

Record of operational decision

Decision title:	Decision to award contract and approve the expenditure of up to £100K for Trend Building Energy Management System (BEMS) Software Upgrade Services
Date of decision:	28 November 2024
Decision maker:	Corporate Director, Economy and Environment
Authority for delegated decision:	<p>To agree the proposed programme of works as set out in appendix A and appendix B, incorporates a series of planned project works to enable Council to deliver on its obligations to maintain buildings fit for purpose utilising £3,707k capital budget subject to approval at council budget meeting of 10 February 2023.</p> <p>Decision - Property services estates capital building improvement programme 2023/25 - Herefordshire Council</p>
Ward:	Countywide
Consultation:	None
Decision made:	<p>Award a contract to SSE Energy Solutions for Trend BEMS Software Upgrade Services at Herefordshire Council assets, following a successful tender on the Council's procurement portal.</p> <p>Approve the expenditure of up to £100,000.00 for the works, which includes a contingency and costs for internal and external professional fees.</p> <p>Responsibility for monitoring the programme to be carried out by the Capital Project Manager within the spend budget.</p>
Reasons for decision:	<p>These works are included in the Property Services Estates Capital Programme 2023/25.</p> <p>SSE Energy Solutions were the successful bidder following a competitive tender process.</p> <p>The required improvement works have been assessed and prioritised based upon select criteria which covers health and safety, operational need, impact and lifecycle and value.</p>
Equality Considerations	<p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to –</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

	<p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> <p>The proposed capital maintenance schemes have given due consideration to equality issues particularly in relation to disability.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>By not carrying out the BEMS Software Upgrade, the Council is at risk of incurring further maintenance requirements, potentially costing the Council further money. There is also an operational risk associated with not carrying out these works.</p> <p>There is a risk that once on site, further works are identified that was not previously apparent.</p> <p>The expenditure outlined in this officer decision exceeds the original budget however, this will be sufficiently covered by underspends on other projects delivered in the programme.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Do nothing. This is not recommended as the risk of the works not being completed means that the operational risk associated with the continued existence of the building remains.</p> <p>Not to appoint. This is not recommended, SSE Energy Solutions, have been selected through a competitive tendering process.</p>
<p>Details of any declarations of interest made:</p>	<p>None.</p>

Signed..... Date: