

## Record of officer decision

<b>Decision title:</b>	Decision to directly award a service contract to undertake Flag Pole inspection and maintenance and spend from the Property Services Planned and Reactive Maintenance budget to various sites across Herefordshire.
<b>Date of decision:</b>	30 November 2023
<b>Decision maker:</b>	Strategic Asset Delivery Director
<b>Authority for delegated decision:</b>	Corporate Services Directorate's scheme of delegation dated July 2023 (line 48) gives the Strategic Assets Delivery Director the authority to take the decision to direct award a 24 month with an option to extend for a further 12 months service contract to undertake Flag Pole inspection and maintenance to Central Highrise Ltd and to spend from the maintenance budget as agreed by the key decision made on 28 February 2023 (Report Ref: Property Services Planned and Reactive Maintenance Programme 2023/24)
<b>Ward:</b>	Widemarsh; Central
<b>Consultation:</b>	Buildings and Compliance manager Hoople Commercial Manager (Phillip Clayton)
<b>Decision made:</b>	<p>The Council has an obligation to maintain flagpoles where they are located on its buildings and sites to ensure they are fit for purpose which it will undertake as part of the Council's Building, Cleaning and Maintenance agreement with Hoople Ltd.</p> <p>A compliant, procurement process was conducted in accordance with Herefordshire Council's Contract Procedure rules to appoint a single company to provide flag pole inspections and maintenance services over a 24month period with an option to extend for a further 12months.</p> <p>No bids were received by the tender close date so this contract could not be awarded.</p> <p>To ensure that the flag poles are safe to use and are maintained to the maintenance specification for building engineering services (SFG20) section 2.0 standards clause 88-45 and Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Lifting Operations and Lifting Equipment Regulations 1998, the contract was directly awarded to Glassfibre Flagpoles Ltd who at the time confirmed that they will provide the service at a cost of £17,240 over the 24month period of the service contract.</p> <p>Due to unforeseen circumstances, Glassfibre Flagpoles Ltd have decided not to deliver the services as required which means there is currently no contract in place for these services.</p> <p>After further consultation with Central Highrise Ltd, they have confirmed they are able to deliver this service at a cost of £3,572 per annum.</p>

	<p>It is important to note the total cost of the contract is for the provision of the flag pole inspections and maintenance services as listed above and does not include remedials, adhoc requirements and emergency call outs. Should any remedials, incident or emergency situation occur, the costs for this will be added to the total cost of the contract. It is unknown how much this additional work will cost as it is not possible to forecast what the remedials or incident/emergency based situations will be.</p> <p>Due to the value of the service contract being below £25,000 and as a result of the procurement exercise being unsuccessful and the previous supplier whom was directly awarded the contract being unable to deliver the services, this direct award is permitted in accordance with the council's contract procedure rules.</p>
<p><b>Reasons for decision:</b></p>	<p>This decision will allow for both to ensure the flagpoles are fit for purpose and an accurate and fixed schedule of works for flag pole inspection and maintenance services can be identified.</p> <p>The direct award of this service contract is in accordance with council contract procedure rules (CPR) following a failed procurement process.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><i>Risks:</i> If the decision is not taken this will affect the usage of flag poles and associated equipment as not maintaining them to a safe and satisfactory standard will be contrary to the council's obligation under the Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Lifting Operations and Lifting Equipment Regulations 1998 to ensure equipment is fit for purpose.</p> <p><i>Consideration:</i> Flags are a symbols which can boost local and national identities, strengthen community cohesion and mark civic pride. The government encourages the flying of the Union Flag on all UK government buildings throughout the year and are keen for local authorities to follow suit and celebrate special days or events which champion civic pride.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>Do nothing – This is not recommended as it would be contrary to the council's obligation under the Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Lifting Operations and Lifting Equipment Regulations 1998 to ensure equipment is fit for purpose.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

I am an officer delegated to make the decision

Signed..... Date: 7<sup>th</sup> December 2023

Print Name: Sarah Jowett  
Job Title: Strategic Asset Delivery Director