



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

These works are part of the overall LTP programme of works managed by NELC. On the 10th March 2021 the proposed LTP Programme was approved at Cabinet with delegated powers were passed to Executive Director, Economy and Resources in consultation with the Portfolio Holder for Environment and Transport to;

- finalise the terms of the funding arrangement with the Department for Transport (DfT) and receive funds,
- establish programme governance arrangements including the approval of any project variations, commence any related procurement exercises to deliver projects within the programme in accordance with the Public Contract Regulations 2015 and to make appropriate contract awards.
- implement appropriate monitoring arrangements including receipt of a monthly update on programme progress to the Portfolio Holder for Environment and Transport.

This decision is to seek approval to award the contract for Surface Dressing Programme (Pre-patching 2022) ahead of the surface dressing later this year, following the conclusion of the evaluation process.

2. Subject and details of the matter (to include reasons for the decision)

The project forms part of the LTP 2021/22 delivery plan. The project is to complete pre-patching on roads that it is needed in order to prepare the sites ready for the carriageway surface treatment programme later this year.

3. Decision being taken

A tender was let through NELC's surfacing frameworks. The award criteria used to evaluate the submissions was cost only, with the award going to the lowest tender value. However, the successful contractor is known to NELC/Engie and they have a sound reputation.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No.

5. Anticipated outcome(s)/benefits

The successful tenderer is EC Surfacing Ltd, tender return value £107,108.40.

The contract mobilisation will start upon award of contract and receipt of a signed contract. Duration of the works will be approx. 3 weeks.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

N/A

7. Background documents considered (web links to be included and copies of documents provided for publishing)

Cabinet Decision Notice 11 March 2022 (LTP Programme approval)

North East Lincolnshire Local Transport Delivery Plan 2021 – 2024.

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

No

9. 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)

None

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The award is consistent with the will of Cabinet and has followed a legally compliant process via a framework and tender exercise. Legal colleagues will be available to support as appropriate.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The cost of the works is to be covered through the LTP capital scheme that is incorporated within the Council's approved Capital Investment Programme and that is primarily funded through Government grant.

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

There are no direct HR implications

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

There is a significant risk to the Authority that if the contract is not awarded on time the programme of works start date will be delayed and the project will not be delivered on time.

14. Has the Cabinet Tracker been updated with details of this decision?

No

15. Decision Maker(s):

Name: Sharon Wroot

Title: Executive Director of
Environment Economy & Resources

Signed: REDACTED

Dated: 2nd March 2022

16. Consultation carried out with Portfolio Holder(s):

Name: Cllr Stewart Swinburn

Title: Portfolio Holder for Environment and Transport

Signed: REDACTED

Dated: 2nd March 2022

17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.