

Cranfield Parish Council

Section 12

The Selection and Management of Contractors

1. Policy Statement.

Cranfield Parish Council (the council) will ensure that all services and works provided by contractors are planned and managed in order that risks to the health, safety and welfare of the general public and users of Cranfield's amenities is minimised.

The Council will also ensure that contractors are selected and appointed based on competitive quotes and value for money. Always the cost to the public purse and value for money will be considered as well as quality of finished work.

2. Policy Aims

The aims of this policy is to ensure that the parishioners, employees and councillors are protected by choosing and managing contractors, using best practice. Any contracted work will be managed to a high standard by implementing the following processes

- Selection of competent contractors on a competitive basis of quality, and best price;
- Effective planning of the contracted work or services
- Ensuring safe working on site
- Maintaining effective co-operation and communication
- Monitoring of contracted services and regular review

This Policy is supplementary to and does not replace the Cranfield Council Financial Regulations and Policy and the Cranfield Council Health and Safety Policy (Sections 5 and 16)

3. Types of Contractors

There are two main types of contractors that will be used by the Council. Those that are contracted to undertake work as a one off job and those who are contracted to work for the Council on a regular basis. There may be slightly different procedures used depending on the type being contracted and the amounts, which are being spent.

Contractors may be used for any service or work where it is deemed that the employees or councillors are not in a position to undertake the work. This can be for regular work such as repair to play equipment, maintenance of street lighting or walls, to Cleaning of premises or HR advice. It is for the Council to decide as and when external contractors will be used and this can be for whatever they deem necessary.

This is a question of common sense and the way in which contracts are let must be authorised by the Chair or the Parish Council as a whole. For example, it would normally be expected to get quotes from three different companies/contractors for a large one off piece of work or a longer-term contract. However, for a small value contract only two quotes or perhaps no quote at all would be reasonable. Set out below are guidelines as to what is expected in terms of the letting of different types of contracts.

1. For all ongoing contracts which amount to more than £1,000 per annum plus any one-off contract of more than £1,000 and any contract which will be for more than 2 years there should be 3 separate quotes for this work.
2. For contracts between £100 and £1,000 or for any contract that will be for 6 months to one year of more than £500 there should be two separate quotes for the work.
3. For any contract that is a one off piece of work and will be under £100 then at the discretion of the Council or the Chair only one quote is required.

The only other occasion where these guidelines may not apply is where it is impossible to get more than the specified number of quotes or where it is an emergency and there is a danger on Health and Safety grounds where delay caused in obtaining quotes may cause danger or serious damage to life and property. In such cases, the authority of the Council, Chair or Vice Chair should be sought and an emergency contractor can be appointed without a quote.

4. General Principles

It is the individual responsibility of every contractor, employee, or councillor, irrespective of their position in the organisation, to ensure this policy is applied in practice.

Any training for employees or councillors in relation to this policy will be provided as appropriate.

The primary responsibility for implementing this policy rests with the Clerk to the Parish Council and any decisions or recommendations should take into account the potential risks. Where appropriate, advice from suitably qualified organisations or persons should be sought before a recommendation is made to the Council. Particular care must be taken where the CDEC regulations apply as detailed in paragraph 9 below and as set out in Annex 12d.

The Councils RFQ (Request for Quotation) procedure should be followed when external services are ordered. A copy of this policy will normally be given to the contractors when an RFQ is issued. See Annex 12e.

5. The Clerks Responsibilities

The Clerk will ensure that the correct number of competing quotations are obtained and that sufficient funding is available to ensure the specified work can be completed without compromising health and safety or the standard required of the service / project. The clerk will ensure that a copy of this policy and the Councils Health and Safety Policy (Section 5) will be provided to the contractor.

The Clerk will ensure that contracted works and services are carefully planned and robust specifications are prepared. Checks will be made that Contractors understand and are compliant with the Council's Health and Safety policy and that they fully understand any risks that may be present in their area of work. Any and all accidents arising from the Contractors activities will be investigated and recorded.

The Clerk will ensure that systems are in place to ensure effective and timely communication with the Contractors and that their work and activities are adequately monitored and controlled.

6. **Obligations of Contractors.**

All Contractors who work on Council premises or land or on behalf of the Council are required to identify and control any risks arising from their activities. They must notify the Clerk of any risks identified and in particular any which may affect the general public.

All Contractors must be aware of the Cranfield Parish Council Health and Safety Policy and emergency procedures and comply with these at all times. All Contractors must also ensure that the site foreman/ supervisor maintains regular communication with the Clerk or other contact nominated by the Council and co-operates with them in all matters. Main Contractors are responsible at all times for the work and safety of any sub-contractors and for ensuring that they are competent and carry out any work in accordance with the contract at all times.

7. **Failure of Contractors to Comply with this Policy.**

Any breach of this Policy or of the Cranfield Parish Council Health and Safety Policy may result in immediate termination of any contract without notice.

8. **Request for Quotation.**

The Request for Quotation hereafter called R.F.Q. (See Annex 12e) will set out in detail a clear definition of the work to be carried out including any preparation and scoping of the work. In addition, it will set out any Health and Safety Issues that are identified. In particular, any Health and Safety issues which may impact on the cost of the work must be identified. E.g. Additional HERAS fencing, enhanced scaffold protection, lockable skips.

The RFQ will set out the arrangements for any on-site supervision (e.g. Foreman on site at all times or arrangements for regular visits) communication such as weekly progress meetings and any specific procedures to be followed in the event of an accident.

9. **Selecting a Contractor.**

The Council will endeavour to select contractors who the Council believes will provide value for money. Annex 12b provides a list of questions which may be used when selecting a contractor. A number of other factors will be considered including

- Contractors registered with the relevant professional/trade bodies will be selected where possible
- Contractors with a proven track record of working in public places will be preferred
- Prospective Contractors will be interviewed and asked to explain how they work, what they know about any H and S issues relating to the job and how they implement their own H and S policy.
- Where sub-contractors are to be used, the principal contractor will be asked to provide evidence of his company procedures for the selection, training and management of sub-contractors.

The Checklist at Annex 12a will be used to record the selection process.

The Council must bear in mind the requirements of the Construction, Design and Management Regulations 2007 (CDM) and the application of this legislation to construction and maintenance work. These are set out in Annex 12c

10. **Pre-site Meetings**

Before any work begins which may impact on the safety of residents or users of Council amenities a pre-site meeting will be held to agree Health and Safety Standards and arrangements.

The meeting will be attended by the Clerk or other nominated person. A note of the meeting will be made and copies of the notes will be provided to all parties. In particular, the Checklist at Annex 12c will be used to record the key issues discussed and agreed.

11. **Review, Completion and Complaints.**

At the conclusion of the work, the Clerk or a nominated person will check that the work has been completed to a satisfactory standard. The Clerk will maintain a Contractor File for each project or contract. This will allow a record to be kept of the contractors overall performance and of any particular successes or problems. This record will allow the Parish Council Clerk to maintain a list of competent contractors and provide useful information for future projects.

The Councils complaint procedure should be used if there is a complaint regarding the implementation or application of this policy.

12. **Responsibility.**

Contractors, Employees, Councillors and persons referred to within the scope of this policy are required to adhere to its terms and conditions. The Clerk to the Council and Councillors are responsible for ensuring that this policy is applied.

Committee	Responsibility
Environmental	It is the responsibility of all members of the council to work toward implementation of this policy to ensure that this policy is applied in practice on a day to day basis.
General Purposes	
Planning	Individual committees or the full council should take lawful affirmative or positive action, where appropriate.
Burial Grounds	Risks should be discussed regularly at full parish council meetings.
Finance & Grants	Monitor risk and update this policy as appropriate.

Annex 12a

Selecting a contractor

ITEMS TO CHECK	NOTES
Does the contractor have an up-to-date Health and Safety Policy?	
Are the main health and safety responsibilities defined within the contractor's organisation?	
Does the contractor have adequate Employer Liability Insurance and Third party and Public Liability Insurance?	
Does the contractor have access to professional advice on health and safety?	
Has the contractor any written safety procedures or reference manuals.	
What health and safety training has been provided by the contractor for his site manager, supervisors and operatives.	
Has the contractor previously worked in areas used regularly by the public and does he understand the particular risks.	
Does the contractor have membership of or accreditation by a Trade Body?	
What is the contractor's system for the maintenance of plant and equipment?	
Does the contractor have a system for the reporting and investigation of accidents, diseases and dangerous occurrences?	
What is the contractor's system for assessing the competence and resources of his subcontractors? (if applicable)	
Are the contractor's risk assessments and method statements applicable to the work he is going to carry out on behalf of the council? Has he taken into account the presence of the general public?	

Ask for documentary proof of the above items as applicable. The questions below may be helpful

Checklist completed by:

Name.....

Signature.....

Date.....

Appendix 1A: Questions for contractors

1. What experience do you have of working in public spaces?
2. Have you worked on this type of project before? What are the main problems?
3. Can you provide existing risk assessments or safety method statements for a similar job?
4. Can you supply references from previous, similar projects?
5. Do you have a health and safety policy?
6. Has the HSE ever taken action against your activities?
7. What are your health and safety procedures?
8. Will you provide a Safety Method Statement for this job?
9. What safety checks do you make on equipment and materials?
10. Are you a member of a trade/professional body?
11. How do you ensure your subcontractors are competent?
12. How do you prepare them for working safely while on site?
13. What health and safety training do you provide? Ask for certificates of competence and attendance at training.
14. How is information about health and safety passed on to staff and subcontractors?
15. Can you show us your training programme and records?
16. How do you plan to supervise this job?
17. Who will be responsible for supervision on site?
18. How are changes, which arise during a job, dealt with?
19. If you identify a problem, what action do you take concerning your staff or subcontractors?
20. Will you report accidents, incidents or near misses to us?
21. Can you provide certificates of employer and public liability insurance?

Appendix 2: Pre site meeting

Pre site meeting minutes

ITEMS TO DISCUSS & AGREE	NOTES
Hazardous Work	
Site Security	
Erecting fencing	
Erecting scaffolding	
Vehicle movements and deliveries	
Storage of materials and location of skips.	
Provision of services	
Contractor's facilities	
Visitors on site	
Key contacts and emergency numbers	
Time-tabling of Work	

On Site liaison	
Weekend and evening working	
Progress meetings	
Communication between site foreman/supervisor and council representative	

Checklist completed by: Name.....

Signature.....

Date.....

Construction (Design and Management) Regulations 2007 (CDM)

1.0 Duties of the Council: (the budget holder who controls and commissions the work is deemed to be the Client).

1.1 The CDM Regulations establish the need for **all** construction work including maintenance, building works and demolition to have a structured approach to ensure that only the safest practices are employed throughout construction and future use of buildings.

1.2 The Council has legal duties that cannot be transferred to a client's agent or third party. These duties apply to ALL projects and are:

- Check competence and resources of all consultants, architects and contractors.
- Ensure there are suitable management arrangements for the project
- Allow sufficient time and resources for all stages of the project.
- Provide pre-construction information to designers and contractors.

2.0 NOTIFIABLE PROJECTS:

2.1. Projects are **notifiable** if construction work is expected to; last more than 30 working days OR involves more than 500 person days e.g. 50 people working for more than 10 days.

2.2 For Notifiable projects the Council must, in addition to the above duties:

- Appoint a CDM Co-ordinator before significant detailed design work begins, so that the CDM Co-ordinator can advise on client's duties and responsibilities. (Detailed design includes preparation of initial concept design and implementation of any strategic brief).
- Appoint a Principal Contractor to properly plan, manage and co-ordinate the work during the construction phase
- Make sure that the construction phase does not start unless there are suitable:
 - a) Welfare facilities; and
 - b) A construction phase plan in place
- Retain and provide access to the Health and Safety file.

Annex 12e



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REQUEST FOR QUOTATION (RFQ)

This RFQ is issued to you ('the supplier') by Cranfield Parish Council ('the council')
It is not an order.

In particular, suppliers please note the following general conditions when replying to this RFQ;
Please contact the clerk for any further information on this RFQ.

- 1.1 The council can only make spending decisions during a constituted meeting, which is at a minimum on a monthly basis. Please bear this in mind this delay when submitting a quotation.
- 1.2 Any assumptions made by the supplier at the time of quotation must be clearly stated.
- 1.3 The council's decision whether to accept a quotation is final. No reason need be given for any decision.
- 1.4 No additional expenses by the supplier in excess of those on the RFQ proposal will be paid without permission in advance in writing from the council.
- 1.5 Please make payment terms clear when replying to the RFQ.
- 2.1 The supplier is required to take out all relevant liability insurance and any accepted tender response to this RFQ is made on the understanding that this will be done.
- 2.2 The supplier must comply with all health and safety legislation when carrying out any works. This includes but is not exclusive to; warning signs and barriers around any works, protective gear for operatives, suitable automatic cut-out circuit breakers for any occasions where electrical equipment is in use, portable electrical appliance test labels or certificates. Any accepted tender response to this RFQ is made on the understanding that this will be done.
- 2.3 Suppliers must demonstrate the existence of a valid Health & Safety policy.
- 2.4 Suppliers must make themselves and others aware of any Fire Regulations and procedures in force and as appropriate.
- 2.5 The supplier is responsible for complying with the COSHH or other appropriate or superseding regulations.
- 2.6 The supplier shall indemnify the council against any claims by third parties for damage or loss arising from the supplier's works.
- 3.1 All rubbish must be removed, by the supplier, at the end of the works and disposed of responsibly according to all relevant legislation.
- 4.1 If the attendance of firemen or the police is necessary whilst the supplier is carrying out works, the supplier will be required to pay for such attendance.
- 5.1 The supplier must observe and perform all statutory provisions and regulations and conditions imposed by any Authority, and indemnify the council from all penalties which they may incur in consequence of any default.
- 6.1 The council does not undertake the safe custody of property and are not to be held responsible in any way for damage to, or loss from, motor vehicles when used as part of any works carried out.
- 7.1 Any works must comply with any appropriate current or known regulations unless explicitly stated on the RFQ response.

DATE of issue	
WORKS REQUESTED	
NOTES	
EXPECTED USAGE if appropriate (age etc.)	
Reply requested within 10 working days of receipt	