

THE GRENFELL TOWER INQUIRY

POSITION STATEMENT MADE ON BEHALF OF

J S WRIGHT & CO. LIMITED

1. J S Wright & Co. Limited (“JSW”) was designated as a Core Participant in the Grenfell Tower Inquiry on 25th July 2018.
2. By letter dated 3rd August 2018, the Solicitor to the Inquiry asked JSW to provide a Position Statement by 31st August 2018.
3. This Position Statement has been approved by Mr Phillip Leech, JSW’s National Contracts Director.
4. As JSW has not made an Opening Statement, it would like to take this opportunity to offer its sincerest condolences to the families and friends of those who passed away as a result of the fire at Grenfell Tower. It would also offer its deepest sympathy to everyone affected by the tragic events of 14th June 2017.
5. In this Position Statement, JSW will briefly outline the work it was engaged to perform as part of the Grenfell Tower refurbishment and set out how this was carried out and by whom. Further detailed information will be provided in witness statements which JSW will serve on the Inquiry.
6. JSW is a mechanical, public health and electrical building services contractor. Its registered office is Atlas Building, 16 Portland, Street, Birmingham, Birmingham, West Midlands, B6 5RX (company number 00309551).
7. JSW was not involved in the work to the cladding or the external envelope of Grenfell Tower.

JSW’s engagement in the refurbishment of Grenfell Tower

8. Following an open tender process, Rydon Maintenance Limited (“Rydon”) appointed JSW as sub-contractor to perform mechanical and electrical installations (“M&E

installations”/”M&E” works) as part of the overall Grenfell Tower refurbishment project.

9. As is not uncommon in the construction industry, there is no single signed document which forms the sole basis of the contractual arrangements between Rydon and JSW. Instead the specifications for works and the terms, including price, were based on a series of communications between those parties.
10. The following briefly sets out some of those communications.
11. In December 2013, Rydon approached JSW inviting it to submit a quotation for M&E works on the proposed refurbishment of Grenfell Tower and on 30th January 2014, JSW (Paul Stanley) submitted the quotation to Rydon (Mr F Smith).
12. Following further communications between Rydon and JSW, Rydon sent a “Letter of Intent” dated 25th July 2014 to JSW. This confirms Rydon’s intention to appoint JSW as the Mechanical and Electrical Sub-Contractor. That letter along with the various appendices attached to the letter were to amount to “the Contract” between Rydon and JSW. This is exhibited as “Exhibit JSW1”.
13. There followed further communications between Rydon and JSW about the nature and extent of the works, again this is not uncommon.
14. By letter dated 3rd October 2014 JSW wrote to Rydon in connection with its Letter of Intent dated 25th July 2014 and clarifying certain outstanding issues. This is exhibited as “Exhibit JSW2”.
15. The refurbishment works for which JSW was responsible (“the M&E installations”) were carried out at Grenfell Tower between 6th October 2014 and 18th July 2016.
16. On 18th July 2016, JSW wrote a ‘Practical Completion’ letter to Rydon. This is exhibited as “Exhibit JSW3”.
17. The Practical Completion letter stated: “Please note that the responsibility for the correct operation of each system and all equipment maintenance regimes, fully in accordance with the manufacturer’s requirements, for all the mechanical equipment installed under this contract rests with the development owners, from the above date.”

18. After 18th July 2016, JSW was not responsible for any regular testing and/or maintenance of the M&E equipment. This was the responsibility of the “development owners” namely Kensington and Chelsea Tenancy Management Organisation (KCTMO).
19. From 18th July 2016, JSW was only responsible for reactively responding to defects raised within the appropriate twelve-month defects liability periods which commenced on:
 1. 21st September 2015 and ended at midnight on 20th September 2016 in respect of the new boiler system; and
 2. 19th December 2015 and ended at midnight on 18th December 2016 in respect of works to the existing apartments; and
 3. 18th July 2016 and was due to have ended at midnight on 17th July 2017 in respect of the remaining elements of the M&E works.
20. JSW was notified of a number of defects during the appropriate time periods which were attended to.

Undertaking the work in respect of the M&E installations

21. The specifications for the M&E installations together with the Employer’s Requirements were provided to J S Wright by Rydon.
22. As is normal in the construction industry, JSW appointed experienced, specialist and competent sub-sub-contractors (SSCs) to undertake the majority of the M&E installation.
23. The slight exception to this was PSB UK Limited. PSB had been involved for some time with Max Fordham in connection with the design of the AOV system and JSW continued with PSB as its specialist SSC for that element of the M&E installation.

24. Some of the M&E work was carried out by JSW's own employees. This included fitting the kitchen extract fans, installing the pipework for the distribution of water from the basement up the central core of the Tower and then on each floor into the residential flats. Any holes in walls and other structures were fire stopped by specialist contractors appointed by Rydon.
25. In addition to having its own direct labour on site, JSW had a foreman on site throughout the period of the M&E installation. Other JSW staff would attend site as required for inspections, meeting and demonstrations of the performance of the various elements of the work.
26. For each element of the M&E installation, JSW provided the specialist SSC with a sub-contract works order and sub-contract Particular Conditions. The works orders were subject to variation orders during the course of the work on site to reflect changes or additions to the work.
27. The elements of the M&E installations relevant to the Inquiry's List of Issues, and some which are included for completeness, and the organisations responsible for performing the work are as follows.

The dry rising main

29. JSW was engaged to undertake minor works to the existing dry riser from level four upwards and to extend the existing dry riser from level four to the ground floor.
30. The scope of the work was set out in a specification document prepared by Max Fordham which stated that the existing dry riser should essentially remain unaltered subject to the modifications set out. This is exhibited as "Exhibit JSW4".
31. Works to the dry riser and all testing, commissioning and certification was carried out by the specialist SSC, Argus Fire Protection Co. Limited (Argus).
32. JSW issued a works order dated 29th June 2015 to Argus to carry out dry fire riser alterations to the existing riser along with sub-sub-contractor Particular Conditions. This is exhibited as "Exhibit JSW5".

33. The JSW works order and Particular Conditions prescribed that Argus would be responsible for, “the design and production of working drawings” and for “testing and certification”.
34. Thereafter, JSW issued a variation works order dated 24th February 2016 to Argus in respect of for additional work to extend the dry riser from level four to ground floor level and, among other things, “test and certify to relevant regulations”. This is exhibited as “Exhibit JSW6”.
35. The works meant that the dry riser would be out of action for a short while. This was communicated to LFB and fire officers visited the site to discuss the operational arrangements in case a fire occurred during the time that the dry riser was out of action. Contingency arrangements were put in place. This is exhibited as “Exhibit JSW7”.
36. Following completion of works to the dry rising main, it was subject to testing by Argus. A Pressure Test Certificate dated 23rd February 2016 was issued indicating that the test was successfully undertaken. It was signed on behalf of Argus and Rydon. This is exhibited as “Exhibit JSW8”.
37. Having regard to the evidence already submitted to the Inquiry, JSW understands that the dry rising main (inlet and outlet valves) functioned as required and the firefighters were able to use the dry rising main to pump water into Grenfell Tower and charge hoses on the third and fourth floor in order to fight the initial fire in flat 16.
38. JSW notes that one issue raised within the evidence already submitted to the Inquiry relates to whether, due to the height of Grenfell Tower, it should be upgraded by the installation of a wet riser rather than retain the existing dry riser.
39. This issue was raised by JSW in the form of a Request for Information submitted to Rydon in August 2014. RKBC Building Control Department subsequently advised that a wet riser was not necessary. These are exhibited as “Exhibit JSW9” and “Exhibit JSW10” respectively.
40. During the course of the refurbishment, the dry riser inlet breeching valve was moved to the south elevation and this was approved by Max Fordham subject to the final

position allowing access for fire appliances, which it was. This is exhibited as “Exhibit JSW11”.

The AOV system

41. The following SSCs were involved in works to the Automatic Opening Vent (AOV) system:

1. PSB UK Limited – as described above they designed the AOV system.

JSW issued works order (PL/28568/9497) dated 20th May 2015 for the design of the AOV system (exhibited as “Exhibit JSW12”) and three later variations to the main order.

2. SA Ventilation – was only involved in the removal of the old AOV dampers;
3. Croydon Ductwork Limited – installed some of the new AOV dampers (works order dated 6th July 2015) and supplied and fixed basement extract and gym extract ductwork (variation order dated 21st August 2015);
4. Parkerr Ductwork – stripped out and replaced some of the dampers on the floors and supplied and installed ductwork to the walkway level (works order dated 2 December 2015 and variation order dated 26 July 2016);
5. R J Electrics Limited – provision of primary and secondary electrical supply and related electrical work to include design, co-ordination, supply installation and testing of the electrical system, and the wiring up AOV system designed by PSB (works orders dated 8th December 2014 and 2nd December 2015); and
6. Direct Control Systems Limited – works to the control panel BMS and wiring to all new basement plant as part of Grenfell Tower’s integrated fire safety system (works order 9th June 2015).

42. The AOV system was designed by PSB having regard to the physical confines of Grenfell Tower and the relevant standards and guidance, and was designed in accordance with specifications provided by Max Fordham and signed off by RBKC Building Control Department. The final version of the PSB Technical Submission for Lobby Smoke Control was Rev 6 dated 15th March 2016.

43. The AOV system had two operational modes:
- 1) Environmental mode; and
 - 2) Smoke control mode
45. The AOV system incorporated a series of dampers which were open or closed depending on the mode of operation.
46. The following explains how the system was designed to operate.
47. In environmental mode, the dampers were pre-set to open or close at specified temperatures.
48. If smoke was detected, the system would override the environmental settings and automatically go into smoke control mode.
49. The operation of the AOV in smoke control mode automatically sends a signal to the control panel which formed part of the Building Management System which drops out the safety elements of the BMS system and triggers the following sequence of events:
- 1) The fans begin to operate; and
 - 2) Simultaneously, all dampers close or remain closed (depending on their position while the system was operating in environmental mode) and the dampers on the floor where smoke has been detected open. In smoke control mode, the AOV system is intended to only have dampers open on the floor where smoke has been detected; and
 - 3) The entire gas supply to the building is cut off by the signal from the BMS panel which in turn drops the existing gas solenoid valve to the site; and
 - 4) An automated emergency message is sent to the off-site remote monitoring company, Tunstall, to inform them of the presence of fire at Grenfell Tower. Tunstall would then contact the appropriate emergency services.
50. All aspects of the M&E installation post Practical Completion should have been the subject of regular maintenance and testing by or on behalf of KCTMO. As referred to

in paragraph 16 of its Opening Statement, PSB states that testing and commissioning took place between February 2016 and April 2016 and PSB provided commissioning reports during that period. The system was finally “signed off” by PSB in a commissioning report dated 28th April 2016 which concluded; “All systems are operating according to design”. This is exhibited as “Exhibit JSW12”.

51. PSB provided a signed Completion Certificate dated 3rd May 2016 in relation to the smoke control system which states that the system has been mechanically and electrically tested and is fully operational in line with the agreed design. This is exhibited as “Exhibit JSW13”.

Gas works

52. JSW was contracted to provide a new gas connection in the basement of Grenfell Tower. As prescribed by the Max Fordham specification, the scope of the works was limited to providing a new connection from the existing gas system to serve the new boiler plant. This is exhibited as “Exhibit JSW14”.
53. The work was set out on a JSW works order dated 30th March 2015 JSW’s SSC, JMC Mechanical Services Limited (JMC). This was subject to sub-sub-contractor Particular Conditions and a variation works order dated 5th May 2015.
54. The work was tested by JMC and a test certificate dated 29th July 2015 was issued by JMC to JSW. This is exhibited as “Exhibit JSW15”.
55. JSW was also engaged to install a flue system serving the three new gas boilers in the basement of Grenfell Tower. This work was undertaken by Midtherm Engineering Limited.
56. JSW was not engaged in the installation of any works relating to the supply of gas to flats in Grenfell Tower. JSW understands that this was undertaken by Cadent Gas Limited after JSW had finished its work on the Tower.

Kitchen window extract fans

57. Max Fordham provided the base specification for the kitchen window extract fans, JSW submitted a technical submission for the fans to Rydon and Max Fordham for approval. On receipt of approval JSW obtained them from Fans Direct (NUAIRE) as prescribed in the JSW works order dated 11th May 2015. This is exhibited as “Exhibit JSW16”.
58. The fans are comprised of a unit which effectively clips together on the inside and outside of the window itself. The fans were installed by JSW direct labour operatives. They do not penetrate or connect to the cladding directly, only onto the fan plate issued to the cladding contractor and fitted to the panel by them.
59. The fans were wired up by R J Electrics Limited (“RJE”) and they provided the appropriate electrical installation certificates for this work.

Other M&E installation work undertaken inside Grenfell Tower

60. JSW direct operatives installed heating and boosted cold water pipework running from the basement up the central core of Grenfell Tower which branched off at each floor to provide heating and cold water supply to individual flats.
61. This pipework was connected to a Heat Interface Unit (“HIU”) within the flats. The HIU wiring was installed by RJE and they provided the appropriate electrical installation certificates for this work.
62. The holes above flat entrance doors through which the pipework passed were provided by others. All holes were fire stopped by a specialist contractor engaged by Rydon.
63. In addition the electrical works to the AOV system RJE also undertook works on the existing apartments limited to the wiring of the new window fans and HIU units. RJE undertook substantial electrical works to the new flats within Grenfell Tower and to the day nursery, boxing club, community centre, main entrance lobby and lift lobbies. RJE provided the appropriate electrical installation certificates for all work.
64. This work included emergency lighting, the door entry system and the installation of CCTV.
65. The smoke heads in the communal lobbies were installed by RJE.

Summary

66. As with all JSW projects technical submissions were made for specified and non-specified plant for approval by the Design team.
67. As the sub-contractor for the M&E installations, JSW was provided with the specifications for the equipment to be used in this part of the refurbishment of Grenfell Tower.
68. JSW selected specialist and experienced sub-sub-contractors to undertake the M&E installations. The SSC's were responsible for carrying out works in accordance with the specifications and for undertaking testing, commissioning and certification, which they did.
69. JSW, or its sub-sub-contractors, undertook the works within the M&E installation in accordance with specifications and all work was fully tested, commissioned and certified and shown to be working in accordance with those specifications and with legislative, guidance and standards requirements.

Browne Jacobson

Solicitors for J S Wright & Co. Limited

31st August 2018