## **COMMERCIAL STRATEGY APPROVAL**

## CAPITAL CONSTRUCTION PROJECTS

V	7 1	= /		c

Project title Fire Risk Assessment Works Batch 3 Extension (Batch 2 Works) Project value £146,500 Client Portfolio PLACE Evaluation Criteria Price 100% Quality 0% E&S 0%

#### **Purpose and scope of works**

These Batch 2 works comprise Fire Alarm, Emergency Lighting, Fire Doors and Fire Barrier upgrades to 133 Stradbroke (day care centre), Adlington Road Community Centre and Collegiate Crescent.

The works will ensure that the buildings are compliant with the Fire Safety Regulations and can continue in full operation.

This is a component of the overall F.R.A programme of works to multiple sites. The works were originally approved to be procured through the CSSR Contract we hold with Kier Services. However, due to works being instructed late to Kier as a result of changing priorities of the F.R.A schemes, and incorporation of sites in the new Measuresd Term Contract, it is not possible for these works to be completed before the end of the financial year.

Due to the relatively small scale and urgency of the works, it is recommended that the most efficient and effective route is for these works to be procured by way of an extension of the existing Batch (3) F.R.A contract with CHG Electrical, rather than approaching the market again and incurring further costs.

#### **RECOMMENDATIONS AND APPROVALS**

PROCUREMENT STRATEGY		CONTRACT AWARD				
Recommendation:	That the Director of Finance and Commercial Services or her nominated deputy extends the existing Fire Risk Assessment Works Batch 3 (Staniforth Road Depot) contract with CHG Electrical to add the Batch 2 works by way of a contract variation under Contracts Standing Order C.2.9.	Recommendation:	That the submitted price of £105,852.83 is accepted for these works, and that authority to issue a contract instruction adding these works to the existing Fire Risk Assessment Works Batch 3 (Staniforth Road Depot) contract is granted accordingly.			

#### **PROJECT TEAM APPROVALS**

	Who	Signature	Date	Signature	Date				
Cost Manager	Paul Lynch	Paul fynch	8 <sup>th</sup> February 2017	Paul Lynch	8 <sup>th</sup> February 2017				
Project Manager	James Payton-Greene	mes Payton-Greene							
Contract Manager	James Payton-Greene								
Client Lead	Dave Capp								
Technical Manager - C & C M	Richard Eccles	Richard Locles	8 <sup>th</sup> February 2017	Richard Eccles	8 <sup>th</sup> February 2017				
Procurement Professional	Phil Moorcroft	Phil Mooreroft	20 February 2017	Phil Morcroft	20 February 2017				
Project Sponsor	Nathan Rodgers	pp Chris Johnson	20 February 2017	pp Chris Johnson	20 February 2017				
Head of Capital Delivery Service	Sean McClean	Sean McClean	20 February 2017	Sean McClean	20 February 2017				
Capital Programme Group	Kerry Bollington	Kerty Bollington	20 February 2017	Kerry Bollington	20 February 2017				
Commercial Director	Kerry Bollington	Kerry Bollington	18 April 2017	Kerty Bollington	18 April 2017				

#### **COMMERCIAL SERVICES' APPROVAL DETAILS**

Commercial Approval No.	Original Commercial Approval (if extension)	CDS Project Reference	RE04841
-------------------------	---	-----------------------	---------



# PROCUREMENT STRATEGY APPROVAL

SECT	TION A CAPITAL APPROVAL MILESTONES AN	D PRO	CUREMENT PROGRAMME							
A1	GATEWAY 1A (RELEVANT BOARD) Initial Business Case		Name of Board: Name of Board: TFM Board  Date of approval: 21st July 2015  Date of approval: 11 November 2016	A2	GATEWAY 1B (CAPITAL PROGR Initial Business Case	AMME GROUP)		Date of approval: 27th July 2015		
А3	GATEWAY 2A (RELEVANT BOARD) Outline Business Case		Name of Board: TFM Board  Batch 2 approved: February 2015  Revised procurement route agreed February 2017	A4	GATEWAY 2B (CAPITAL PROGR Outline Business Case	AMME GROUP)		Proposed date of approval: February 2015		
A5	CABINET OR LEADER DELEGATION		Cabinet:  Date of approval:	A6	Issue advertisement to market	: / notify frame	work participants	Date: Not Applicable		
A7	Return of PQQ (if applicable)		Date: Not Applicable	A8	Issue of tender documents			Date: Not Applicable		
A9	Deadline for tender / mini-competition returns		Date: Not Applicable	A10	Evaluation of tender deadline			Date: Not Applicable		
A11	GATEWAY 3A (RELEVANT BOARD) Final Business Case		Name of Board: TFM Board Proposed date of approval: TBC (expected Feb 2017)	A12	GATEWAY 3B (CAPITAL PROGR Final Business Case and Contra			Proposed date of approval: 20 <sup>th</sup> February 2017		
SECT	TION B BUDGET									
В1	TOTAL CAPITAL PROJECT BUDGET	B1a	This must agree to the latest approved value – quote the (	Q-tier C	AF version £146,500.00 OEO Business Unit			lo.: Split between 3 BUs: 90155, 90156, 90157		
	The total project budget is the summation of B1b-B1f	B1b	Construction cost (estimated tender value excluding con If this is a Design & Build contract, please state and provide			£105,852.83	Explanation: Based	on the submitted price of CHG Electrical.		
		B1c	Lotting structure  If this requirement is divided into lots, state the value of e	ach lot	and explain your approach	Lot 1: £ Lot 2: £ [etc]	Explanation:Not Applicable			
		B1d	Fees - please provide a breakdown of all fees (e.g. QSs, ir	n-house	design fees, external fees)	Explanation:				
			Capital Delivery Service fees			£19,500	estimate of £98,000 construction and spe	ly advised by the Capital Delivery Service (19.8% of the original £98,000). This fee was agreed at the time based on £98k and speaking to Chris Turner for a scheme of this value he says percentage isn't high. We've almost incurred all of this fee in the contract of the		
			Delivery Partner fees (Turner and Townsend) fees			£0.00	Although no fees may be specifically allocated to the Delivery Partner at this stage, CDS reserves the right to engage the Delivery Partner in accordance with its 'Core & Flex' model.			
			Commercial Services			£1,000	Fixed fee of £1k to o	cover all commercial / procurement costs		
			External fees (please state how the external consultant is include full justification)	to be pr	ocured or, if a waiver request,	£0.00	Not Applicable			
			Other fees (please specify)			£0.00	Not Applicable			
		B1e	Client costs capital - any client side costs that are recha	rged dir	rectly to this project	£9,647.17	external contractor. in place and is being	bestos removal will involve the appointment of a licenced A term contract for Asbestos Project Management is now managed by CDS (James Payton-Greene). This will be manage any removal or abatement works.		
		B1f	Contingency			£10,500.00		lanation: An allowance of 10% has been included, above the submitted by the Contractor, to allow for unforeseen costs and eral risks.		
B2	REVENUE COST IMPLICATIONS	Not Ap	pplicable							

В3	EXTERNAL FUNDING (E.G. GRANTS / ERDF) Please specify grant, value and how key grant conditions will be complied with  Not Applicable (no external funding)										
		ant, value	and now key	y grant conditions wil	ii be complied with	oncable (no external funding)	_	_	-	_	
	TION C OUR COMMERCIAL STRATEGY										
C1	PROPOSED TENDER ROUTE		Justificati	on for proposed te	nder route / explanation wh	y other options discounted					
	Framework contract (e.g. YORhub / EN Procure / Scape – please	specify)	No	Low value scheme	which will attract limited interes	st from framework participants.		Framework acc	ss fee	N/A	
	Full competitive tender process (please specify procedure to be	used)	No	This was considered, but it was decided that the Kier CSSR contract would be a more appropriate route at the time due to the value and nature of the site works. At the time these schemes were considered to be a high priority, but in the context of the wider F.RA. programme of works currently being undertaken by CDS on behalf of T&FM, other sites became more urgent and were tendered and awarded as Batches 1 and 3.  The large Mesured Term Contract which is currently in place didn't include 133 Stradbroke (day care centre), Adlington Road Community Centre and Collegiate Crescent, but they							
				remain a high prior	rity and the condition of all thre	e sites has continued to deterior	radbroke (day care centre), Adlin rate. With this in mind, and giver rying out the works is to award t	that value for money can be d	monstra		
				CHG Electrical are a	a local Sheffield company who l	nave recently completed Batch 3	Staniforth Road FRA works and	have performed well.			
	In-house provider (please confirm they have been asked to price	first)	No								
	Existing contract (please confirm it can be varied to deliver this pr	oroject)	Yes	the works to be add competitively tende these rates, which	ded to the scheme as a contracered on the open market on a wwere originally tendered in XXX	t variation. This will increase the vork schedules basis. And these	Risk Assessment Works Batch 3- e overall value of this contract fr rates have transposed between l eck and are of the view that best will save on CDS fees	from £ 276,579.71 to £ $382,432$ patch 3 and batch 2. ) and the $\alpha$	54 . Thontracto	e original contract was has agreed to stand by	
				of works and comm	nercial interest in the open mar	ket for this type of scheme. How	tiation of this phase with Kier Se vever, this contract is now in the th 2017, and Kier stopped taking	process of closing and the work			
				We did consider putting these works through the Measured Term Contract (MTC). The schemes within the MTC have been designed and specified in a different way including a brand new NBS specification. In order to allow these sites to be inserted into the MTC contract (and be compatible and consistent from a pricing and site works point of view), some re-design work would have been required which would have incurred further design fees. The MTC also has a pre-determined priority list with design, pricing and lead in times which have already been agreed for the first group of sites. Incorporating these sites would delay them getting to site for another 5-6 months.							
	Single source tender (please provide your evidence for this)		No								
	Waiver of Council Standing Orders (please provide full justificati	tion)	No								
	Other options considered (please provide details)		No								
	Who are our potential contractors and how will we maximise	e respons	es?	Not Applicable							
	Above or below OJEU threshold?			Below							
C2	PROPOSED PROCUREMENT ROUTE Please state proposed procu	urement ro	oute e.g. des	sign and build, togeth	ner with commercial reasons for	this choice					
	The works will be procured through a traditional route, with the desi	sign provid	ed by the cli	ent's representatives	s. A variation will be instructed	to the existing Fire Risk Assessi	ment Works Batch 3- Staniforth	Road Depot contract.			
C3	PROPOSED FORM OF CONTRACT Please provide the propose	ed form of	contract e.g	. JCT / NEC with(out	r) quantities, Option A, B, C - to	gether with an explanation of ou	ur commercial reasons for this ch	noice			
	The form of contract will be the JCT Standard Form of Contract 201:	.1 Without	Quantities-	Work Schedules.							
C4	PROPOSED FORM OF PQQ (if applicable)	The use of	the standard	d Crown Commercial	Services or PAS91 PQQs is prefusify whether all or any addition		vn Commercial Service and we n	nust therefore demonstrate that	we have	considered which form	
					ng each proposed document		Additional project-specific	questions (please list here)			
	Crown Commercial Services	No	Not Applica								
	PAS91	No	Not Applica	able							
	SCC Works suitability assessment (contracts < £164k)  N	No	Not Applica								
	SCC Works short form (contracts < £500k)	No	Not Applica	able							
	SCC Works long form (contracts > £500k)	No	Not Applica	able							
	Additional standard question modules for long form req'd? (please t	tick √)	Reference	es	N/A	Employment & skills	N/A	CDM Design	N/A		
I								1			

C.F.	TENDER EVALUATION CRITERIA			Dut-	Price /100 100%		Our little /100		Employment & skills /100 0%									
C5					Price	e / 100		100%			Quality /100		0%		Employment &	SKIIIS / 100	0%	
C6		ER QUALITY QUESTIONS																
	Please	e list your proposed tender qu	uality ques	tions / subjects	here Not /	Applicable.												
C7	KEY P	PROCUREMENT / BUDGETARY	/ COMMER	CIAL RISKS							I				T			
		Risk			Mitigation						Risk				Mitigation			
	C7a	The works will not be delivered	on time or	to budget.	Good project	manageme	nt processes sh	hould mitigat	te this risk	C7b								
	<b>C7</b> c									C7d								
C8	OTHE	R CONTRACTS RELATING TO	THE SAME S	SCHEME (e.g. pr	ofessional ser	rvices)	Please add row	ws as required	d									
	C8a	Contract subject	Asbestos p	roject manageme	nt <b>Val</b> u	c.£10k	<	Procureme	ent route	Existing	g SCC contract	Form of contract JCT Measured Te			Term	Date of app		LoA issued 15/12/16.
SECT	ION	D PROJECT IMPACT A	ND IMPL	ICATIONS														
D1	1 TUPE																	
	is this a Measured Term Contract? No If 'No', Cost Manager to include the non-TUPE wording instead.																	
D2	EMPLOYMENT AND SKILLS BENCHMARKS																	
	Please liaise with Lifelong Learning and Skills to ascertain benchmark requirements for all contracts over £164k. These should be approved by Lifelong Learning and Skills, the client and procurement professional. If using a framework procurement route – irrespective of value – please notify Futureworks and the relevant Framework Manager (as the framework may wish to require outputs for contracts below £164k).																	
	D2a	Work experience (14-16 year	ars)		N/A	D2b Work experience (16+ years)						N/A	D2c S	School workshop	s / site visits			N/A
	D2d	Internships			N/A	D2f	Employment	it				N/A	D2g	Apprenticeships	(project initiated	1)		N/A
	D2h	Trainees (project initiated L	.4 and high	er level skills)	N/A	D2i	Graduates					N/A	D2j (	Other trainees				N/A
	D2k	Apprenticeships (existing)			N/A													
	If no	or only voluntary outputs are	to be deliv	ered, please sta	ate why and th	he date this	s was approve	ed by Lifelo	ng Learnin	ng and S	Skills	The value of the	ne works is bel	ow £164k and the	refore E&S targets	will not apply.		
D3	HEAL	TH AND SAFETY - CONSTRUCT	TION (DESI	GN AND MANAG	GEMENT) REGU	ULATIONS	2015											
	Princi	ipal Designer (insert name)	CDS	;		Notifi	ication to Hea	alth and Safe	ety Execut	tive requ	uired? (i.e. over	30 days constr	ruction period	PLUS >20 workers	on site or 500 per	rson days)		Yes
D4	HIGH	WAYS IMPLICATIONS																
	Will t	his project have any impacts	on the high	way? (N.B. this i	includes entrand	ces to devel	lopments, lands	scaping work	ks etc. – not	t just hig	hways schemes	)						No
	If 'yes	', Cost Manager must ensure tha	t the schen	ne is notified to S	CC's New Works	s Team at <u>N</u>	lewWorks@she	effield.gov.uk	so provision	ns such a	as highways ins	pections, comm	nuted sums an	d other fees (such	as Road Safety Au	udits – set out	at C1d) are o	considered.
D5	STEEL	IMPLICATIONS																
	Is this	s project likely to have a requ	uirement fo	r steel exceedin	g c.£100k in v	value?	No If	f 'yes', Comm	nercial Serv	ices to u	pdate the Sheffi	eld City Council	Steel Forward	Pipeline on the in	ternet.			
D6	KEY P	PERFORMANCE INDICATORS																
	What	project KPIs are we using?	Star	ndard SCC KPI's a	re included in th	he Fire Risk	Assessment W	orks Batch 3	3- Staniforth	n Road De	epot contract, w	hich these work	ks are to be ad	ded to as an exter	nsion.			
SECT	ION	E INSURABLE RISKS																
E1	INSUI	RABLE RISKS																
	Please	select the Insurable Risks that a	are relevant	to this contract														
	E1a	Employee risk (relevant exc	ept for sole	e traders)		Emple	oyers' liability	у	Yes	E1b	Non-delegable	ble duty of care risk				Public l	iability	No
	E1c	Physical injury risk to client	employees	5		Publi	c liability	١	Yes	E1d	Physical injury	risk to servi	ce users (del	egable)		Public l	iability	Yes
								-										

E1e	Physical injury risk to other members of the public	Public liability	Yes	E1f	Material damage risk to client employees / organisation	Public liability	Yes
E1g	Material damage risk to service users	Public liability	Yes	E1h	Material damage risk to other members of the public	Public liability	Yes
E1i	Misuse or mismanagement of personal data risk to client organisation	Public liability	No	E1j	Misuse or mismanagement of personal data risk to service users	Public liability	No
E1k	Misuse or mismanagement (infringement) of intellectual property risk	Public liability	No	E1I	Financial loss risk to client from professional services (consultants, architects)	Professional indemnity	No
E1m	Medical or clinical negligence risk	Medical / clin. negligence	No				

#### E2 INDEMNITY LEVELS

Please provide the indemnity levels selected for each relevant type of insurance identified

	Insurance type	Indemnity level (£)	Each & Every (E) or In the Aggregate (A)		Insurance type	Indemnity level (£)	Each & Every (E) or In the Aggregate (A)
E2a	Employers' liability	10,000,000	Е	E2c	Professional indemnity	Not Applicable	Not Applicable
E2b	Public liability	5,000,000	Е	E2d	Medical or clinical negligence	Not Applicable	Not Applicable

## **CONTRACT AWARD APPROVAL**

#### SECTION F EXCEPTION REPORTING

ARITHMETICAL CHECK

Not applicable

G6

F1 Exception reporting from Procurement Strategy Not Applicable

#### SECTION G TENDER EVALUATION AND AWARD RECOMMENDATION

TENDER DETAILS – received and adjusted (please add rows as required). If using an in-house provider or have only engaged a single provider, please insert the price agreed. If a tenderer withdrew or did not return, please state in 'Comments' column

		Tenderer	Original submitted price	Amended final price (if applicable)	Price score (if applicable)	<b>Quality Score</b> (if applicable)	Total score (price+ quality)	Rank	Comments
G	i1a	CHG Electrical	£105,852.83	Not Applicable	Not Applicable	Not Applicable	Not Applicable	N/A	As the price has been negotiated as an extension to an existing contract, only 1 price has been received, excluding the price previously received from Kier services (see G3), which can no longer be accepted.

**TECHNICAL CHECK** 

# An arithmetical check of the CHG Electrical price has been carried out and no errors were identified. The submitted CHG Electrical price of £105,852.83 is £4,459.04 above the price of £101,393.79 submitted by Kier Services when the works were intended to be issued as an order under the CSSR contract, however this is no longer possible as this contract is ending. The difference between the prices is 4.2%, which is considered a reasonable margin and substantiates the price level submitted by CHG Electrical. In addition, the KierServices price was subject to market testing as part of the CSSR contract conditions, to ensure it represented value for money.

# TENDER QUALIFICATIONS AND CLARIFICATIONS Not applicable Solution Not Applicable Not Applicable

# PRELIMINARIES G7 PROVIS

# The preliminary cost within the price of CHG Electrical is £14,420 or 13.62% of the overall price, which is considered reasonable.

G8	,							
	£10,500 is recommended as a contingency (10%)	ı						

## PROVISIONAL SUMS and DAYWORKS

Not Applicable

### BOND / ULTIMATE HOLDING COMPANY GUARANTEE Please state if requiring and reasons for this decision

A bond has been taken out for the existing Fire Risk Assessment Works Batch 3- Staniforth Road Depot contract. The works will be added to this contract as an extension and if the Contractor fails to perform, the bond will pay an amount equal to 10% of the original contract sum, which is considered sufficient for this extension.

## G10 QUALITATIVE ASSESSMENT QUESTIONS G11 ASSESSMENT CRITERIA

#### G12 FINANCIAL STANDING OF PREFERRED TENDERER (do not complete if using an in-house provider)

	Tenderer:	Not Applicable Recommendation:			Based on the information analysed, this company is medium risk, proceed with contract monitoring. A Guarantee Bond has been taken out with the Contractor (see G9 above).  Date of approval:  17 <sup>th</sup> December 2015								
				·									
H1	ACTUAL TOTAL PROJECT COSTS (see definitions at section C of the Procurement Strategy above)												
					urement Strategy	Contract Award	Reasons for any differen						
	H1a Total project budget			146,5	00.00	146,500.00							
	H1b Construction cost				0	105,852.83							
	H1c Fees				0.00	20,500.00							
	H1d Client costs capital				.17	9,647.17							
	H1e Allowances for contingency			10,500.00		10,500.00							
	H1f Revenue cost implications			N/A		N/A							
	H1g Estimated contract value for each contract (see section D8 above)			N/A		N/A							
Н2	H2 COMPARISON WITH PRE-TENDER ESTIMATE including reasons for differences												
	Not Applicable	(No pre tender estimate carried out	)										
НЗ	RECONCILIATION TO BUDGET												
	Is the tender price greater than:												
	H3a Total p	roject budget (see C1a above)	No	НЗЬ	Bb Construction cost (see B1b above)  No H3c Approved Q-tier / CAF (if different to C1a above)  No						No		
	H3d If so, how will you reconcile this? This could include altering scope or using contingency monies. If scope change, does it still fall within OJEU notice (if applicable) and is it covered by previous delegated authority?												
	Not applicable												
Н4	ESTIMATED CASH FLOW												
	H4a Date of	H4a Date of contract start TBC (Est March 2017)		H4b	TBC (Est July 201)		H4c End dat		ntes of any contract extensions	The existing contract compledate will be extended to allo reasonable period to comple these additional works. The estimated dates shown in H4H4b assume a 4 month dura and refer to the works cover under this Commercial Strate Approval Form only.			
	ANTICIPATED CASH FLOW PROFILE												
		2016/17 £		2017/18 £		2018/19 £	2019 / 20 £		2020 / 21 £	) / 21 £ Total £			
	H4d Contract delivery 0.00		104,300.00		0.00	0.00		0.00	104,300.00				
	H4e Retention 0.00		0.00		1,552.83	0.00		0.00	1,552.83				
	H4f Total		0.00	104,3	300.00	1,552.83	0.00		0.00	105,852.83			
Н5	ACTUAL CONTRACT SAVINGS												
1			Summation of actual contract construction cost at contract award stage, versus anticipated costs at procurement strategy stage (annual breakdown of figures provided at H1b above)										
	Summation of a	actual contract construction cost at	contract award stage, versus anticipat	ed costs	s at procurement strategy sta 	——————————————————————————————————————	<i></i>						
	Summation of a	actual contract construction cost at	contract award stage, versus anticipal  2016/17 £	T	s at procurement strategy sta	2018 / 19 £	2019 / 20 £		2020 / 21 £	Total £			
	Summation of a	actual contract construction cost at		T	/ 18 £	I			2020 / 21 £ 0.00	<b>Total £</b> 0.00			

ı												
	Not a	ot applicable										
I1	EMPL	MPLOYMENT AND SKILLS OUTPUTS										
	I1a	Work experience (14-16 years)	N/A	I1b	Work experience (16+ year	rs)	N/A	I1c	School workshops / site visits N/A			
	I1d	Internships	N/A	I1f	Employment		N/A	I1g	Apprenticeships (project initiated) N/A	N/A		
	I1h	Trainees (project initiated L4 and higher level skills)	N/A	I1i	Graduates		N/A		Other trainees N/A			
	I1k	Apprenticeships (existing)	N/A									
	If the	If these differ from the benchmarks set in the Procurement Strategy, please state why here  Not applicable										
12	Are there any TUPE implications which have not previously been identified or addressed? If yes, how are these now being addressed?									No		
Not applicable												
13	Are there any legal implications which have not previously been identified or addressed? If yes, how are these now being addressed?									No		
	No											
14	Are there any lessons learned to inform future procurement strategies?											
No Change of priorities as described previously. Lessons learnt around fixing site list and budget for large programmes of work and Measured Term Contracts.												