

Request for Evidence under Rule 9 of the Inquiry Rules 2006

Witness Statement of Mij Rahman (Previous Employee of LHC).

General

1. Please give details of your role and responsibilities at London Housing Consortium ("LHC").

1.1 My employment with LHC covered various roles between November 2005 until May 2017, and I provide the details of these roles and responsibilities as requested.

1.2 November 2005 – April 2010, Business Development Manager

Responsible for developing new business and maintaining existing within the East London and South East England territory, identifying clients and providing framework information for public authorities to carry out compliant call-offs.

April 2010 – April 2013, Project Delivery Manager

Responsible Nationally on selected projects to oversee project delivery performance, specifically on complex contracts, and to ensure service levels were maintained as agreed by those successful contractors appointed by the contracting authorities.

April 2013 – May 2017, Divisional Manager

Responsible for all business activities in London and South, facilitating client engagement activities thorough a team seeking to identify and provide information to contracting authorities in order to compliantly conduct their own call-offs from EU tendered frameworks.

2. In relation to doors sold as FD30 or FD30S and the British and European standards that relate to them please give details:

a. of your expertise or knowledge; and

2.2 Expertise and knowledge is principally around basic functionality of all products provided including FD's and their service capabilities.

b. of any training or information you were provided with by LHC.

2.3 Any training provided was by the appointed companies and principally around the company's manufacturing/operational capabilities and operational characteristics of their products including FD's.

3. In relation to the period preceding 2012;

a. please give details of the services offered by LHC;

3.1 Develop framework agreements in accordance with the Public Contract Regulations, providing contracting authorities a compliant procurement route, and providing access to suppliers, where the contracting authorities can satisfy themselves and call-off with their own specific requirements.

b. please give details of how a supplier became an LHC appointed company;

3.2 This would be based on the qualifying criteria's (quality/cost) established for the relevant EU tender exercise for the open market and where companies are invited to submit bids. Following evaluation criteria, successful firms appointed can be engaged by contracting authorities to respond according to their specific requirements.

c. please give details of checks carried out by LHC to ensure that any testing or accreditation relied upon by an appointed company were up-to-date and related to the products to be supplied; and

3.3 All check would be carried out at procurement stage in accordance with any standards in force at the time of procurement. Any changes to an appointed companies accreditation status is the responsibility of the appointed company to inform all relevant parties. Any post-framework appointment call-off, requires the contracting authority to ensure that any selected firm/s meet the authorities requirements, and executes a contract accordingly and directly with the appointed company.

d. please give details of the procurement process(es) that LHC offered.

3.4 LHC did not offer a procurement process, but provided access to pre-tendered frameworks, where the contracting authority conducted their own process, via their own medium (email, formal document, portal etc.). Contracting authorities were free to decide on either a mini-tender with all appointed contractors or conduct a direct award call of with the 1st (price, quality or overall VFM) placed firm under the framework, with contracting authorities specific T&C's, employers requirements and general contract particulars.

4. LHC states, on its website, that its suppliers "procure high quality products". In the period preceding 2012, please give details of how LHC ensured that appointed companies:

a. procured, and continue to procure, high quality products;

4.1 This is the responsibility of the appointed companies and those appointed in maintaining that which was offered at the time of framework tender evaluation/appointment. Any changes to standards or offerings had to be notified to the LHC by the appointed companies and contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

b. had carried out relevant and up-to-date testing of their products; and

4.2 This is the responsibility of the appointed companies and those appointed in maintaining that which was offered at the time of framework tender evaluation/appointment. Any changes to standards or offerings had to be notified to the LHC by the appointed companies and contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

c. had certification that continued to relate to products supplied.

4.3 This is the responsibility of the appointed companies and those appointed in maintaining that which was offered at the time of framework tender evaluation/appointment. Any changes to standards or offerings had to be notified to the LHC by the appointed companies and contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

5. In relation to the period preceding 2012:

a. please give details of research carried out by LHC into FD30 and FD30S doors supplied by its appointed companies;

5.1 This would have been carried out by the Technical Managers, and I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

b. please summarise the steps LHC took to ensure that the FD30 doors it promoted complied with the relevant British and European standards; and

5.2 This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

c. please indicate whether LHC appointed companies supplied FD30S doors

through its Framework Agreements. If so, please give details of how LHC ensured that the FD30S doors procured though it complied with the relevant British and European standards.

Manse Masterdor Limited ("Manse Masterdor")

5.3 Yes. This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time along with costs. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

6. In the period preceding 2012:

a. was Manse Masterdor a company listed as an appointed supplier of entrance doorsets? If so, please describe how Manse Masterdor were assessed by LHC;

6.1 Yes. This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time along with costs. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

i. as being suitable to become an appointed supplier; and

6.2 This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time along with costs. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

ii. as remaining suitable to be an appointed supplier.

6.3 Appointed firms remained suitable unless removed from framework due to poor project delivery performance or LHC informed of any contractual/framework breaches.

b. were Manse Masterdor FD30 doors listed in the LHC "Framework Agreement Guide"? If so, please describe how they were assessed as meeting the relevant fire safety British or European standards for such doors; and

6.4 Yes. This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time along with costs. However,

contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

c. were Manse Masterdor FD30S doors were available for procurement via LHC? If so, describe how they were assessed as meeting the relevant fire safety British or European standards for such doors.

6.5 Yes. This would have been carried out by the Technical Managers at the time of procurement with the standards in force. I not aware of the detail, or level of research over and above quality and services provisions that were in force at the time along with costs. However, contracting authorities are required to satisfy themselves on the fitness for purpose with the products being offered.

7. Please give details of any feedback or complaints given in relation to FD30 or FD30S doors supplied by Manse Masterdor under LHC Framework Agreements, including those relating to self-closing devices.

7.1 None, to the best of my knowledge

***8. Please give details of any claims made under warranty in relation to FD30 or FD30S supplied by Manse Masterdor under LHC Framework Agreements.
Kensington and Chelsea Tenant Management Organisation ("KCTMO")***

8.1 I am not aware of any claims

9. In 2010 LHC was involved in the procurement for the supply and installation of doors in properties managed by KCTMO and Manse Masterdor ("the Contract"). In relation to the procurement of the Contract, please give details of:

a. the procurement process that was followed;

9.1 I am not aware of this

b. the role of LHC in the procurement process;

9.2 I am not aware of this

c. how the supplier was selected;

9.3 I am not aware of this

d. any advice given or representations made to KCTMO by LHC relating to the suitability of the doors;

9.4 I am not aware of any

e. any discussions relating to the fire and smoke resisting qualities of the doors;

9.5 I am not aware of any

f. any discussions relating to the type or quality of the self-closing devices; and

9.6 I am not aware of any

g. any reasons given by KCTMO for choosing Manse Masterdor;

9.7 I am not aware of any

10. In relation to the fulfilment of the Contract, please give details of:

a. the role of LHC;

10.1 Not aware of any for KCTMO, but general service is to provide advice only in terms of compliant procurement under calling-off from pre-tendered frameworks

b. the contractual obligations on LHC, including requirements to:

10.2 None would have been applicable, LHC is not party to any call-off contract

i. act as Contract administrator;

10.3 None would have been applicable, LHC is not party to any call-off contract

ii. sign off on doors once installed;

10.4 None would have been applicable, LHC is not party to any call-off contract.

iii. ensure installation was carried out to a high standard; and

10.5 None would have been applicable, LHC is not party to any call-off contract. LHC did provide random installation inspections at request.

iv. ensure high quality standards were maintained.

10.6 None would have been applicable, LHC is not party to any call-off contract. LHC did provide random installation inspections at request.

c. how LHC fulfilled its role and obligations;

10.7 None would have been applicable contractually. LHC's only role and obligation is to procure compliant frameworks, advise contracting authorities to call-off in consideration of the regulations and monitoring contractor delivery performance for product quality.

d. your role and responsibilities; and

10.8 As described under point no.1

e. the roles and responsibilities of others at LHC.

10.9 To procure compliant frameworks and facilitate call-off in terms of procurement regulations as well as monitor delivery performance and installation quality.

11. Please indicate whether LHC were paid a levy of 5% of the value of the Contract, if not, please indicate what payment they did receive under the Contract.

11.1 Yes. I believe a 5% levy would be payable by the appointed contractor, who would pay this levy based on the value of invoices cleared under the contract from the contracting authority.

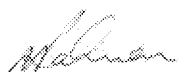
12. Please give details of any complaints or problems arising from the fulfilment of the Contract, including those relating self-closing devices.

12.1 I am not aware of any

I confirm that the contents of this statement are true according to the best of my knowledge.

I am willing for this statement to form part of the evidence before the Inquiry and published on the Inquiry's website.

Signed.



Date. 17th September 2019