report.
Legal:	None arising directly from the report.
Risk Management:	None arising directly from the report.
Health and Safety:	None arising directly from the report.
Sustainability:	None arising directly from the report.
Community Safety:	None arising directly from the report.
Equality and Diversity:	None arising directly from the report.

APPENDICES: None