

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Cabinet
18 April 2023

Report Title: Unit 1 – 18 Brampton Sidings Roof works

Submitted by: Deputy Chief Executive

Portfolios: Finance, Town Centres & Growth

Ward(s) affected: May Bank & Town Wards

Purpose of the Report

To request approval to award a contract in excess of £250,000 for the over-cladding works to the existing profiled asbestos cement roof of Brampton Sidings Industrial Units.

Recommendation

That Cabinet authorise the award of contract for roofing works at Brampton Sidings to Total Roofing Solutions and Building Services Ltd of £255,823 for Brampton Sidings roof works.

Reasons

Funding for Brampton Sidings roof of £250,000 has been identified in the 2022/2023 Capital Budget which was approved by Council as part of the budget setting process in February 2022. The budget allocation was put in place to plan for works due to leakage of the Industrial Units roofs, identified in the Stock Condition Review of 2017-2018 and re-Review of the SCR in December 2020, in order to replace end of life exposed building fabric.

1. **Background**

- 1.1 As part of a nationally advertised open tender procurement process, the Borough Council invited suitably qualified companies to provide a schedule of prices for the over-cladding to existing profile sheet roof to Units 1 – 18 of Brampton Sidings Workshops.
- 1.2 The need for over-cladding works follows a recent inspection of roof leaks and identification of urgent works to address the issue. Funding for the works having been identified in the Council's Capital Works Programme.
- 1.3 The works to Brampton Sidings Roof includes:
 - a. Cleaning of the existing profile roof of moss;
 - b. Installation of a vapour control membrane;
 - c. Installation of galvanised steel sub-frame supporting system;
 - d. Installation of Glass fibre Insulation system with thermal properties of 0.04w/mk;
 - e. Installation of new metal roofing sheet;
 - f. Replacement of all timber fascia boards with aluminium colour coated boards;
 - g. Replacement of all rainwater goods.

2. Issues

- 2.1 To do nothing was not an option, as this would lead to further deterioration of the roof and severely impact on tenants who have been complaining of the roof leaks.
- 2.2 As part of the procurement process, there were 8 listed interested parties and 5 parties that withdrew an interest. On the closing date for the bids to be received:
- 2 compliant submissions were received;
 - 2 bids of alternative specification were received with one of the bidders subsequently withdrawing.
- 2.3 The bids were evaluated on the basis of the most economically advantageous tender (40% Commercial and 60% Quality), the outcome of the evaluation can be found below:

Company	Commercial	Quality	Total MEAT Score
Bidder 'A'	Withdrawn		
Bidder 'B'	26.72	48.90	69.47
Bidder 'C'	33.10	60.00	93.10
Bidder 'D'	40.00	43.94	83.94

- 2.4 Bidder C (Total Roofing Solutions and Buildings Services Limited) with the highest score of 93.10 is the successful bidder.

3. Proposal

- 3.1 That Cabinet authorise the award of contract for roofing works at Brampton Sidings to Total Roofing Solutions and Building Services Ltd of £255,823 for Brampton Sidings Industrial Units roof works.
- 3.2 Payments are at the end of each month based on measured completed works, signed off as interim certificates to JCT procedure. The defects liability period is 12 months under Contract. The contract will be signed under Seal, with (Contract) Limitation Act 1980, therefore applicable for any subsequent Patent or Latent defects.
- 3.3 The Contracting process will be via a JCT Minor Works Building Contract 2016 and the Contract Administrator will be Professionally Registered parties already appointed for the tender process etc. by the Employer. The Employer under Contract, being the Council.

4. Reasons for Proposed Solution

- 4.1 Funding for Brampton Sidings roof of £250,000 has been identified in the 2022/2023 Capital Budget which was approved by Council as part of the budget setting process in February 2022. The budget allocation was put in place to plan for works due to defects and Stock Condition aspects of such Industrial Units roofs, but particularly identified in the Stock Condition Review of 2017-2018 and re-Review of the SCR in December 2020. In intending to replace end of life exposed building fabric, your Officers believe that the proposal submitted by the winning bidder provides value for money and relevant guarantees for the roof specification in order to provide a further minimum lifespan of 25 Years.

5. **Options Considered**

5.1 Doing nothing is not an option, due to roof leaks water ingress into most of the Industrial Units. This is predicated by the need to avoid patch repairs, which are not backed by installation guarantees or Contract Works performance specifications of the whole roofs and associated elements. The avoidance of loss of income from such Tenancies at Brampton Sidings being a key factor.

5.2 Alternate options had been considered on a risk analysis basis. Such as: phased or partial re-roofs (found not to be cost effective to do so, due to the phased and intermittent disruption to various parts of the campus, including Tenant operations); to avoid relocating Tenants permanently or temporarily (especially if the existing roofs had to be completely removed) and a lessons learnt from the recent success of Croft Road Industrial Units overclad re-roof undertaken in 2022 [27 units there, 18 units at Brampton Sidings]. Totally removing all existing roofing products would entail an extraordinary amount of detail, care and attention during site works (the relative risks of working with such un-licensed existing roofing products) – and it being safer to manage the risk by over-cladding, as recently successfully achieved with slightly different existing roofing products at the Council's Croft Rd Industrial Units.

6. **Legal and Statutory Implications**

6.1 The preferred solution offers compliance with internal governance procedures (Financial Regulations and Contract Procedure Rules) and Public Contract Regulations (PCR) 2015. This Compliance has been delivered in line with such Public Contract Regulations as part of an open market procurement and subsequent published award notice.

6.2 The form of contract will be via a JCT Minor Works Building Contract 2016.

7. **Equality Impact Assessment**

7.1 There are no identified equality issues as part of this procurement and award process

8. **Financial and Resource Implications**

8.1 The value of the successful bidder's proposal is £255,823.00, which is the Contract Sum.

8.2 A contingency sum of £25,000 being in the region of 10% of the Contract Sum is required due to the nature of the works to cover for any variations that may arise. This is to be treated separately as a Client Side Risk, to be expended in case of occurrence as a Client Side Risk, but managed by the Employer and Contract Administrator under the Terms of the JCT Contract.

8.3 The works are confirmed within the Councils Capital Programme approved by Council as part of the budget setting process in February 2022

9. **Major Risks**

9.1 The Contract Administrator has analysed pre-construction Risk, likely during the Works too and considered such as part of the Measured Tendered Works as well as Contingency Sum. Every Construction Contract runs the risk of Works not being to time, to cost, to quality [Relevant Events], which the Terms and Clauses of the JCT Contract consider, as well as the experience of the Employer and Contract Administrator in facilitating such Contracts. The chosen Contractor has undertaken several such over-clad roofing solutions Works on

different sites, including recently for the Council, at Croft Rd Industrial Units. Based on Contract Value, a Bond will be required. The Bond itself being equivalent to 10% of Contract Sum, which the Principal Contractor obtains on NULBC Employer/Joint Contract Parties basis with the Principal Contractor, behaves.

9.2 Doing nothing would result in increased water ingress into the Units and consequentially damage Tenants' contents, which could result in a claim against the Council. Tenants have complained of water ingress on numerous occasions and potentially result in losing tenants over time - and hence would result in loss of income to the Council.

9.3 The successful bidder will be providing Risk Assessment Method Statements prior to commencing work on site, which will be assessed by the Contract Administrator and Council Officers. Such documents are produced as part of the Construction Health and Safety information and under the Construction Design Management Regulations 2015, for which the Council equally employs a CDM Principal Designer to advise on construction safety and risk under both Parties' to the Contract particulars, as well as ensuring the Works were safely constructed and are safe to maintain and operate.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The award of this contract will contribute to the delivery of the following sustainable development goals:



11. **Key Decision Information**

11.1 This is a key decision based on the project costs to the Council under 4.1(a) of Section C3 – Cabinet Procedure Rules of the Councils Constitution to let a Contract for a capital spend in excess of £250,000.

12. **Earlier Cabinet/Committee Resolutions**

12.1 There are no earlier Cabinet / Committee resolutions linked to this report.

13. **List of Appendices**

13.1 There are no appendices linked to this report.

14. **Background Papers**

14.1 There are no background papers linked to this report