

Bolsover

Executive

5 October 2015

New Build - Principal Designer

Report of the Leader

This report is public

Purpose of the Report

- To seek approval from Executive to suspend Standing Orders and appoint WT Partnership to deliver the Principal Designer role for the B@Home project.

1 Report Details

- 1.1 As members of Executive will be aware, a programme of residential development is being brought forward by Housing Strategy, Housing Services and Property and Estates, supported by a development fund. This programme has the title B@Home and aims to deliver, amongst other economic benefits, 150 new build Council properties across the district.

Principal Designer

- 1.2 As with all construction contracts we deliver we need to consider the Health and Safety impacts of the development being delivered through the role of Principal Designer (Similar to the former CDM-C Role). Principal Designer is defined as follows:

The Construction (Design and Management) Regulations (CDM Regulations) are intended to ensure that health and safety issues are properly considered during a project's development so that the risk of harm to those who have to build, use and maintain structures is reduced. They were introduced in 1994 and revised in 2007. A further revision came into force in April 2015.

One of the key changes introduced by CDM 2015 is replacement of the role of CDM co-ordinator (CDMC) with a principal designer (PD). The principal designer has responsibility for co-ordination of health and safety during the pre-construction phase. The reason for the change is to give responsibility for CDM during the design phase to an individual that has the ability to influence the design. Under the 2007 regulations, this role was often contracted out, resulting in extra costs, but the individual appointed was rarely properly embedded in the project team and so had little opportunity to influence the design.

Guidance published by the Health and Safety Executive in January 2015, defines principal designers as ‘...designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.’ This may be combined with other roles on the project, such as project manager or architect.

- 1.3 *At the time of the procurement of our construction contractor, Robert Woodhead Ltd (January 15) and up until a recent RIBA briefing providing clarification on the role of Principal Designer, there was some confusion on whether the role of Principal Designer on construction projects fell to the Architect. On the B@Home programme Robert Woodhead Ltd are responsible for the design of the schemes under the JCT Design and Build Contract but it is BDC’s responsibility to appoint a suitably qualified person/contractor to undertake the role. On the B@Home programme to date, BDC have not appointed such a suitably qualified person/contractor.*
- 1.4 Due to the nature of the role, specifically the need to be embedded within the design team and the complexity of the 4 year B@Home programme this report seeks to suspend standing orders to appoint the member of the design team to undertake the Principal Designer role.

The existing design team is made up of the following:

Company	Role	Responsible to
Robert Woodhead Ltd	Construction Contractor	BDC
Tibbalds	Pre-Construction Feasibility	BDC
WT Partnership	Quantity Surveyor	BDC
Geoff Carter Architects	Architect	Robert Woodhead Ltd

The most appropriate design team members to undertake the role would be either WT Partnership or Geoff Carter Architects however, as Geoff Carter Architects is appointed by Robert Woodhead Ltd therefore, BDC can’t ensure that they will be the Architect or a member of the design team for the whole of the four year programme.

With this in mind, this report seeks that Executive suspend standing orders to appoint WT Partnership in the role of Principal Designer for the B@Home Programme.

WT Partnership have not been approached to provide a price for the role prior to Executive agreement. However, to ensure BDC obtain value for money the fee proposal will be benchmarked against similar roles on recent projects such as the Bolsover Model Village project and Framework rates from such frameworks as the HCA Multidisciplinary Panel and Efficiency East Midlands.

2 Conclusions and Reasons for Recommendation

- 2.1 The report seeks to suspend standing orders in order to protect the interests of the Council whilst delivering value for money.

3 Consultation and Equality Impact

- 3.1 No consultation has taken place with regards this report and it is the view that this decision doesn't require an EIS

4 Alternative Options and Reasons for Rejection

- 4.1 Principal Designer – The move away from CDM-C to Principal Designer was to ensure that the H&S role is embedded in the design team as outlined in 1.2. An open market procurement process would put this at risk in comparison to appointing an existing design team member.

5 Implications

5.1 Finance and Risk Implications

There are no cost implications which put at risk existing budgets however, it should be noted that suspending standing orders and appointing direct does not test the costs on the open market.

To mitigate this risk, prior to appointment, BDC will benchmark the fee proposal against similar roles on recent projects such as the Bolsover Model Village project and Framework rates from such frameworks as the HCA Multidisciplinary Panel and Efficiency East Midlands.

5.2 Legal Implications including Data Protection

None

5.3 Human Resources Implications

There are no human resource implications arising directly from this report.

6 Recommendations

- 6.1 That Executive suspends Standing Orders and grant delegated authority for the Assistant Director Property & Estates to appoint WT Partnership to deliver the Principal Designer role for the B@Home project.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	Growth Strategy Corporate Plan

8 Document Information

Appendix No	Title
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
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Report Reference –