



VALEMUS



## Construction Services for Social Housing

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# CONSTRUCTION SERVICES FOR SOCIAL HOUSING

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## INTRODUCTION

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**Valemus Law provides non-contentious legal advice to social housing providers on construction projects and programmes.**

Our team is headed by Chris Pedder. Chris has a wealth of experience in providing construction advice to local authorities, ALMOs and registered

providers on development projects. His expertise includes advising on residential new build procured either through standalone procurement, or through existing or newly created frameworks; and on repairs, maintenance and development works programmes, either on a collaborative basis or traditional procurement. He has provided specialist advice on option appraisals for repairs and maintenance delivery and how to structure joint ventures and VAT saving vehicles in repairs delivery.

In all cases the advice is comprehensive, covering the contractual issues, procurement processes and structures that can be used to deliver projects and programmes, has added value and delivers cost effective results.

## AT A GLANCE

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- JCT, NEC, PPC, FAC and TAC standard form construction and term contracts
- KPI Performance mechanisms
- Development agreements
- Bonds and guarantees
- Collateral warranties
- Consultant appointment documentation
- Framework agreements
- Partnering/Alliancing agreements
- Supply chain contracts
- Outsourcing agreements
- EU procurement
- Reviews of standard procurement documentation for statutory and regulatory compliance
- Option appraisals

## CHRIS PEDDER

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**Chris has worked in the social housing sector for nearly 20 years. He recently spent 10 years as a partner in the construction group of Trowers & Hamlins, a leading social housing law firm, where he headed up the Asset Management group (social housing).**

Chris advises public sector housing providers on various construction projects. Over a number of years he has advised on a substantial number of repairs and maintenance programmes, including capital investment programmes, day to day responsive maintenance and mechanical and electrical programmes.

He has also advised a number of registered providers on procurement of alternative delivery models such as joint ventures; wholly owned subsidiary companies; and cost sharing groups, each of which provide tax efficiencies and militate against contractor insolvency.

Chris also advises on construction issues within development projects including new build development projects and he also advised on construction issues on 9 separate housing PPP/PFI projects.

Chris has published articles in construction and housing periodicals and has spoken at conferences and seminars on construction and asset management issues. In 2016 he spoke at 'HOMES' on collaborative approaches to major works programmes. He also spoke at the Worcester Bosch conference in October 2016 on the new Term Alliance Contract and how clients can access Tier2/3 supply chain under this contract.



## RECENT CLIENTS

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### CLIENT HISTORY

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Recent programmes Chris has advised on include:

- Acis Group
- Aster Group
- Brentwood Borough Council
- Futures Housing Group
- Gosport BC
- Harlow BC
- Homes for Haringey (ALMO)
- Kensington & Chelsea TMO
- London Borough of Enfield
- London Borough of Newham
- London & Quadrant HG
- Network Housing Group
- Royal Borough of Kingston-Upon-Thames
- Royal Borough of Greenwich
- Sutton Housing Partnership
- Teign HA
- Thames Valley HA
- Town and Country HA
- United Welsh HA
- Wandle HA
- Wellingborough Homes
- West Kent HA



# CASE STUDY

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## HOMES FOR HARINGEY

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Homes for Haringey (HFH) manages around 16,000 tenanted properties and 4,500 leasehold properties for the London Borough of Haringey. As part of this role, HFH have responsibility for all repairs and asset management programmes, as well as involvement in managing the procurement of these programmes. HFH realised their procurement documentation was not fit for purpose and required updating as it still reflected out of date contracts, superseded legislation and alterations for project-specific items. HFH was mindful that a review would require expertise on the new JCT contracts and an understanding of EU procurement law. Chris reviewed the template tender documentation, including the following tasks:

- Updated HFH's standard Invitation to Tender to reflect the Public Contract Regs 2015;
- Updated HFH's standard Selection Questionnaire to include questions regarding economic, professional and technical experience;
- Developed an Information Memorandum including evaluation information and marking grid to be used with the Selection Questionnaire;
- Incorporated the new JCT Measured Term Contract 2016 by reviewing HFH's standard amendments for JCT MTC 2011, reporting on market suitability of certain amendments, updated compliance issues and suggesting best practice amendments;
- Recommended amendments to the pricing documents to adequately cover potential differing service requirements: (i) planned and responsive maintenance (ii) planned only (iii) responsive only;
- Provided guidance notes to officers on changes to be made for differing service requirements;
- Developed two separate "tender packs", one each for Open and Restricted procurement.

*"Chris was able to suggest simplifications to the tender packs so that the documents could be easily converted into a formal contract by officers. It is expected this approach will bring cash savings to Homes for Haringey and lead to timely preparation and more control over the contracting process. Chris' work reflects an in-depth knowledge of construction and procurement law coupled with experience of dealing with challenges in tendering processes and solution focus."*

**Denislava Ivanova, Head of Procurement, Homes for Haringey**

# VALEMUS LAW

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## A BUSINESS LAW FIRM

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Valemus Law offers practical, flexible, economical business legal solutions to a wide range of clients, from global organisations to entrepreneurial start-ups. We strive to ensure that all our clients obtain the value and professional experience that one would expect from a City law firm.

To guarantee that demand can be met without diminishing the quality of our business legal advice, Valemus Law customarily engages partner-level lawyers with at least 10 years experience. Our lawyers typically hail from the Top 50 UK law firms and/or blue chip organisations and their exceptional expertise is recognised across the commercial sector. As a result, we include among our clients some of the biggest names in the automotive, air transport, oil and gas, defence, energy and environment and publishing industries. We also enjoy a reputation for helping to launch a number of successful start-ups across a range of industry sectors.

## PRACTICE AREAS

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- Company Commercial
- Corporate
- Commercial Litigation
- Commercial Property And Construction
- Employment
- Intellectual Property
- Immigration

### **Valemus Law**

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# VALEMUS

Valemus Law is a trading name of VLAW Limited. VLAW Limited is a company registered in England and Wales and its registered number is 5342299. Its registered office is at: 2nd Floor, 9 Savoy Street, London, WC2E 7EG, England.