

Response to:  
FOI\_22-23\_158

November 2022

## **Operational Guide to Contract Management**

I am requesting a copy of document “Operational Guide to Contract Management” under the Freedom of Information Act 2000.

Please find below document as requested. Please note that the guide needs to be updated.



**CONTRACT FOR MAINTENANCE AND IMPROVEMENT SERVICES**  
**2016**

**OPERATIONAL GUIDE TO**  
**CONTRACT MANAGEMENT**

*You are advised to carefully read this document together with the Contract documents*

**Director of Landlord Services  
Director of Asset Management  
The Housing Executive  
2 Adelaide Street  
Belfast BT2 8PB**

**August 2019 (update)**

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## **STAFF ROLES AND RESPONSIBILITIES:**

**CSU / COUNTER STAFF / MAINTENANCE ADMIN' STAFF**

[A: Inception – Job Request and Repair Diagnosis](#)

**MAINTENANCE OFFICERS (MO)**

[B: Job Inspection / Completion / Authorisation](#)

**AREA MAINTENANCE MANAGERS (AMM)**

[C: Performance Management](#)

**ASSISTANT AREA MANAGER (AAM)**

[C: Performance Management](#)

**AREA MANAGERS (AM)**

[C: Performance Management](#)

**REGIONAL MANAGER (RM)**

[C: Performance Management](#)

**DIRECTOR OF LANDLORD SERVICES (SENIOR RESPONSIBLE OFFICER)**

**DIRECTOR OF ASSET MANAGEMENT (SENIOR RESPONSIBLE OFFICER)**

[C: Performance Management](#)

[D: Support](#)

**CONTRACT MANAGER (CM)**

**CORPORATE PROCUREMENT UNIT**

**ASSET MANAGEMENT – CENTRAL PROGRAMME DELIVERY TEAM**

**ASSET MANAGEMENT- CONTRACT CLAIMS**

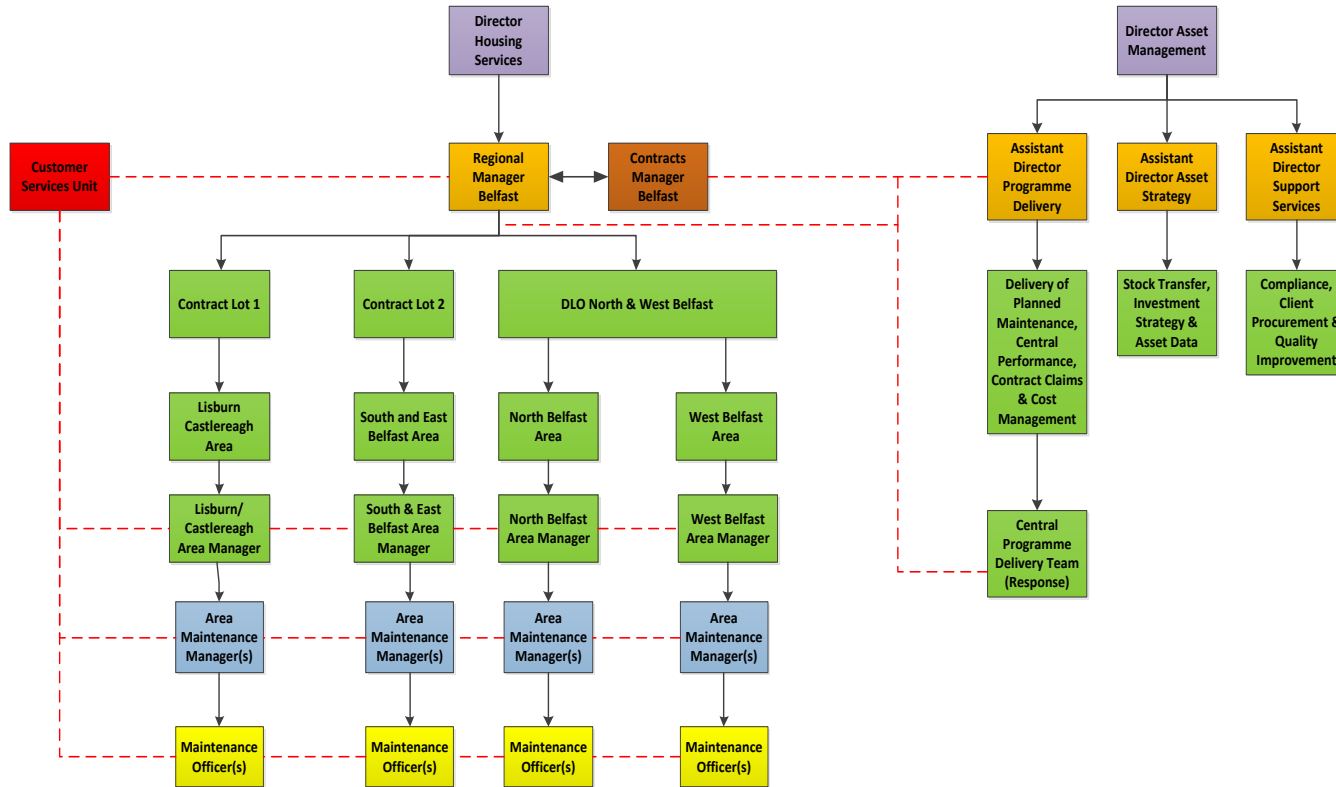
**ASSET MANAGEMENT SUPPORT SERVICE – CLIENT PROCUREMENT/CIVIL  
ENGINEERING SUPPORT**

**ASSET MANAGEMENT COMPLIANCE UNIT**

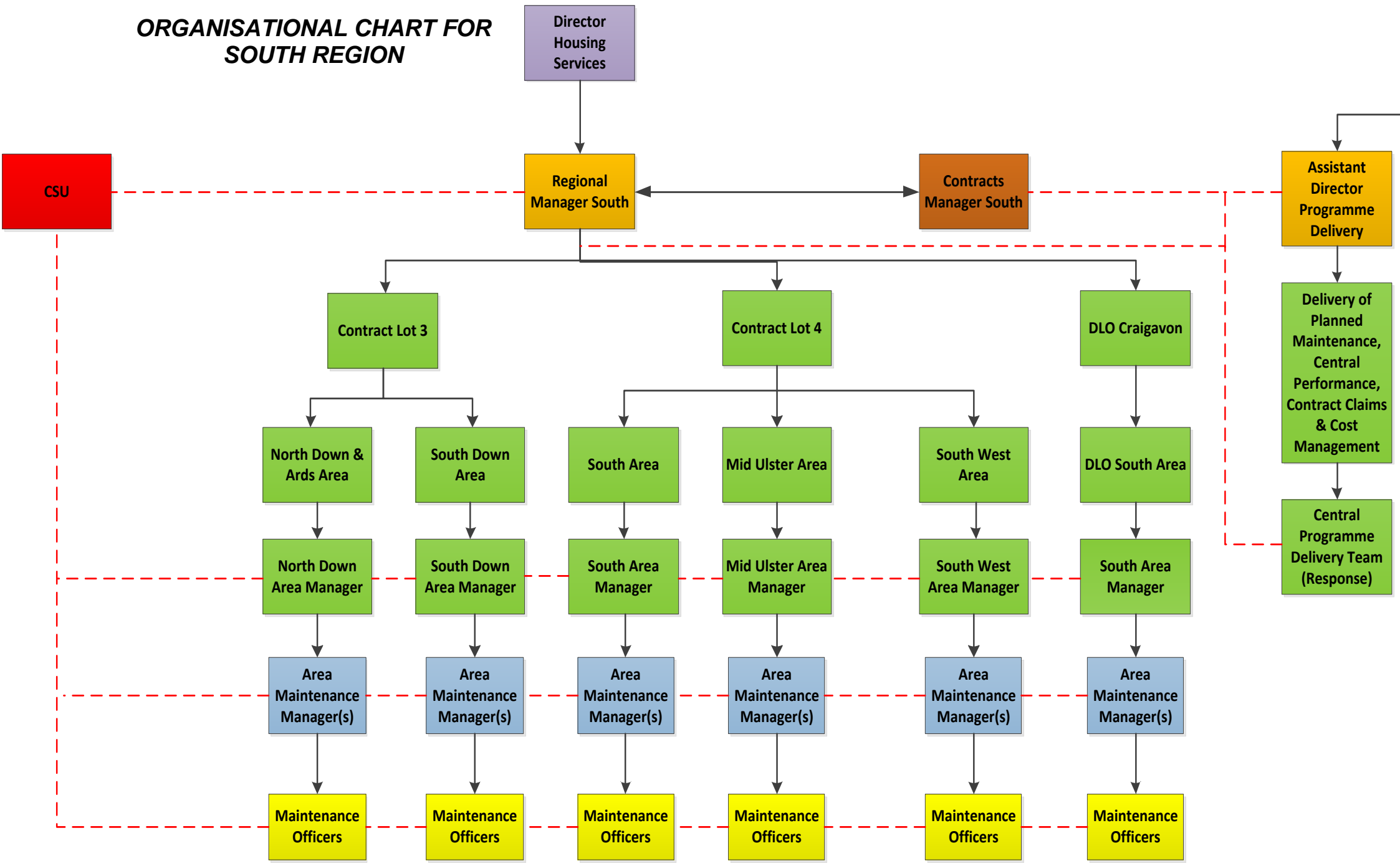
**CORPORATE AUDIT AND ASSURANCE DEPARTMENT**

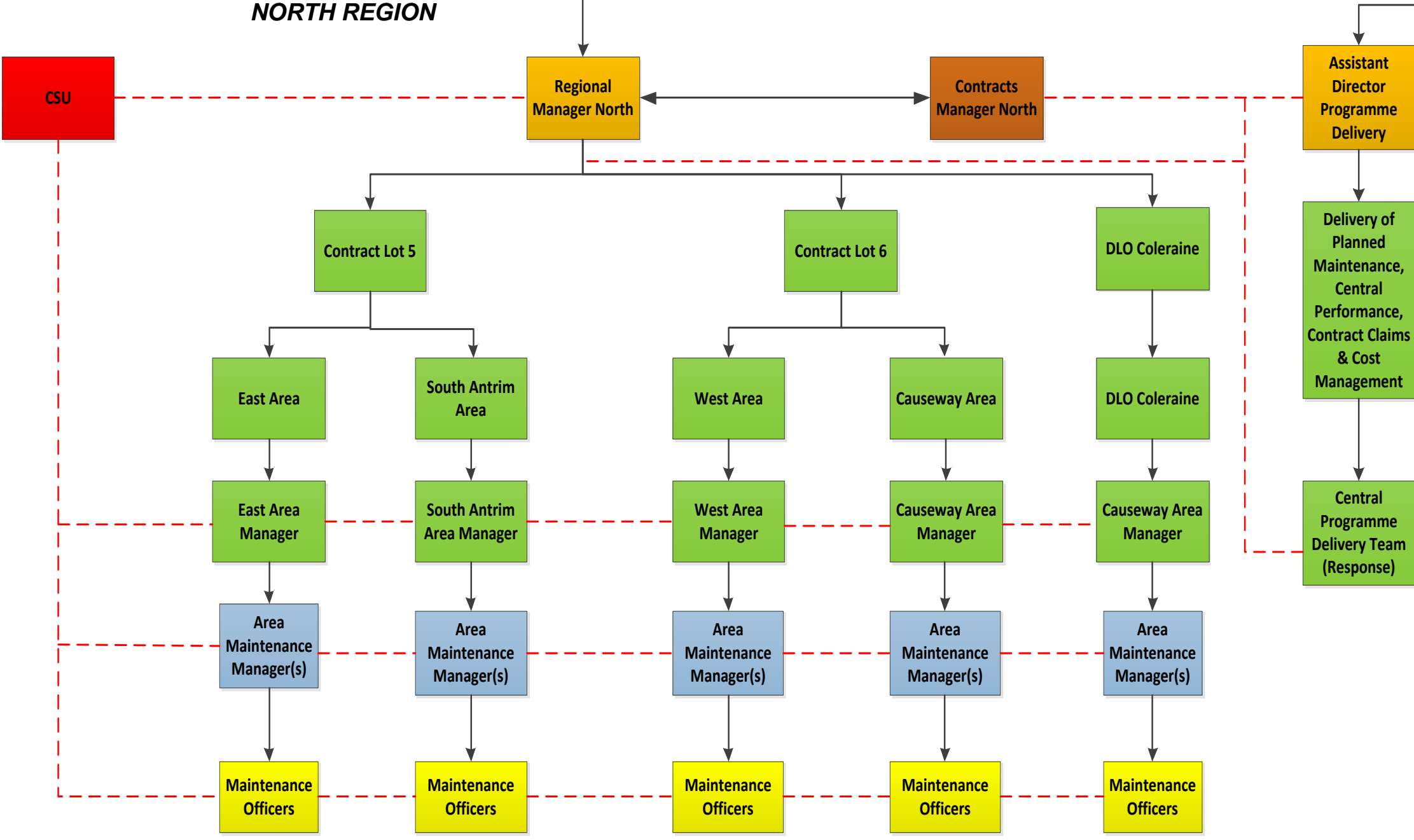
**IT/HMS SUPPORT**

## ORGANISATIONAL CHART FOR BELFAST REGION

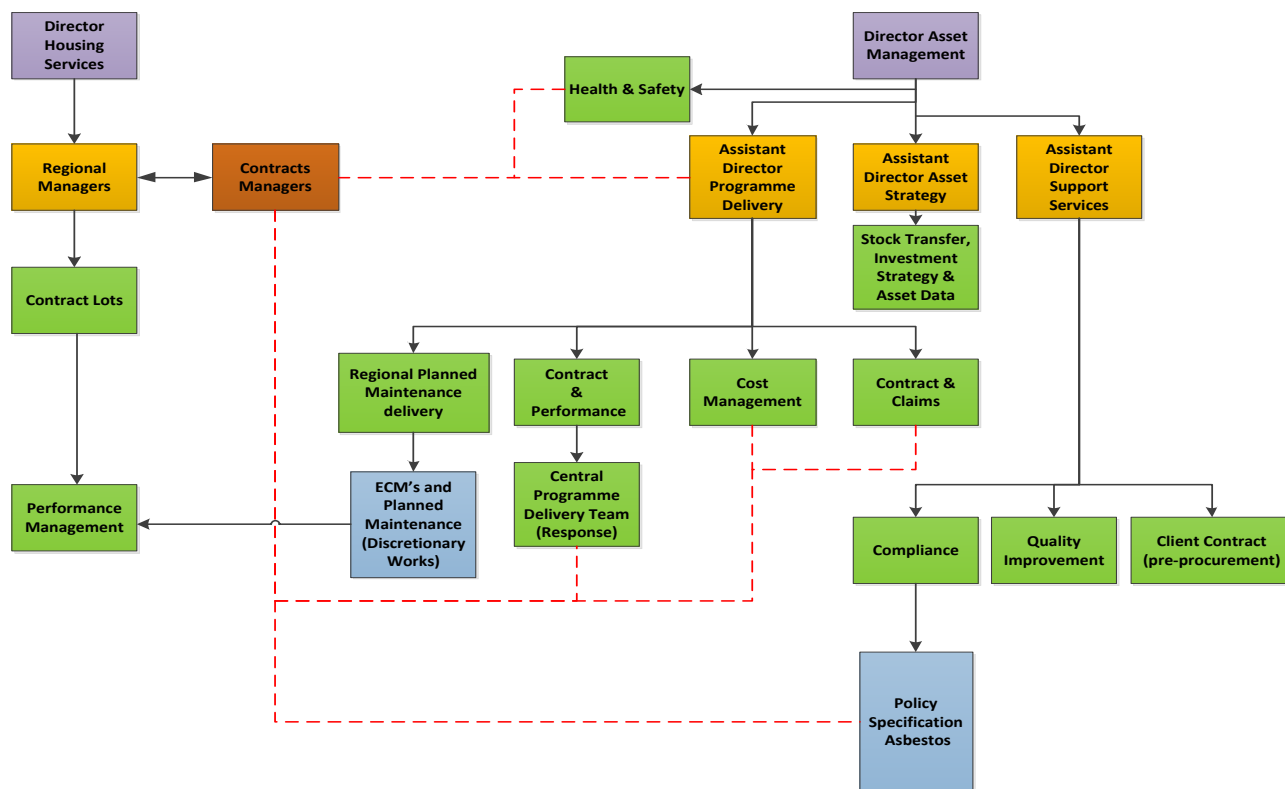


# ORGANISATIONAL CHART FOR SOUTH REGION



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## ASSET MANAGEMENT ORGANISATIONAL CHART







## ***A GUIDE TO CONTRACT MANAGEMENT (OPERATIONAL)***

### **1.0 INTRODUCTION**

This guide has been produced to assist staff in the delivery of the Contract and to achieve the aims of the Contract Management Strategy for the Contract for Maintenance and Improvement Services.

The 3 key objectives of the Contract Management Strategy which will drive the approach to ensure the successful implementation of the Contracts are:

- Managing the organisation's own responsibilities to manage the contract.
- Monitoring the contractors to ensure they meet the minimum performance criteria, including compliance.
- Contract management improvement, including introducing technological improvements, through developing effective contractual relationships.

The delivery of Maintenance and Improvement Services is a core Landlord function and the key Landlord Service Property theme within the Corporate Plan is **"To ensure everyone has access to a quality home which is safe, affordable, warm and appropriate to their needs"**.

For staff involved in the delivery of this crucial service, it is therefore important that they are informed and committed to their role within the delivery process and understand their role within the contractual arrangements.

### **2.0 STRUCTURE OF OPERATIONAL GUIDE**

The Contract Management Process is informed through the contract; this guide has been compiled based on the workflow for the delivery of the service and focuses around the following:

#### **2.1 THE CONTRACT MANAGEMENT TASK**

Broken down into 4 Stages:

- Stage 1 equates to NIHE Ref A (job request and repair diagnosis)
- Stage 2 equates to NIHE Ref B (completion and payment)
- Stage 3 equates to NIHE Ref C (performance management)
- Stage 4 equates to NIHE (escalation and termination)



Reference D in the document will focus on the Support elements provided to operational staff in the delivery of the Contract.

For each stage the Contract Management process contains the role and responsibility of each operational staff input for each activity.

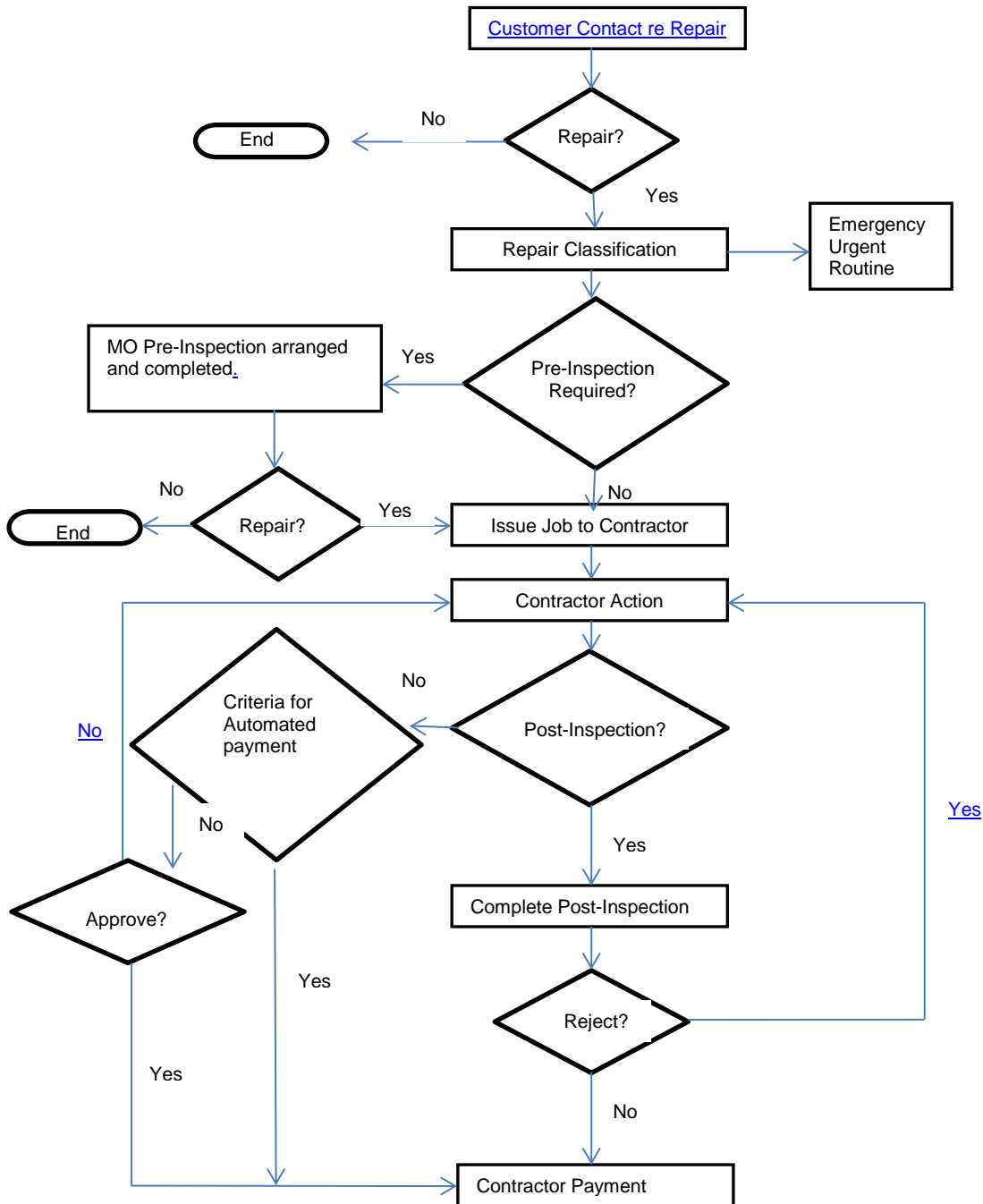
**2.2** [Appendix 1](#) of this document details out the workflows for the performance and escalation management of the Contract.

## **2.2 SUPPORTING DOCUMENTS**

A number of useful documents to support this Operational Guide are available on the internal Gateway. These include

- Contract Documents
- Contract Management Strategy
- Response Maintenance Manual (RMM)
- HMS Users Guide

## 2.3 OVERVIEW OF REPAIRS PROCESS





## ***A: INCEPTION STAGE - JOB REQUEST AND REPAIRS DIAGNOSIS***

### ***CSU / COUNTER STAFF / MAINTENANCE ADMIN' STAFF***

#### **1.0 ROLE WITHIN CONTRACT - SERVICE LIAISON**

- 1.1 To provide a highly customer focused service, and contribute to maintaining customer satisfaction.
- 1.2 To accurately diagnose and record repairs reported by the customer, and process the repair as appropriate.
- 1.3 To provide the contractor with accurate information on all job/task orders in a timely manner.

#### **2.0 RESPONSIBILITIES**

- 2.1 It is the responsibility of staff receiving job requests from customers/customer representatives etc. that they confirm the caller's identity by requesting the customer's date of birth; obtain accurate information of the property, customer/customer representative contact details (telephone number, emails etc.)
- 2.2 It is the responsibility of staff to gain accurate information from the customer to diagnose the repair to provide accurate Schedule of Rate (SOR) codes to the contractor, through the use of the repair diagnosis software.
- 2.3 It is the responsibility of staff to determine whether a pre-inspection is required. Where required they are responsible for arranging a suitable appointment with a Maintenance Officer at the customer's convenience.
- 2.4 It is the responsibility of staff taking the request to prepare and submit the job details to HMS in line with policy and contract requirements.
- 2.5 Staff must ensure that the 'Job/Task Order' is prepared in a timely manner in accordance with the contract document.
- 2.6 Staff are required to ensure that the 'Job/Task Order' accurately reflects all aspects that warrant attention, complies with organisational policy/standards and contract requirements.
- 2.7 It is the responsibility of the staff to inform the customer of the progress of their repair request as and when required.
- 2.8 It is the responsibility of the staff to authorise any extensions of time for a job/task order where required to facilitate a customer's availability for appointment.
- 2.9 CSU representative to attend Monthly Performance Meetings.



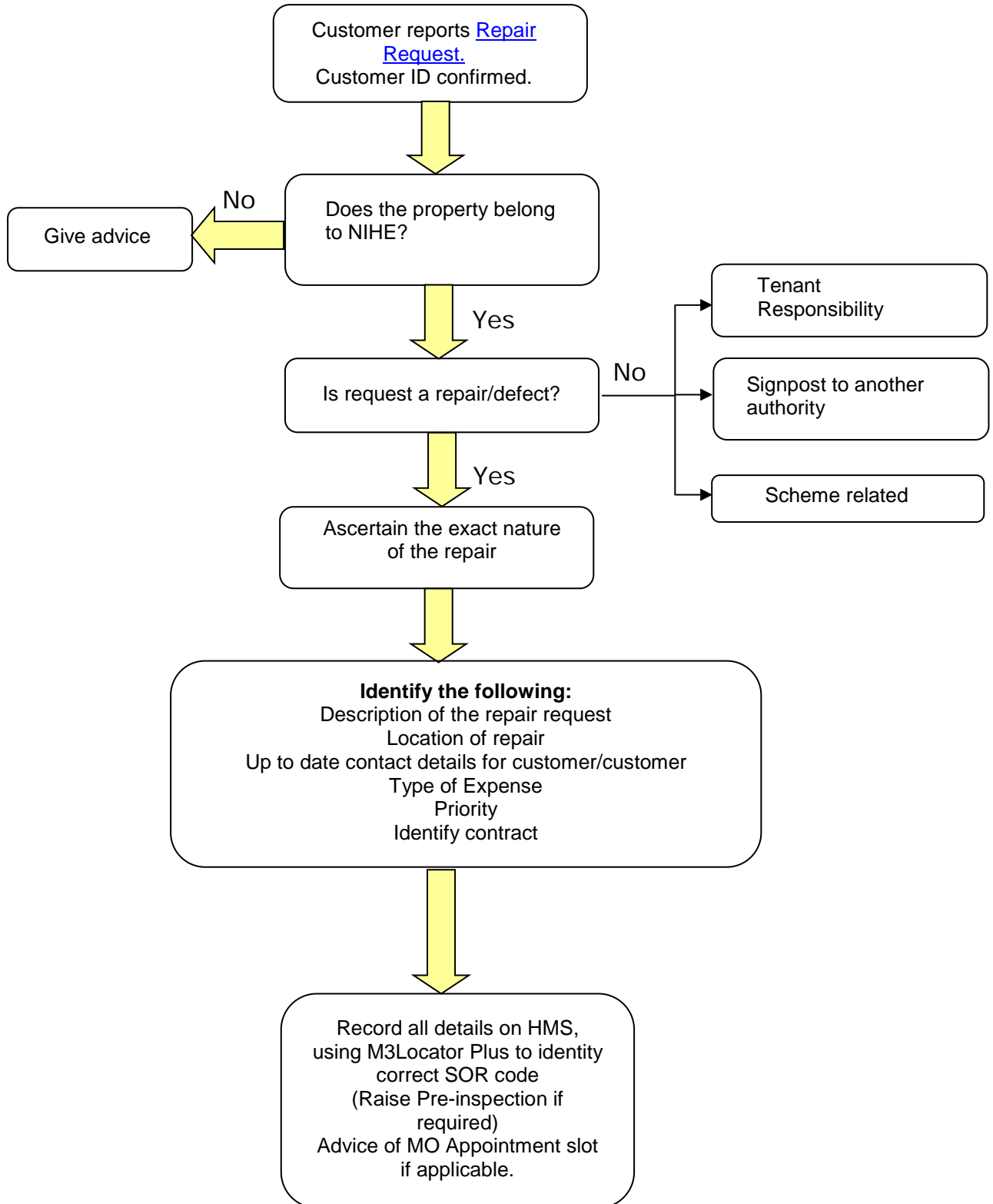
### 3.0 ESCALATION

- 3.1 When customer services issues are identified by Repair Takers, these should be referred to the appropriate Manager, either the Maintenance Manager or CSU Manager to be raised at the Monthly Review Meeting.

**NB: Where extensions of time are required as a result of delays by the Contractor or exceptional circumstances, extensions of time must be approved by the either Area Maintenance Manager/Contract Manager/MO.**



### 3.0 JOB REQUEST AND REPAIR DIAGNOSIS WORK FLOW





## ***B: JOB INSPECTION / COMPLETION / AUTHORISATION***

### **MAINTENANCE OFFICER (MO)**

#### **1.0 ROLE WITHIN CONTRACT MANAGEMENT - QUALITY INSPECTOR**

- 1.1** Contribute to achieving optimum levels of customer satisfaction, as well as performance, efficiency and effectiveness to ensure productivity and quality are being achieved by monitoring effectiveness and highlighting variances in performance to ensure the continuous improvement requirements of the contract.

#### **2.0 RESPONSIBILITY**

- 2.1** To provide excellent customer care for all NIHE customers, at all stages of service provision.
- 2.2** Carry out inspections to agreed time scales.
- 2.3** To ensure that all HMS records/documentation are up to date and accurate, including all communication with customer and the contractor.
- 2.4** Ensure that any communication is within the specified period for reply as stated in the contract.
- 2.5** To ensure that compensation events are identified in Task order Notes and where applicable refer to AMM.
- 2.6** Issue jobs in a timely manner within financial limits.
- 2.7** Authorise contractor variations within the authorisation limits and pass to AMM when concerns arise relating to the extent of any variation.
- 2.8** Assessment of the contractor's general compliance with its obligations under the contract.
- 2.9** Check daily for task orders awaiting issue/payment due to approval/authorisation requirement within agreed internal time scales to facilitate payment as stated in NEC clause 50.
- 2.10** Performance assessment, deciding whether performance (service & goods) meets the customer's needs and standards required.
- 2.11** Health and Safety aspects of Contract where appropriate.

#### **3.0 ESCALATION**

Maintenance Officers must:

- 3.1** Ensure that maintenance repairs to NIHE properties are carried out to exacting cost, quality and time standards in accordance with the terms of the contract.
- 3.2** Assess the contractor's general compliance with its obligations under the contract (referred to as contract non-compliance) as set out in the contract



documentation (Section 1.4 Service Information and Section 1.9 KPI Framework and Contract Performance).

- 3.3 To ensure effective monitoring of contractor performance against job completion targets and to work with contractors to meet overall performance.
- 3.4 Provide reasons and data on failures to AMM/CM/AM
- 3.5 Accurately log reasons for failures on HMS to facilitate generation of KPI data and performance monitoring (job notes).





## ***C: PERFORMANCE MANAGEMENT***

### **AREA MAINTENANCE MANAGER**

#### **1.0 ROLE WITHIN CONTRACT MANAGEMENT - PERFORMANCE MANAGER**

- 1.1 Manage the performance of the maintenance staff at local levels. Monitor contractor's performance against job completion targets and quality of work and to work with contractors to ensure a 'Best in Class' service delivered to NIHE customers.

#### **2.0 RESPONSIBILITY**

- 2.1 To provide excellent customer care for all NIHE customers, at all stages of service provision.
- 2.2 Ensure that the service delivery is in line with the Service Information and Technical Specification as stated in the contract.
- 2.3 Identify and manage risk on contract through Control Reports
- 2.4 Ensure inspections are carried out within the agreed time scales.
- 2.5 Ensure that all HMS records/notes are up to date and accurate, including all communication with customer and the contractor.
- 2.6 Ensure that any communication is within the specified period for reply as stated in the contract.
- 2.7 Provide feedback on performance to MO/AM/CM/Contractors
- 2.8 Ensure compliance and check daily for task orders awaiting issue/payment due to approval/authorisation requirement for repairs that are outside the authorisation limit of the MO or maintenance administration staff within agreed internal time scales to facilitate payment as stated in NEC clause 50.
- 2.9 Authorise Contractor variations within authorisation limits.
- 2.10 Approve variations to Task Order/s passed on from the MO when they have concerns relating to the extent of any variation, or the variation is outside their authorisation limit.
- 2.11 Maintain contractor details of key people involved in the contract.
- 2.12 Assessment of Key Performance Indicators (KPIs)
- 2.13 Work with the Contract Manager to ensure the data for the Contract Performance Notice is accurate and available for issue to meet the timeframes (5 working days) prior to the Monthly Review Meeting.
- 2.14 Ensure the following information is provided at least 5 working days before the meeting.
- 2.15 Attend the Monthly Review Meeting and any other Meetings as outlined in the Contract documents where required
- 2.16 Health and Safety Aspects of Contract where appropriate.

#### **3.0 ESCALATION**

##### **Area Maintenance Managers must:**

- 3.1 Assess the Contractor's general compliance with obligations under the contract.
- 3.2 Ensure that maintenance repairs to NIHE properties are carried out to exacting cost, quality and time standards in accordance with the terms of the contract



- 3.3 Manage cases of poor performance/non-compliance and escalate to the Area Manager/Contracts Manager as necessary.
- 3.4 Provide detail of failures to Contract Managers/contractor.
- 3.5 Refer failures in non-compliance to Contract Manager.
- 3.6 Ensure effective monitoring of contractor performance against job completion targets and work with contractors to meet overall performance.
- 3.7 Performance assessment, deciding whether performance (services & goods) meets the customer's needs and NIHE standards.
- 3.8 Collation and analysis of data relating to performance and taking appropriate action when performance does not meet targets and standards. This is available through Control Reports and data available from HMS.
- 3.9 Deal with the issue/receipt of Early Warning Notices, responding within the required time scale (max. 2 weeks) and taking necessary action where appropriate.
- 3.10 To ensure that all compensation events are dealt with, within the stated time frame in the contract (1 week), reviewing any information relating to the claim in order to make an informed decision and processing payment for agreed compensation events in line with the contract and NIHE policy and procedures.
- 3.11 Refer failures in non-compliance to Contract Manager; where appropriate issue a Default Notice.
- 3.12 Prior to the Monthly Review Meeting carry out risk analysis. Contract non-compliance matter(s) may initially, or subsequently, be escalated at any level.
- 3.13 Liaise with the Contracts Manager regarding contractor's monthly performance (KPIs) and attend review meetings with other key stakeholders.
- 3.14 Review Remedial Improvement Plan regarding non-compliance issues, risks and KPI failures and forward to Area Manager/Regional Manager.
- 3.15 Monitor Remedial Improvement Plans and manage and record satisfactory completion or failure in the minutes of the Monthly Review Meeting.
- 3.16 Write to the contractor specifying the matter(s) of contract non-compliance (in accordance with Section 1.9 Key Performance Indicator (KPI) Framework and Contract Performance Document of the contract) and require that, prior to the date of the next Monthly Review Meeting, the contractor should provide a means of achieving compliance or provide evidence that the issue is not a non-compliance.
- 3.17 Issue Negative Value Jobs and Low Service Damages for KPIs and Voids Loss, monitor payments and report non-payments to Area Manager.
- 3.18 Attend Exceptional Contract Performance Review Meetings if required.



## ***ASSISTANT AREA MANAGER (AAM)***

### **1.0 ROLE WITHIN CONTRACT – PERFORMANCE MONITORING**

- 1.1 To ensure that contract performance delivers a quality service to customers.

### **2.0 RESPONSIBILITY**

- 2.1 To provide excellent customer service for all NIHE customers, at all stages of service provision.
- 2.2 Ensure that the service delivery is in line with the Service Information as stated in the Contract.
- 2.3 Monitor daily performance
- 2.4 Provide daily support and guidance to staff
- 2.5 Authorise repairs that are outside the `authorisation limit of the MO or maintenance administration staff in absence of AMM
- 2.6 To authorise Contractor variations within the authorisation limits in the absence of AMM.
- 2.7 Ensure daily and weekly reports are run in absence of AMM
- 2.8 Undertake performance management reviews when required.

### **3.0 ESCALATION**

Assistant Area Manager must:

- 3.1 Provide information on contracts that are continually failing when required.
- 3.2 Refer and provide detail of failures to Area Maintenance Manager/Area Manager when required.
- 3.3 Attend exceptional contract performance review meetings on non-compliance matters if required.



## **AREA MANAGER**

### **1.0 ROLE WITHIN CONTRACT – PERFORMANCE REVIEW**

- 1.1 To monitor repairs performance against contract targets and overall to ensure the Contract is delivering

### **2.0 RESPONSIBILITY**

- 2.1 Attend Monthly Review Meetings with the Contractor.
- 2.2 Work with the Contracts Manager/s to ensure the administration of the Monthly Review Meetings including facilitating meetings and arrangements, contribute to the agenda for each meeting for timely distribution prior to the meeting with any reading material
- 2.3 Ensure processing for documenting the minutes of the meeting and all actions, responsibilities should be tracked and managed.
- 2.4 Review remedial improvement plans (all improvement plans) and determine the suitability of action plans to address the failures, recording of satisfactory completion or failure in the minutes at the Monthly Review Meeting.
- 2.5 Provide regular reports to stakeholders outlining performance in the delivery of maintenance works and timeous completion of works in conjunction with Contract Manager
- 2.6 Review disputes and seek solutions before escalation to RM/SRO.
- 2.7 Support the Regional Manager in assessing the performance of contractors.
- 2.8 Consider escalation of unpaid Negative Value Jobs and Low Performance Damages for KPIS and Void Loss to Central Procurement Unit. Manage the process with supporting documentation (accurately recorded minutes) in relation to all outcomes.
- 2.9 Agree/approve or require revisions to the Remedial Improvement Plan regarding non-compliance issues and risks and forward to Regional Manager.
- 2.10 Attend Core Group Meetings with each Contract Lot Area and facilitate Tenant representation to attend.

### **3.0 ESCALATION**

Area Managers must:

- 3.1 Ensure contract performance and the delivery of quality services and deliver customer care to tenants.
- 3.2 Manage cases of poor performance/non- compliance and escalate to the Regional Manager as necessary.
- 3.3 Refer and provide detail of failures to Contract manger/Contractor
- 3.4 Carry out risk analysis on contract non-compliance matter(s) initially to determine level of escalation prior to monthly meeting
- 3.5 Record and issue non-compliance notice
- 3.6 Consider Dispute resolution Procedure
- 3.7 Refer unresolved issues are referred to RM



3.8 Attend Exceptional contract performance review meetings if required.



## ***REGIONAL MANAGER***

### **1.0 ROLE WITHIN CONTRACT – CONTRACT ADMINISTRATOR**

1.1 Contract Administration and resolve contract disputes.

### **2.0 RESPONSIBILITY**

2.1 Monitor contract performance

2.2 Attend Core Group Meetings

2.3 Chair the annual contract reviews

2.4 Chair escalation meetings where required.

2.5 Review contractors Remedial Improvement Plan/s where KPI performance has out-turned 1 Red or 3 Ambers (equivalent to red)

2.6 Agree / approve or require revisions to the Remedial Improvement Plan regarding non-compliance issues and risks.

2.7 Imposition of low performance damages where applicable

2.8 Agree low performance escalation procedures where necessary

2.9 Refer non-compliance failures to SRO

2.10 Authorise work outside the financial limits of the AM.

2.11 Liaison between:

- AM and contractor
- AM and SRO
- SRO and contractor

Assist in negotiation and dispute resolution. Manage the escalation process prior to escalation to SRO.

### **3.0 ESCALATION**

Regional Managers must:

3.1 Ensure contract performance and the delivery of quality services and deliver customer care to tenants.

3.2 Manage cases of poor performance and escalate to the SRO as necessary.

3.3 Carry out risk analysis on contract non-compliance matter(s) initially to determine level of escalation prior to monthly meeting.

3.4 Consider escalation to SRO

3.5 Attend Exceptional contract performance review meetings if required.



## ***DIRECTOR OF LANDLORD SERVICES/DIRECTOR OF ASSET MANAGEMENT***

### **1.0 OBJECTIVES**

- 1.1 To ensure that business needs are aligned to Contract Management Strategy to enable successful delivery of the Contract.

### **2.0 ROLE WITHIN CONTRACT – SENIOR RESPONSIBLE OWNERS**

- 2.1 To ensure that the response maintenance contracts meet the organisation objectives and deliver a quality maintenance service.
- 2.2 To ensure the systems within the organisation provide support staff in delivering a quality maintenance service.

### **3.0 RESPONSIBILITY**

- 3.1 Performance monitoring and review of all contracts.
- 3.2 Chair exceptional contract performance review meetings.
- 3.3 Review contract review team findings.
- 3.4 To provide recommendations on contract termination.
- 3.5 To provide the decision to terminate contracts, and provide reasons for termination.
- 3.6 Chair the Strategic Core Group and agree changes to the Contract where appropriate and liaise with the Contractors to foster innovation and continuous improvement in service delivery.

### **4.0 ESCALATION AND TERMINATION**

Director of Landlord Services/Director of Asset Management will:

- 4.1 Ensure the goods/works/services provided comply fully with the NIHE requirements as laid down in the contract specification and the Terms and Conditions of Contract
- 4.2 Carry out their Role within Contract as the Senior Responsible Officer
- 4.3 Ensure that the response maintenance contracts meet the organisation objectives and deliver a quality maintenance service
- 4.4 Ensure that systems within the organisation support staff in delivering a quality maintenance service.
- 4.5 Proceed to seek approval for terminating the contract as the SRO where the review panel recommends this course of action, in accordance with the Employer's relevant corporate governance procedures and standing orders. If approved, the Contractor will be notified, in accordance with the contract, that the Employer is terminating the contract.
- 4.6 Provide recommendations on contract termination
- 4.7 Provide the reasons for termination and report to NIHE seeking approval for contract termination.



## ***D: SUPPORT***

### **CONTRACT MANAGER**

#### **1.0 ROLE WITHIN CONTRACT – CONTRACT ADMINISTRATION**

- 1.1 Act as contractual advisor to the Regional Manager/ Area Manager/Area Maintenance Manager, and act as a single point of contact for all advice relating to the Contract Lot.
- 1.2 Ensure formal reporting arrangements and communication channels within the Contract Lot area are followed.
- 1.3 Liaise with the area manager, area maintenance manager and contractor on contractual matters, ensuring timely review and approval/reconciliation of variations.
- 1.4 Monitor contract performance and report on business outcomes through the governance structure to senior level.
- 1.5 Monitor costs in relation to spend and recovery of monies reporting same through the governance structure to senior level.
- 1.6 Act as a single point of contact for all formal and legal correspondence relating to the Contract Lot
- 1.7 Manage contract registers with regard to early warnings and Compensation events, damages and Risk.

#### **2.0 RESPONSIBILITY**

- 2.1 Review and agree contractor Remedial Improvement Plans with AM/AMMs/RM
- 2.2 Identify non-compliance issues and risks
- 2.3 Deal with non-compliance as appropriate ensuring escalation to relevant Manager where required.
- 2.4 Ensure that contract documentation is up to date and understood by both parties.
- 2.5 Monitor performance through data collection from the Areas and formulate monthly KPI scores.
- 2.6 Work with the Area Maintenance Managers within each Contract Lot area to produce timely and accurate Contract Performance Notices to be issued to Contractor.
- 2.7 Manage the dispute resolution process and unresolved issues.
- 2.8 Provide regular reports to stakeholders outlining performance in the delivery of works.
- 2.9 Provide Assistant Director of Central Programme Delivery with Contract updates reporting through the Core Group.
- 2.10 Ensure NIHE complies with its contractual obligations and any non-compliance is identified, corrected and recorded in the minutes of the Monthly Review Meeting.
- 2.11 Ensure contractor compliance with delivery, performance and costs





- 2.12 Monitor contract performance and report on business outcomes through the governance structure to senior level.
- 2.13 Monitor contract spend and report on all areas of spend related to the contract through the governance structure to senior level.
- 2.14 Attend meetings with AMM regarding non compliances issues and risks.
- 2.15 Chair Monthly Review meetings and ensure all stakeholders are involved and views considered.
- 2.16 Attend and contribute to Annual Contract review meetings
- 2.17 Attend and contribute to Contract Lot Core Group meetings.
- 2.18 Attend meetings with contractors to resolve disputed orders and discuss queries as necessary.
- 2.19 Inform contractor of the decision whether the compensation event is accepted or rejected.
- 2.20 Maintain a log of all early warnings and compensation events.
- 2.21 Ensure contractor compliance with delivery, performance and costs and help identify and resolve non-compliance issues
- 2.22 Provide advice and assistance to on cases of poor performance and advice on escalation to determination if necessary.
- 2.23 Agree risk management plans with the Area manager.
- 2.24 Maintain a Risk Register for the contract.
- 2.25 Act as contractual advisor to the Assistant Area Manager/Area Maintenance Manager
- 2.26 Advise on escalating contractor failures



## ***CORPORATE PROCUREMENT UNIT***

### ***PRE AND POST CONTRACT AWARD***

#### **1.0 ROLE WITHIN CONTRACT – CONTRACT CONTROL**

- 1.1 To ensure that all contracts entered into are fit for purpose and deliver the needs of the business.
- 1.2 To confirm that Public Contracts Regulations 2015 have been complied with and incorporated as part of the tendering and award procedure for contracts entered into to provide the Service.
- 1.3 Provides advice and guidance on commercial issues, procurement strategies, contractual issues and interpretation of policies and related legislation.

#### **2.0 RESPONSIBILITY**

- 2.1 To liaise with the Client Procurement Team to develop procurement strategies and deliver the process to procure same.
- 2.2 When requested, advise on the contract to ensure that change management does not extend beyond the original procurement and cause a breach of procurement law.
- 2.3 Review contractual terms with Legal Department to ensure that they comply with law to minimise legal and commercial risks and support internal customers in the operational management of the contract for the project lifecycle.
- 2.4 Advise on material changes when requested and identify risks to allow the client to make a decision.
- 2.5 Ensure that Public Contracts Regulations have been complied with and incorporated as part of the tendering and award of contracts to provide the service.
- 2.6 Liaise with internal customers, IT, legal and other functions as necessary to ensure that all commercial, business and legal requirements are covered during the procurement and contract award process.
- 2.7 Deliver contract packages suitable to the needs of the Business for operational delivery.
- 2.8 After contract award, ensure that Contract Documentation is prepared, checked and arrange for Signing/Sealing by all contractors.
- 2.9 Facilitate the Review of the Contract in determining extension to the term of the Contract and when required liaise with the Client Procurement Team to prepare for procuring new services in advance of the end date of this contract
- 2.10 Advise, when asked, if proposed instructions may constitute a material change to, or be outside the remit of, this contract.



- 2.11 During the procurement process, liaise with internal stakeholders, and obtain necessary legal advices, to ensure the contract conditions meet the business case approved for this contract and Central Procurement Directorate guidance.
- 2.12 Collate Lessons learned through the various procurements to inform and more efficient service moving forward.
- 2.13 Facilitate Legal advice where required through internal/external Solicitor.



## ***ASSET MANAGEMENT***

### ***CENTRAL PROJECT DELIVERY TEAM***

#### **1.0 ROLE WITHIN CONTRACT – POLICY AND CENTRAL PERFORMANCE**

- 1.1 Provide advice and guidance on policy and procedures that impact on contract management and ensure compliance and maintain the specification of the contract and establish controls to track variances
- 1.2 Ensure excellent contract performance across financial, quality and service related issues and seek mechanisms for delivering continuous improvement in partnership with contractors and delivery staff.
- 1.3 Provide overall information collation and analysis of Service Delivery to Assistant Director to allow for Benchmarking.

#### **2.0 RESPONSIBILITY**

- 2.1 Provide support to staff interpreting and impact of policy and procedures on Contract management
- 2.2 Issue guidance and advice on policy and procedural changes
- 2.3 Identify training needs and design training packages
- 2.4 Carry out risk analysis of policy and procedures
- 2.5 Provide adhoc reports on cost and contractors performance.
- 2.6 Provide guidance and direction on costs not included in SOR and collate any further requirements within the contract in relation to SORs through a Central Rogue Register, including analysis for decision at Strategic Core Group.
- 2.7 Technical advice on construction related issues.
- 2.8 System support to ensure policy compliance and uniformity of procedure in the use of HMS and system generated reports.
- 2.9 Chair and Hold Contract User Group Meetings.
- 2.10 Establish systems and procedures that will be used during the life of the contract



## **ASSET MANAGEMENT PROGRAMME DELIVERY TEAM-**

### ***CONTRACT CLAIMS***

#### **Pre and Post Contract Award**

##### **1.0 ROLE WITHIN THE CONTRACT**

- 1.1 Monitor Contract Claims
- 1.2 Exercise the employers function for the issuing of notices.
- 1.3 Provide advice and assistance on procurement strategy

##### **2.0 RESPONSIBILITIES**

- 2.1 Provide advice on contract management.
- 2.2 Review early warning/compensation event register on a quarterly basis.
- 2.3 Provide advice on compensation events.
- 2.4 Manage any dispute referred through adjudication, or litigation.
- 2.5 Provide contract management advice to the Core Group and/or Strategic Core Group.
- 2.6 Access legal advice when required in relation to issues raised by the Core Group, the Strategic Core Group, for compensation events, on interpretation of contract terms and other matters as they arise.
- 2.7 Access appointment of experts for Expert Determination when sought by the Strategic Core Group.
- 2.8 Advise on recovery of LSDs, delay damages, and overpayments where these are disputed.
- 2.9 Advise on contract disputes, compensation events, litigation, adjudication, arbitrations, bankruptcies etc. during the life of the project.
- 2.10 Advise the Contract Manager, when requested, in cases of underperformance and where decisions have to be taken in relation to determination.
- 2.11 Monitor and enforce processing of unpaid Negative Value Jobs and Low Performance Damages.
- 2.12 Assist in delivery of contract training.



## ***ASSET MANAGEMENT SUPPORT SERVICES – CLIENT PROCUREMENT – CIVIL ENGINEERING SUPPORT***

### **Pre and Post Contract Award**

#### **1.0 ROLE WITHIN CONTRACT**

- 1.1 Lead in the development of procurement documents from inception to final contract award, while liaising with the business to ensure the documentation provides a fit for purpose contract.
- 1.2 To establish lessons learned from previous working and carry these forward into other Northern Ireland Housing Executive future procurements
- 1.3 Provide technical civil engineering advice, guidance and support.

#### **2.0 RESPONSIBILITIES**

- 2.1 To establish lessons learned from the existing contracts and carry these forward into new contracts.
- 2.2 Provide civil engineering advice, guidance and support.
- 2.3 To develop procurement strategies in cooperation with the Corporate Procurement Unit.
- 2.4 Develop contracts where and when requested, in association with relevant stakeholders.
- 2.5 Provide staff training on contractual procedures and obligations to each individual contract
- 2.6 Review contract performance on an ongoing basis to ensure delivery as per contractual obligations



## ***ASSET MANAGEMENT - COMPLIANCE UNIT***

### **1.0 ROLE WITHIN CONTRACT – ADVICE & GUIDANCE**

- 1.1 To manage Landlord compliance with all statutory and legal obligations that the Northern Ireland Housing Executive (NIHE) as a major landlord has to satisfy to ensure that it provides a safe environment for its employees customers and contractors.
- 1.2 To monitor landlord compliance services and performance being delivered at both central and regional level.

### **2.0 RESPONSIBILITY**

- 2.1 NIHE in recognition of its duties under statutory and legislative requirements towards its employees, tenants, visitors, service users, contractors and members of the public, undertakes to establish a comprehensive and holistic approach to compliance, to ensure that the organisation is resilient, any risks are mitigated and performance is managed effectively.
- 2.2 NIHE also recognises the requirement for a clear focus on policy, process and procedure linked to a performance management system, supported by a robust and accurate database of all assets which will include information on compliance works and servicing carried out to meet legislative landlord functions and or best practice.



## **CORPORATE AUDIT AND ASSURANCE DEPARTMENT**

### **1.0 ROLE WITHIN CONTRACT– ASSURANCE**

- 1.1 To provide an assurance to senior management on the controls in place to manage contractors delivering the All Trade response maintenance contracts

### **2.0 RESPONSIBILITY**

- 2.1 To carry out annual assurance inspection on the effectiveness of the key controls in operation surrounding the maintenance functions.
- 2.2 Ensuring the quality of the contractors work meets the NIHE Standards
- 2.3 Ensuring the accuracy of the contractor's payments is appropriate.
- 2.4 Identified compliance issues in relation to contract management.
- 2.5 Provide a support programme to the operational management to assist to drive improvements in the areas of weakness.





## ***IT/HMS SUPPORT***

### **1.0 ROLE WITHIN CONTRACT – ICT SUPPORT**

- 1.1 Provide an IT system that delivers the required functionality for contract performance and monitoring.
- 1.2 Continue to work with the business and Contractors to develop and deliver technological efficiencies.

### **2.0 RESPONSIBILITY**

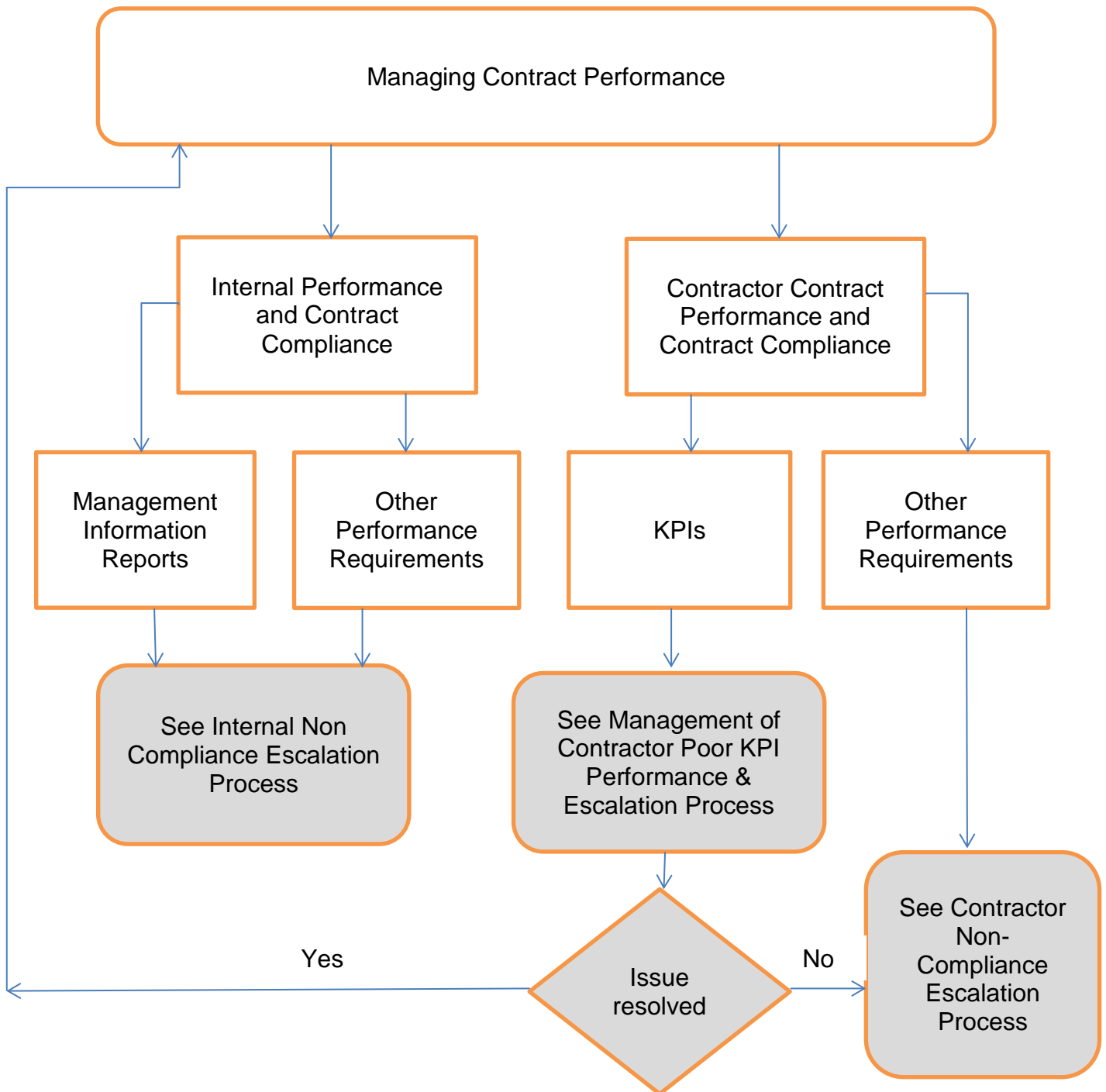
- 2.1 Provide access to HMS system for all stakeholders
- 2.2 Provide BI Reports for contract management and control
- 2.3 Establish contract management or data collection systems or processes
- 2.4 Monitor and manage system availability to the user community
- 2.5 Ensure software upgrades are installed and supported.
- 2.6 Establish systems and procedures that will be used during the life of the contract



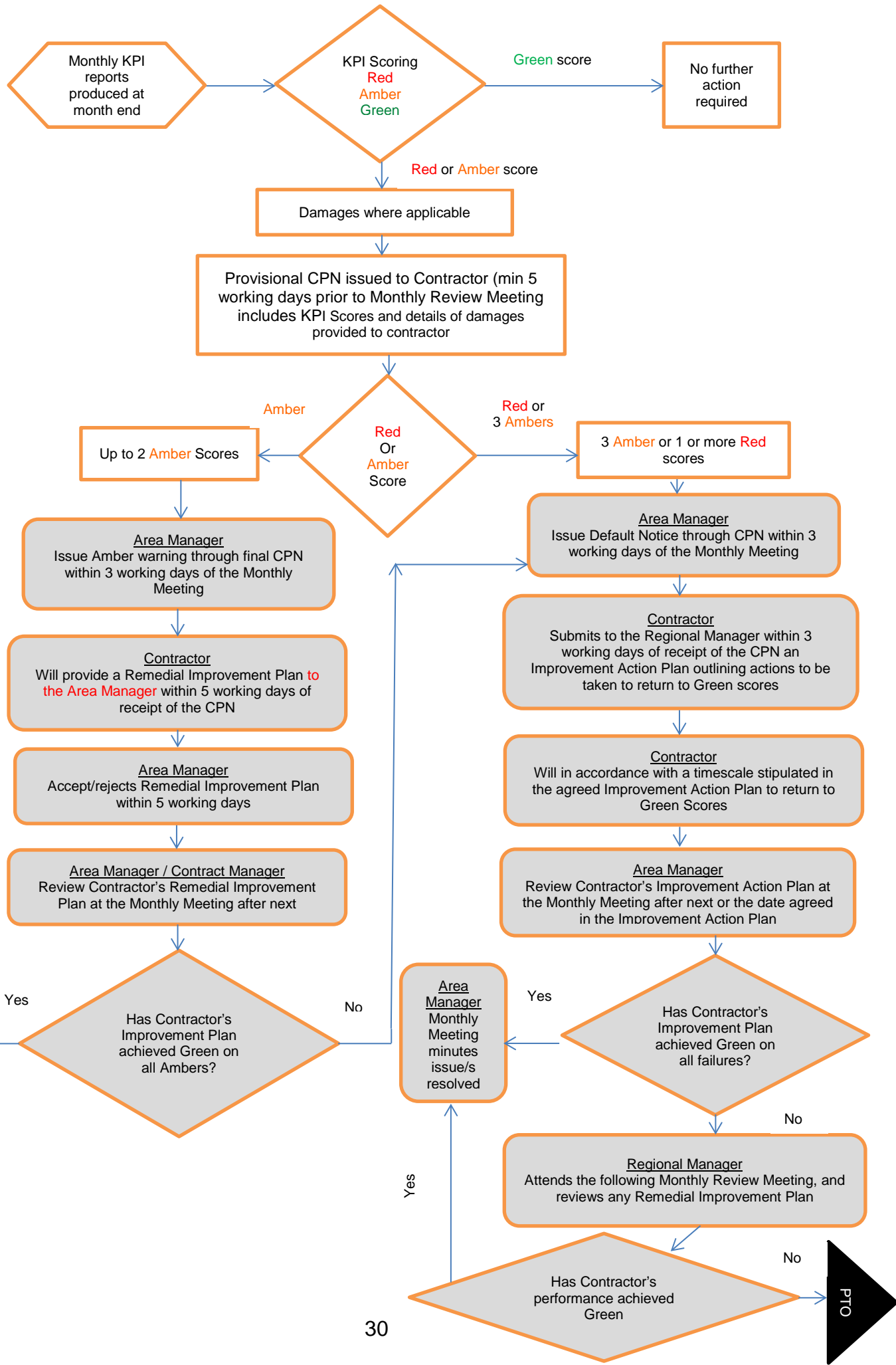
# Appendix 1

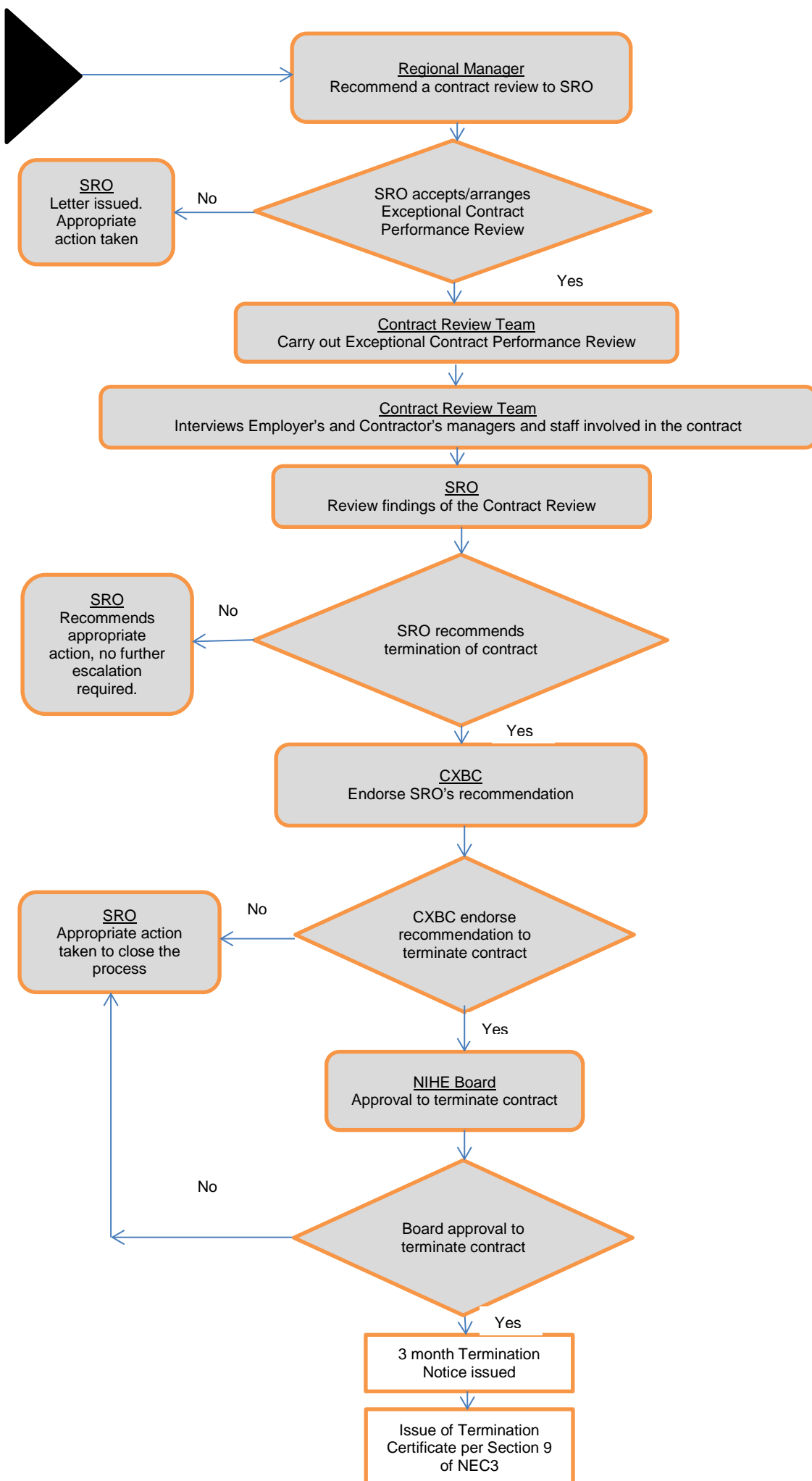
## Performance and Escalation Workflows

## ***MANAGING CONTRACT PERFORMANCE – MACRO LEVEL PROCESSES***



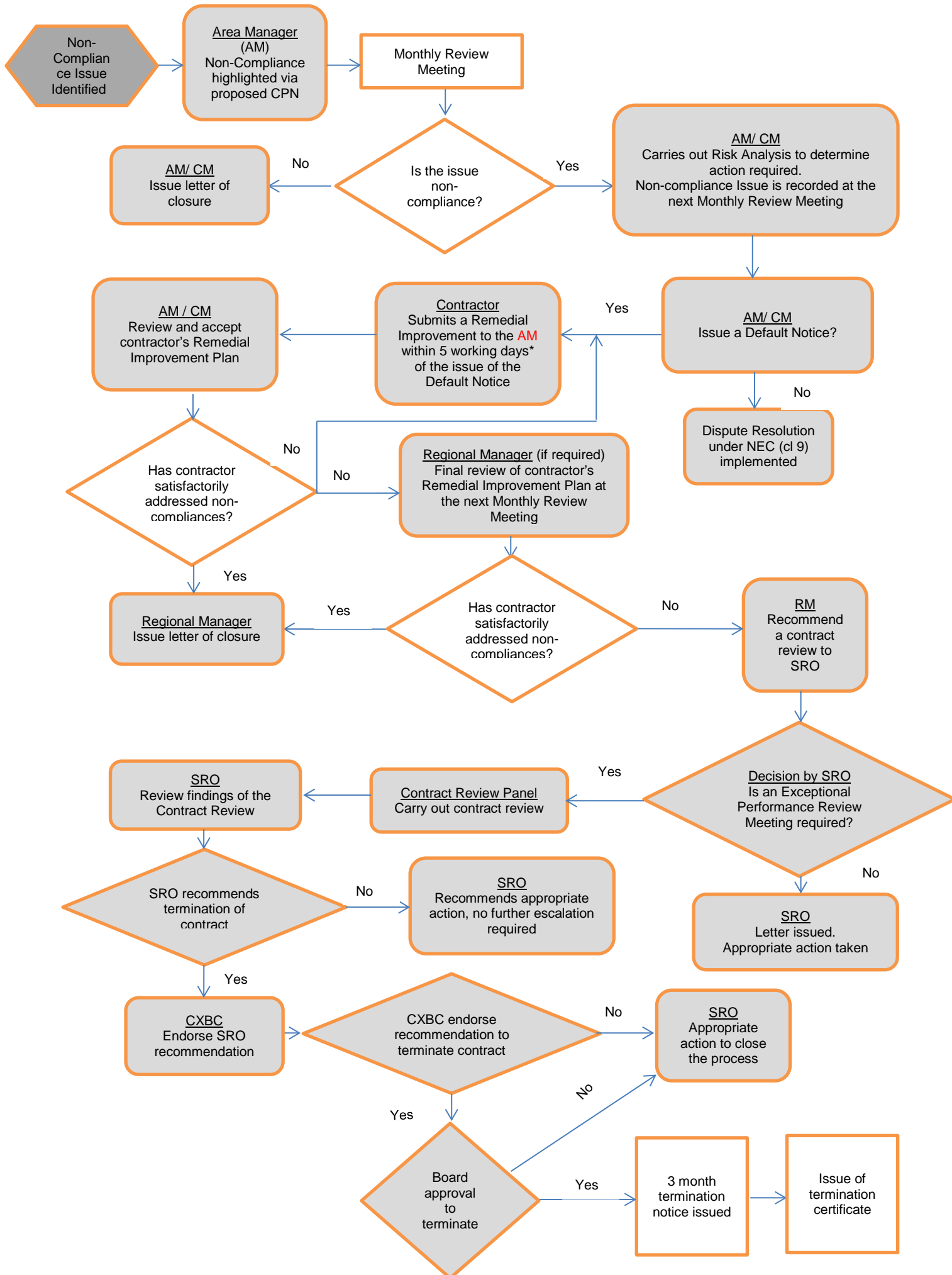
# MANAGING CONTRACT POOR KPI PERFORMANCE AND ESCALATION PROCESSES



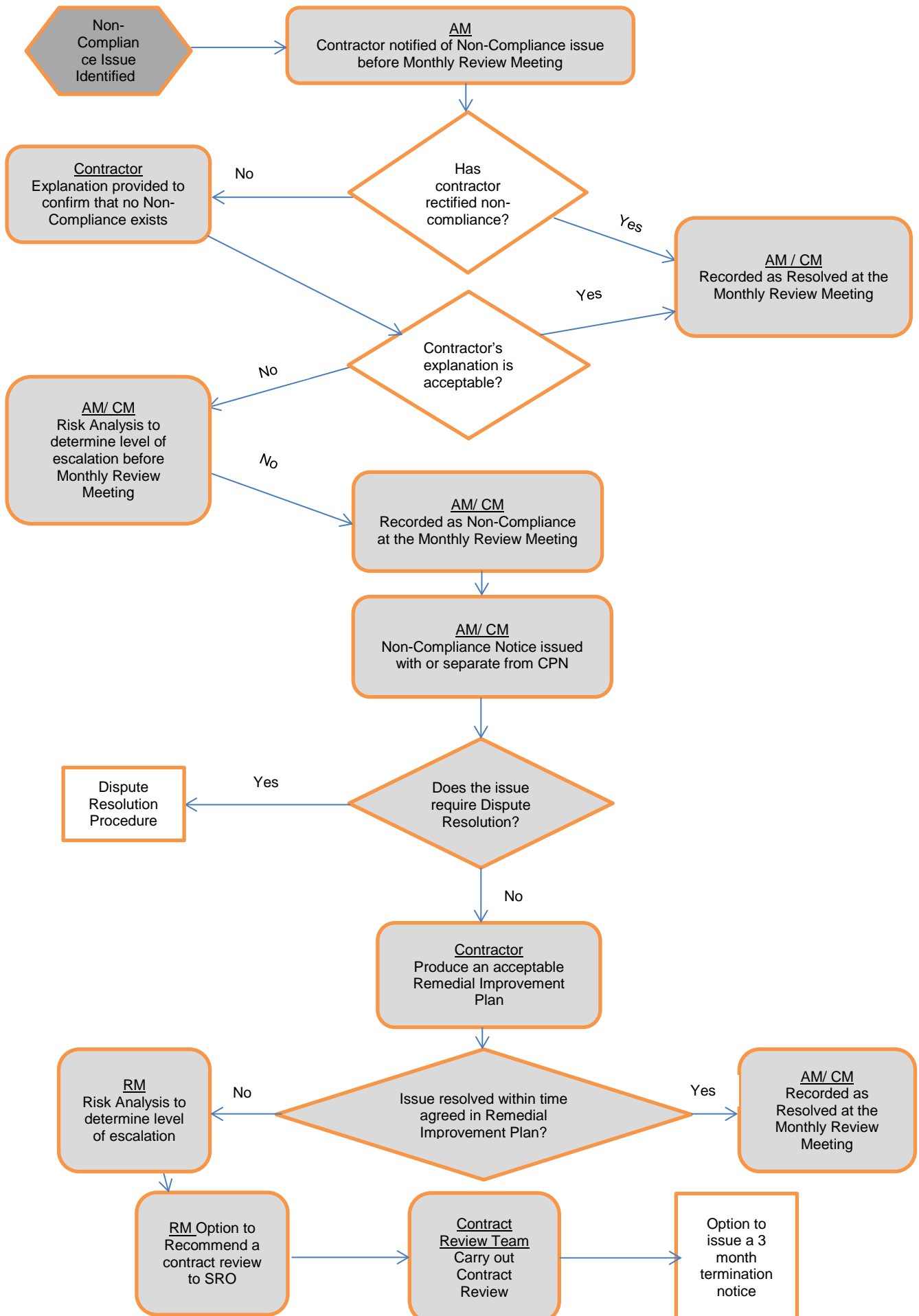


# CONTRACT NON-KPI ESCALATION PROCESSES

*\*or such period as indicated by the Employer*

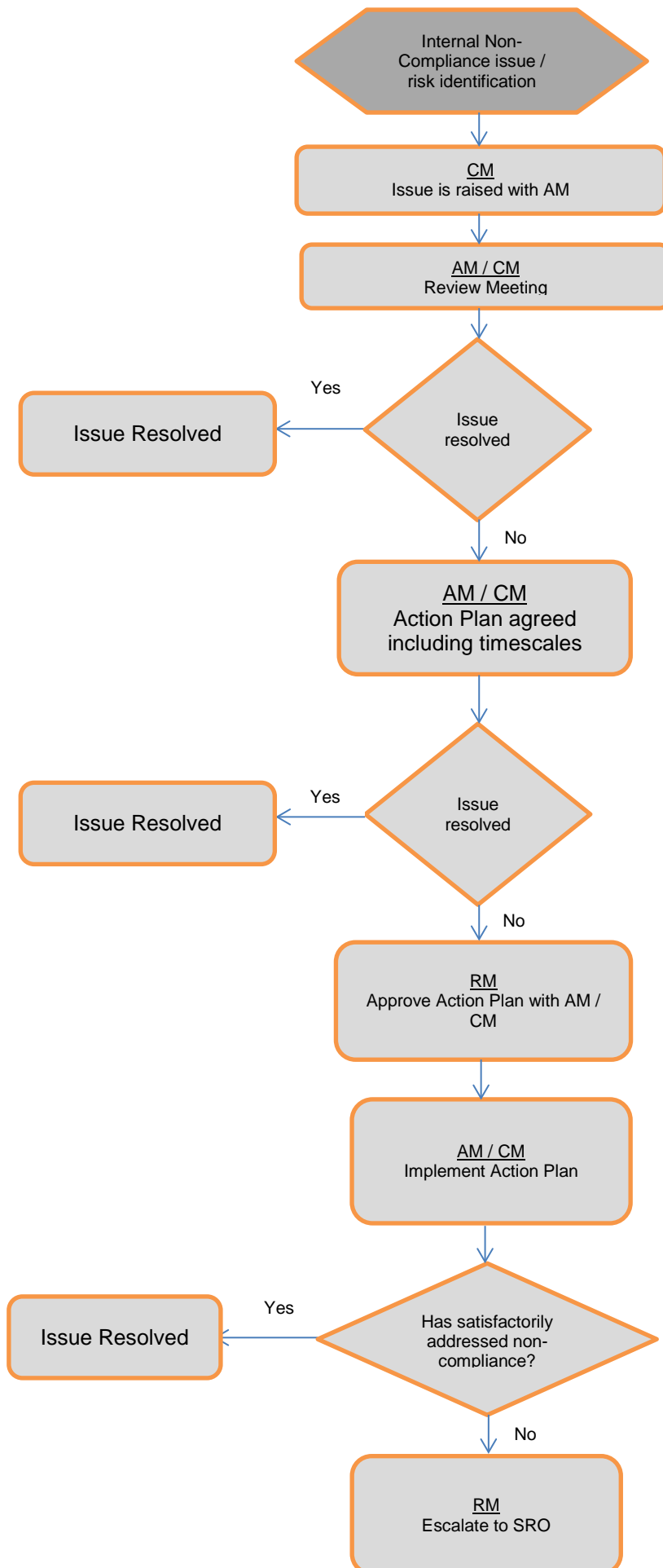


## CONTRACT NON-KPI ESCALATION PROCESSES

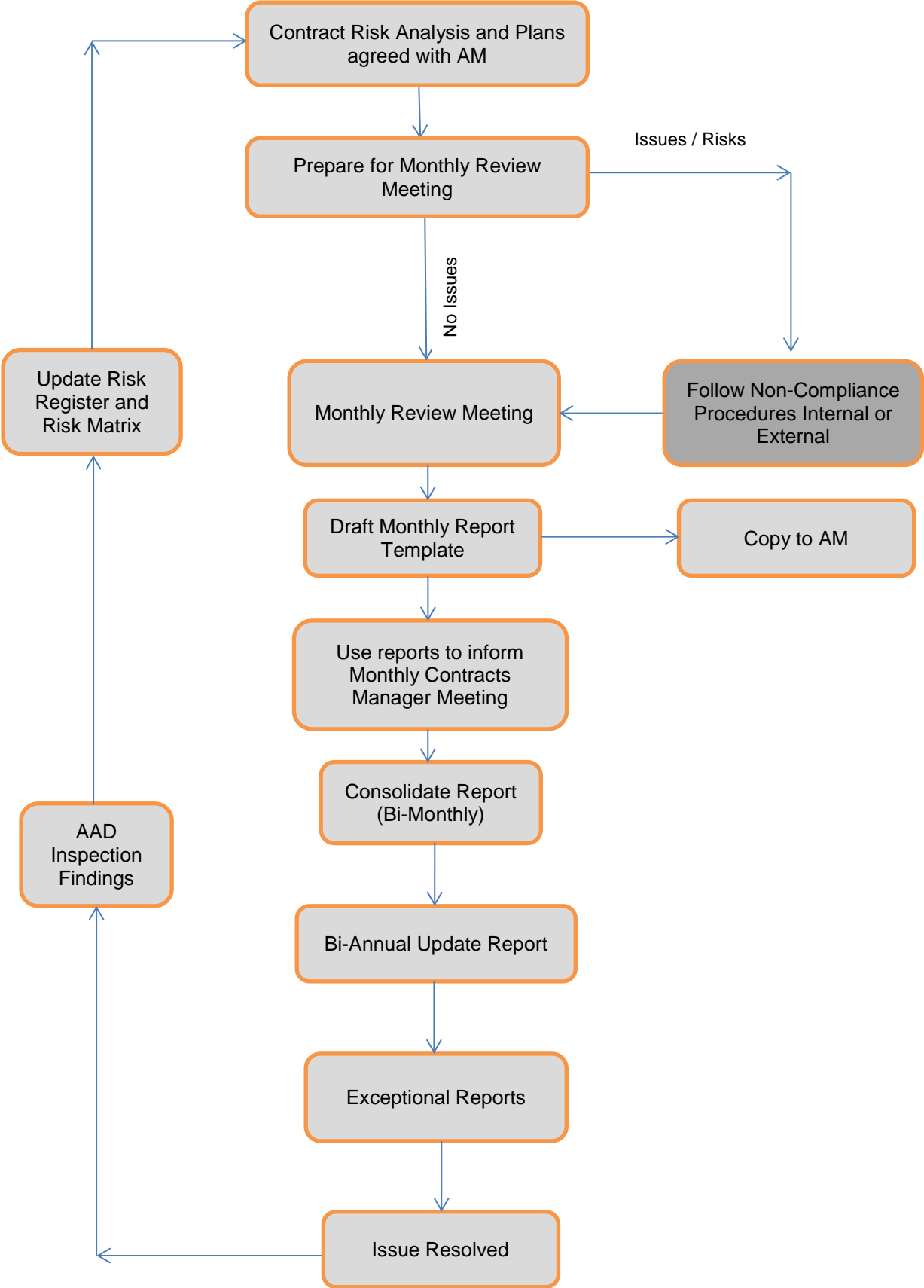




## INTERNAL NON-COMPLIANCE ESCALATION PROCESSES



# CONTRACT COMPLIANCE PROCEDURE



# Appendix 2

## Strategic Core Group

### Terms of Reference

#### Purpose

The Strategic Core Group is a multi-organisation forum with representatives of the Employer and of each Contractor appointed to provide the Service in the regional Contract lots 1-6

The purpose of the Strategic Core Group is to collaborate with Contractors, working to the common aims and objectives of the Employer. The sharing of information in relation to new initiatives and good practice will be a key aim of this group. The following are example of the key aims, that will be reviewed and progressed by this group;

- Innovation / continuous improvement and best practice,
- Investment/resource planning, technology, benchmarking both internal and external, social responsibility
- Social enterprise, collaborative working
- Changes to the contract not dealt with otherwise.
- Approval of any agreed amendments to the contract
- Issues referred from Core Group meetings

#### Term

This Term of Reference is effective from 1/9/2016 and continues until the 1/9/2020(contract review) and will be ongoing until terminated by agreement between the parties.

#### Membership

##### Representatives of the Employer

- Director of Asset Management
- Director of Housing Service
- Assistant Director of Asset Management
- Assistant Director of Housing Service
- Assistant Director of IT. (Optional)

- Regional Managers (3)
- Programme Delivery Manager
- Housing Community Network Representative
- Assistant Director of Procurement (Optional)
- Contract Manager (Optional)

A Representative of each Contractor appointed to provide the Service in the regional Contract Lots 1-6. The Contractor's nominated employee has authority to act for the Contractor.

- Combined Facilities Management
- H&A Mechanical
- CTS Projects
- Engie

## Meetings

It is anticipated that these will meet on a six monthly basis or when need is identified. The meetings will be chaired by the Director of Asset Management or in his absence a nominated member of the employer will chair the meeting. A meeting quorum must have a representative from all contractors.

## Agenda

**Introductions**

**Matters Arising**

**Core Group Issues**

**Proposed Changes to Contract**

**Innovations**

**New initiatives/Good Practices**

**AOB**

**Agreed Action Points/circulation**

Sub – groups may be convened to review issues requiring more detail discussion.

**Proposed changes to Contract (MIS 2016 – 9.14.5)**

The Employer gives 4 weeks' notice of a Strategic Core Group meeting where a change to the contract is proposed. Details of the proposed change will be provided including reasons.

The Contractor replies to the notice within 2 weeks with their written response to the proposed change including any additional constraints or risks they have identified including to what extent the proposed change will impact on costs and time for that contractor in providing the service. Where the Contractor does not reply in time, he may make representation at the meeting in accordance with the Agenda.

The employer circulates each contractor's response unless the Contractor states that it is not to be circulated; Discussions will follow with a view to reaching an agreement on the change; If no agreement is reached either no change is made or the meeting can agree that the Employer will refer the matter for expert determination.

Minutes of meeting will be issued by the Project Delivery Manager within two weeks of the meeting.

# Appendix 3

## Core Group

### Terms of Reference – Core Group

#### Purpose

The Core Group is a forum with representatives of the Employer and the Contractor appointed to provide the Service in the regional Contract Lots 1-6

The purpose of the Core Group is to review overall contract performance. The following are example of the key aims, that will be reviewed and progressed by this group;

- To introduce continuous improvement in the delivery of the contract for the benefit of the Contractor, the Employer and/or Customers of the service
- Social Responsibility
- Discuss issues which have not been resolved at Monthly Review Meeting.
- Make recommendations to the Strategic Core Group, if appropriate.

The Employer will arrange, chair and minute the Core Group meetings. 9.14.7 Core Group meetings may be held outside Normal Working Hours

#### Term

This Term of Reference is effective from 1/9/2016 and continues until the 1/9/2020(contract review) and will be ongoing until terminated by agreement between the parties.

#### Membership

##### Representatives of the Employer

- Regional Managers
- Housing Community Network Representative (optional)
- Contract Manager
- Area Manager(s)
- Area Maintenance Manager(s) (Optional)
- CSU

Representative(s) of Contractor appointed to provide the Service in the regional Contract Lots 1-6. The Contractor's nominated employee has authority to act for the Contractor. From either

- Combined Facilities Management
- H&A Mechanical
- CTS Projects
- Engie
- DLO

## Meetings

It is anticipated that these will meet on a quarterly basis. The meetings will be chaired by the Regional Manager or in his absence a nominated member of the employer will chair the meeting. A meeting quorum must have a representative of 4, RM, AM, CM, and contractors. Meetings may be held outside normal working hours to enable customers to attend.

The NIHE will produce tables of performance to assist the Employer and the Contractor in formulating potential ideas, policies and improvements.

## Agenda

### 1 Present

- a. Welcome & Apologies
- b. Previous Minutes
- c. Matters Arising / Outstanding Actions

### 2. Reports

- a. Area Office Quarterly overview.
- b. CSU Quarterly overview.
- c. Contractor Quarterly overview.
- d. Customer Representative report / feedback

### 3. Performance

- Contract Manager Quarterly report
- Overview of KPI scoring
  - Low performance damages claimed
  - Default notices / instances below MAP
  - Remedial improvement plans (required or progress of)

### 4. Issues

- Issues unresolved from Monthly review meeting
- Non KPI non-compliance(s)
- default notices issued

- Remedial improvement plans (required or progress of)

#### 5. Social Responsibility

- Contractor Social Enterprise scheme.
- Apprentice and Training schemes

#### 6. AOB

Sub – groups may be convened to review issues requiring more detail discussion.

Minutes of meeting will be taken by NIHE and issued by the Contract Manager prior to date of the next meeting.



# Appendix 4

## Progress Meeting

Terms of Reference – **Progress Meeting** Progress meeting 9.14.9

Purpose – see SI 9.14.9 (back page)

This is a forum with representatives of the Employer and the Contractor appointed to provide the Service in the regional Contract lots 1-6

The Performance meeting may be called at any time that the NIHE deemed necessary for successful running of the contract

The Employer will arrange, chair and minute the Performance meetings.

Term

This Term of Reference is effective from 1/9/2016 and continues until the 1/9/2020(contract review) and will be ongoing until terminated by agreement between the parties.

Membership

Representatives of the Employer (OPTIONAL)

- Regional Managers
- Contract Manager
- Area Manager(s)
- Area Maintenance Manager(s) (Optional)
- CENTRAL SUPPORT/IT ETC (Optional)

Representative(s) of Contractor appointed to provide the Service in the regional Contract Lots 1-6 and DLO. The Contractor's nominated employee has authority to act for the Contractor. From either

- Combined Facilities Management
- H&A Mechanical
- CTS Projects
- Engie
- DLO

## Meetings

It is anticipated that these will be called when deemed necessary by NIHE. The meetings will be chaired by the Regional Manager or in his absence a nominated member of the NIHE will chair the meeting. A meeting quorum must have a representative of 4, RM, AM, CM, and contractors.

The NIHE will produce tables of performance to assist the NIHE and the Contractor in formulating potential ideas, policies and improvements.

The Contract Managers retain a Risk Register (Early Warnings and Compensation Events) for each Lot within their remit. The Contract Managers have now adopted a revision to their Performance Meeting agenda and their Contract Managers monthly meetings agenda, so that risk is formally discussed and recorded in minutes. After discussion a decision at these meetings is made to action to

- manage/mitigate,
- review in the next period, or
- escalate immediately to Regional Managers or others as appropriate

## Agenda

**Introductions**

**Matters Arising**

**Purpose of Meeting**

**Performance Review**

**Risk Register**

**New initiatives/Good Practices**

**AOB**

**Agreed Action Points/circulation**

Sub – groups may be convened to review issues requiring more detail discussion.

Minutes of meeting will be taken by NIHE and issued by the Contract Manager within 10 working days of the meeting.

# Appendix 5

## Monthly Review Meetings

### Terms of Reference – Monthly Review Meetings

#### Purpose

The Monthly Review Meetings is a forum with representatives of the Employer and the Contractor appointed to provide the Service in the regional Contract Lots 1-6

The purpose of the Monthly Review Meetings is to review contract performance in the previous month. The following are example of the key aims, that will be reviewed and progressed by this group;

- Performance Review
- KPI performance information from last month
- Outstanding Tasks and delays
- Customer Satisfaction
- Make recommendations to the Core Group, if appropriate.
- Health & Safety compliance
- Compliance with Contracted Social Responsibility
- Risk Register

The NIHE will arrange, chair and minute the meetings

#### Term

This Term of Reference is effective from 1/9/2016 and continues until the 1/9/2020(contract review) and will be ongoing until terminated by agreement between the parties.

#### Membership

##### Representatives of the Employer

- Contract Manager
- Area Manager(s)
- Area Maintenance Manager(s)
- Housing Community Network Representative (optional)
- CSU

Representative(s) of Contractor appointed to provide the Service in the regional Contract Lots 1-6. The Contractor's nominated employee has authority to act for the Contractor. From either

- Combined Facilities Management
- H&A Mechanical
- CTS Projects
- Engie
- DLO

## Meetings

It is anticipated that these will meet on a monthly basis. The meetings will be chaired by the Contracts Manager or in his absence a nominated member of the NIHE will chair the meeting. A meeting quorum must have a representative of, AM(s), CM, AMM(s) and contractors. The NIHE will provide a Contractor Performance Notice (CPN) 5 working days prior to the monthly review meeting as indicated in the KPI Framework Document.

The Contractor is to provide to the Employer all required documentation at least 7 (Seven) calendar days prior to the monthly review meeting.

## Agenda

### Present

- a Welcome & Apologies
- b Previous Minutes
- c Matters Arising / Outstanding Actions

## 2 Reports

- a. Area Office Report
- b. Customer Service Unit (CSU)
- c. Contractors Report

## 3 Service Delivery and Contractor Performance

### Contract Performance Notice

- a. Review previous month and current Remedial Improvement Plans
- b. Issues arising

### Key Performance Indicators Report

- a. This month's KPIs
- b. Remedial Improvement Plans required
- c. Issues arising

#### Contract Compliance

- a. Contractor's Method Statement / Quality Submission
- b. Contract conditions

#### Sustainability - Economic

- 1. Code of Practice for Government Construction Clients
- 2. Fair Payment Charter
- 3. Subcontracts

#### Sustainability - Environmental

- 1. Site Waste Management Plan
- 2. Reuse and Recycled
- 3. Legal Timber compliance

#### Sustainability - Social

- 1. Work Placement and Training Plan
- 2. Opportunities for Unemployed / DEL approved scheme
- 3. Apprentice Employment compliance
- 4. Student Placement compliance
- 5. Training for Success Placements

#### Buildsafe-NI Initiative

Health and Safety

Equal Opportunities

Wildlife

Child Protection

Contractor's Record Management

1. Waste Transfer Documentation
2. Communal Lighting Inspection Records
3. Smoke Alarm Certificates
4. Electrical certificates, ROJC & COT tests
5. Portable Appliance testing
6. Cleaning Internal Communal Areas
7. Asbestos Records

Other matters

- 1 Contractors Post Inspections
  - 2 CDM Requirements
- (N10 & Evidence of RAMS provided to Employer)
- 3 Electrical Qualifications / Sparksafe Registrations
  - 4 CSR Update & Evidencing
  - 5 Staff Listing Update / HMS User changes / AIMS User changes
  - 6 Task orders beyond Completion Date
  - 7 Defects & Recalls
  - 8 Outstanding Confirmation orders

- 9 Outstanding Correspondence
- 10 Customer Complaints
- 11 Financial Status / Budget monitoring

#### Contract Non-Compliance

- a. Identified this month
- b. Remedial Improvement Plans required
- c. Issues arising
- d. Default Notices

#### 4 Contract Performance Notice

- a. Contract Performance Notice for this month
- b. Total value of last four payments
- c. Low Service Damages
- d. Default Notices

#### 5 Risk Register

#### 6 Any Other Business

#### 7 Next Meeting

Sub – groups may be convened to review issues requiring more detail discussion.

Minutes of meeting will be taken by NIHE and issued by the Contract Manager prior to the next meeting.

# Appendix 6

## Annual Performance Meeting

### Terms of Reference – Annual Performance Meeting

#### Purpose

The Annual Performance Meeting is a forum with representatives of the NIHE and the Contractor appointed to provide the Service in the regional Contract lots 1-6

The purpose of the Annual Performance Meeting is to review overall contract performance for the previous year. The following are example of the key aims, that will be reviewed and progressed by this group;

- Performance – Quality of Workmanship/Completion times
- Customer service
- Good Practices

The Employer will arrange, chair and minute the meetings.

#### Term

This Term of Reference is effective from 1/9/2016 and continues until the 1/9/2020(contract review) and will be ongoing until terminated by agreement between the parties.

#### Membership

##### Representatives of the Employer

- Regional Managers
- Housing Community Network Representative (optional)
- Contract Manager
- Area Manager(s)
- Area Maintenance Manager(s) (Optional)

Representative(s) of Contractor appointed to provide the Service in the Regional Contract lots 1-6. The Contractor's nominated employee has authority to act for the Contractor. From either



- Combine Facilities Management
- H&A Mechanical
- CTS Projects
- Engie
- DLO

## Meetings

It is anticipated that these will meet on an annual basis on the anniversary of the contract start date. The meetings will be chaired by the Regional Manager or in his absence a nominated member of the employer will chair the meeting. A meeting quorum must have a representative of 4, RM, AM, CM, and contractors.

The NIHE will produce tables of performance to assist the Employer and the Contractor in formulating potential ideas, policies and improvements.

Agenda	
<b>1.</b>	<ul style="list-style-type: none"> <li>a. Present</li> <li>b. Welcome &amp; Apologies</li> <li>c. Previous Minutes</li> <li>d. Matters Arising / Outstanding Actions</li> </ul>
<b>2.</b>	<b>Reports</b> <ul style="list-style-type: none"> <li>a. Area Office Annual overview</li> <li>b. CSU Annual overview</li> <li>c. Contractor Annual overview</li> <li>d. Customer Representative report / feedback</li> </ul>
<b>3.</b>	<b>Performance - Contract Manager Annual report</b> <ul style="list-style-type: none"> <li>a. Overview of KPI scoring</li> <li>b. Low performance damages claimed</li> <li>c. Default notices / instances below MAP</li> <li>d. Remedial improvement plans (required or progress of)</li> <li>e. Completion of Task Orders within completion date KPI 3, 4 &amp; 5.</li> <li>f. Minimising numbers of broken appointments KPI 9.</li> <li>g. Accuracy of financial information from contractor KPI 2 Cost.</li> <li>h. Maximising the quality of workmanship &amp; materials.</li> <li>i. Minimising the number of recalls. KPI 8</li> <li>j. Minimising number of complaints</li> </ul>
<b>4.</b>	<b>Issues</b> <ul style="list-style-type: none"> <li>a. Issues unresolved from Monthly review meeting</li> <li>b. Non KPI non compliance(s)</li> <li>c. Default notices issued</li> <li>d. Remedial improvement plans (required or progress of)</li> </ul>

<b>5.</b>	<b>Social Responsibility</b> a. Contractor Social Enterprise scheme. b. Apprentice and Training schemes (Appendix 4).
<b>6.</b>	<b>AOB</b>
<b>7.</b>	<b>Next Meeting</b>