

---

<b>Decision Maker:</b>	<b>Executive For Pre-Decision Scrutiny at the Executive, Resources and Contracts Policy Development &amp; Scrutiny Committee Full Council</b>		
<b>Date:</b>	<b>20<sup>th</sup> September 2023, 18<sup>th</sup> September 2023, 16<sup>th</sup> October 2023</b>		
<b>Decision Type:</b>	Urgent	Executive	Key
<b>Title:</b>	<b>Award of Contract for work at New Civic Offices</b>		
<b>Contact Officer:</b>	Colin Brand Director of Environment & Public Protection Tel: 0208 313 4107 E-mail: <a href="mailto:colin.brand@bromley.gov.uk">colin.brand@bromley.gov.uk</a> Sara Bowrey Director of Housing, Planning, Property & Regeneration Tel: 0208 313 4196 E-mail: <a href="mailto:sara.bowrey@bromley.gov.uk">sara.bowrey@bromley.gov.uk</a> Emma Pearce, Head of Corporate Programmes & Projects Tel: 0208 313 4480 E-mail: <a href="mailto:emma.pearce@bromley.gov.uk">emma.pearce@bromley.gov.uk</a>		
<b>Chief Officer:</b>	Director of Environment & Public Protection Director of Housing, Planning, Property & Regeneration		
<b>Ward:</b>	All Wards		

---

## 1. REASON FOR REPORT

- 1.1 A report went to the Executive on 30<sup>th</sup> November 2022 and then went to Full Council on 12<sup>th</sup> December 2022 setting out the recommendations to purchase the freehold of the Direct Line Site known as Churchill Court with a view to moving the Council's offices off the Civic Centre site and disposing of the same.
  - 1.2 The Part 2 report sets out the outcome of the tender process and award of contract for the construction fit out and building conversion.
  - 1.3 The Part 2 report covers the programme budget which has now been refined and set out in this report. In addition, this report updates Members on the dual running costs and overall programme timetable.
- 

## 2. RECOMMENDATION(S)

**Executive are requested to:**

- 2.1 Note the contents of the Part 1 Report and refer to Part 2 for the commercials and contract award.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: Part 2
  2. Ongoing costs: Part 2
  3. Budget head/performance centre: Part 2
  4. Total current budget for this head: Part 2
  5. Source of funding: Approved Capital Programme
- 

## Personnel

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

## Legal

1. Legal Requirement: Statutory Requirement: Legal Requirement that any tendering procedure must comply with the Public Contracts Regulations 2015. More details set out in section 12 of this report.
  2. Call-in: Applicable:
- 

## Procurement

1. Summary of Procurement Implications: See Part 2 report.
- 

## Property

1. Summary of Property Implications: See Section 5 of the Report.
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: See Part 2 Report.
- 

## Customer Impact

1. Estimated number of users or customers (current and projected): All households and businesses in the Borough, in addition to all Council employees and our Partners.

---

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? As this is a Borough Asset individual Wards have not been consulted,.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 The background to this report is set out in the Part 1 & 2 Report that went to the Executive and Full Council on the 30<sup>th</sup> November and 12<sup>th</sup> December 2022.
- 3.2 The Council completed the purchase of the building known as Churchill Court and took vacant possession on Friday 28<sup>th</sup> July 2023.
- 3.3 In order to progress the development of fit-out contract for Churchill Court, Officers went through the Procure Partnership Framework on the basis of a Two Stage Design and Build approach, with the initial contract being a JCT Pre-Construction Services Agreement (PCSA) followed by a JCT Design and Build Contract for the works.
- 3.4 At the end of mini competition stage (stage 1), the Council award a Pre-Construction Service Agreement to one Provider. The Council then collaborates with that provider to develop the remaining design in partnership including the final construction costs and full design detail. This approach affords the best opportunity to fix costs against a mutually agreed design solution between the Council and the Contractor.
- 3.5 The outcome of the two-stage design & build construction tender process is set out in the Part 2 Report of this agenda.

#### Project Timescales

- 3.6 Immediately upon taking vacant possession on Friday 28<sup>th</sup> July 2023 officers instructed through Pelling's, the Council's multi-disciplinary team, to undertake a number of surveys to inform the tender process. Based on the stage 1 tender submissions contractors presented the following indicative timetable between award of contract and hand over of the building ready for occupation.
- 3.7 Based on the indicative timetable below the contractors have put forward a 32 week build time following the stage 2 design phase. In order to maintain programme momentum and to support the proposed 32 week build time, officers will be actioning a package of enabling works including, stripping out of cabling, and disaggregation of Phases 3 & 4 of the Building Management System to make phases 1 & 2 stand alone.

	<b>Start Time</b>	<b>Finish Time</b>	<b>Duration</b>
E & RC PDS	18 <sup>th</sup> September 2023	18 <sup>th</sup> September 2023	1 day
Executive	20 <sup>th</sup> September 2023	20 <sup>th</sup> September 2023	1 day
Executive Decision Published	21 <sup>st</sup> September 2023	21 <sup>st</sup> September 2023	1 day
Executive 5 day call in	21 <sup>st</sup> September 2023	27 <sup>th</sup> September 2023	5 days
PCSA 10-day Standstill Period	21 <sup>st</sup> September 2023	3 <sup>rd</sup> October 2023	10 days
Draft Stage 2 Tender Documents	11 <sup>th</sup> September 2023	29 <sup>th</sup> September 2023	3 weeks
PCSA Award	4 <sup>th</sup> October 2023	4 <sup>th</sup> October 2023	1 day
PCSA Period	4 <sup>th</sup> October 2023	18 <sup>th</sup> December 2023	11 weeks

Enabling Works	4 <sup>th</sup> October 2023	18 <sup>th</sup> December 2023	11 weeks
Review and Refine Stage 2	6 <sup>th</sup> December 2023	18 <sup>th</sup> December 2023	1.5 weeks
Lead in for construction inc. H & S	19 <sup>th</sup> December 2023	12 <sup>th</sup> January 2024	2.5 Weeks
Anticipated Start date on site	15 <sup>th</sup> January 2024	15 <sup>th</sup> January 2024	1 day
Works on Site (Including IT Works)	15 <sup>th</sup> January 2024	30 <sup>th</sup> August 2024	32 Weeks
Commissioning	5 <sup>th</sup> August 2024	30 <sup>th</sup> August 2024	3.5 Weeks
Completion and Handover	30 <sup>th</sup> August 2024	30 <sup>th</sup> August 2024	1 day
Phased move of Staff	2 <sup>nd</sup> September 2024	27 <sup>th</sup> September 2024	4 Weeks

#### **4. TRANSFORMATION/POLICY IMPLICATIONS**

- 4.1 It is essential that the Council manages its assets to meet the Council's aims and objectives and the acquisition and move to Churchill Court is a key Council Programme to consolidate its assets and deliver efficient high-quality services now and in the future in a compliant and fit for purpose building for both our staff, partners, and residents.

#### **5. STRATEGIC PROPERTY CONSIDERATIONS**

- 5.1 This Contract Award is in line with Strategic Properties plan to dispose of the current Civic Centre site and relocate a number of Council services into the new building at Churchill Court. This will enable property to further look at our satellite sites under the Operational Property Review and Disposals Programme moving forward to ensure that the Council's estate is fit for purpose and well maintained.
- 5.2 A report will come back to Members in October 2023 with a timeline for disposal of the Civic Centre and this will be informed by the interest and market response to provide a suitable timescale that results in the right sale price.

#### **6. PROCUREMENT CONSIDERATIONS**

- 6.1 The full set of Procurement advice is set out in the Part 2 report on this agenda.

#### **7. FINANCIAL CONSIDERATIONS**

- 7.1 Further to the capital project costs the Part 2 Report covers the need to run two sites during the time the construction fit-out works will be undertaken.

#### **8. PERSONNEL CONSIDERATIONS**

- 8.1 In the event that this contract is awarded there are no HR/staffing implications.

#### **9. LEGAL CONSIDERATIONS**

- 9.1 The Council has the legal power to hold, operate, maintain, and develop its buildings and land in connection with its functions. In furtherance of these powers the Council may provide and commission through a contract the Fit Out works to the new offices at Churchill Court as outlined in this report. There are also a range of specific legal duties which requires the Council to undertake maintenance of its buildings. Failure to ensure this building is maintained to a level to avoid risks to its staff, tenants and members of the public can lead to both criminal and civil liability.
- 9.2 The value of these works is above the financial threshold level and as such had to be procured in full compliance with the Public Contracts Regulations 2015 (the “Regulations”). The Council made use of Regulation 33 to award the contract through a Framework Agreement set up by Procure Partnerships (National) Framework which would have been required to be competitively tendered in compliance with the Regulation and the Council should be named as a body who can access the Framework.
- 9.3 The contract awarded under this Framework will need to have been awarded in accordance with the Framework call-off procedure and using the call-off terms and conditions under the Framework. Full details of this is set out in the Part 2 Report.
- 9.4 It is noted the intended contractual structure will be on the basis of a Two Stage Design and Build approach, with the initial contract being a JCT Pre-Construction Services Agreement (PCSA) followed by a JCT Design and Build Contract for the works. Officers should instruct Legal Services as to how they wish to proceed with concluding the contractual documentation should this award report be approved.

<b>Non-Applicable Headings:</b>	7. IT AND GDPR CONSIDERATIONS
Background Documents: (Access via Contact Officer)	