



## Operational Officer Decision Record

### Appendix NOT FOR PUBLICATION Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)

Where the decision has a financial value of between £100k - £350k and does not have a  
**significant** impact on two or more wards

#### 1. Subject and details of the matter (to include reasons for the decision and detail of any previous cabinet decision)

Urgent Contract Award: Delivery of the Access and Spine Roads, Former Matthew Humberstone School Playing Field and relevant cabinet decision on the 10 March 2021, delegating authority to the Executive Director for Environment, Economy and Resources in consultation with the Portfolio Holder for Economic Development, Housing and Tourism to enable procurement of the Accelerated Construction Funding.

The Councils regeneration Partner EQUANS recently completed a tender exercise to appoint a contractor to deliver the above works.

The Tender was closed and advertised through the existing Highways Framework of Contractors, through the Councils procurement portal Yortender.

Only one contractor submitted a response through the framework. This tender underwent a price and quality evaluation. Clarification queries were raised and once these were resolved, it was agreed that the tender provided offered the best value for money, whilst providing quality. All other framework providers opted out and decided not to tender for the works.

The contract award is urgent to ensure the Council meets its Grant Funding obligations. The project has slippage due to delays in submitting a planning application whilst discussions

were on going with the CCG to agree the location of the Extra Care facility. This has caused delays to the programme which needs to be completed by the 31 March 2022.

## **2. Decision being taken**

That the Executive Director for Environment, Economy and Resources in consultation with the Portfolio Holder for Economic Development, Housing and Tourism award the tender to the successful bidder

## **3. Anticipated outcome(s)/benefits**

Contract is awarded.

## **4. Details of any alternative options considered and rejected by the officer when making the decision**

Other options included providing an open tender, however this was rejected as there would be a risk to quality as all framework contractors have been assessed for quality, before being accepted on to the framework.

Self-delivery is not an option as neither NELC nor EQUANS have adequate resource and experience to delivery these works on time, and within budget.

## **5. Background documents considered (web link to be included or copies of documents for publishing)**

None

## **6. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons**

Yes. Closed Appendix comprising Post Tender Report

## **7. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)**

The are no known conflicts of interest.

## **8. Monitoring Officer Comments (Monitoring Officer or nominee)**

The above decision is consistent with the will and expectation of Cabinet as is consistent with the delegations conferred.

## **9. Section 151 Officer Comments (Deputy S151 Officer or nominee)**

The cost of the works are to be funded from external grant and is incorporated within the approved capital budget for this scheme.

**10. Human Resource Comments (Head of People and Culture or nominee)**

There are no direct HR implications

**11. Risk Assessment (in accordance with the Report Writing Guide)**

Risks can be viewed in the project control log. The main risks include delivering on time and within budget, contractors have been made aware that the project does need to be delivered on time and in accordance with the Grant Funding obligations set by Homes England.

Resource, the tender process reviewed having adequate, competent resource to complete the works. Availability of materials, whilst there are no known current issues with accessing material required, mitigating measures have been taken. Inclement weather is also forecast whilst the contractors are on site, as we are unable to control this situation, we are working with Homes England to ensure that this issue is flagged up at the earliest opportunity to ensure we can work around this.

**12. If the decision links to a previous one taken by Cabinet, has the Cabinet Tracker been updated?**

N/A

**13. Decision Maker(s):**

Name: Sharon Wroot

Title: Executive Director for Environment,  
Economy and Resources

Signed: REDACTED

Dated: 24<sup>th</sup> January 2022

**14. Consultation carried out with  
Portfolio Holder(s):**

Signed: REDACTED

Dated: 25<sup>th</sup> January 2022

Name: Cllr C Procter

Title: Portfolio Holder for Economic  
Development, Housing and Tourism