

<b>Cabinet Meeting</b>	
<b>Meeting Date</b>	8 July 2020
<b>Report Title</b>	Queenborough & Rushenden Contract Award Delegated Authority
<b>Cabinet Member</b>	Cllr Monique Bonney, Cabinet Member for Economy and Property
<b>SMT Lead</b>	Emma Wiggins, Director of Regeneration
<b>Head of Service</b>	Charlotte Hudson, Head of Housing, Economy & Community Services
<b>Lead Officer</b>	Debbie Townrow, Economic Development Officer
<b>Key Decision</b>	Yes
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. That the Cabinet provides delegated authority for the appointment of the contractor to deliver the land raising and remediation contract currently being procured to the Head of Housing, Economy &amp; Community Services and Chief Financial Officer in consultation with the Cabinet Member for Economy and Property and the Cabinet Member for Finance.</li> <li>2. That Cabinet provides delegated authority to the Head of Legal Services to approve and execute the Contract documentation for the appointment of the selected contractor.</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 The Economic Development team alongside the appointed Project Managers, Campbell Reith, are undertaking a one stage tender process based on the most economically advantageous tender (MEAT) which will be evaluated on 60% price and 40% quality. The Contract is to provide the remediation and land raising works funded by the Housing Infrastructure Fund (HIF) and represents the final piece of capital works to bring forward the regeneration ambitions – to create a remediated and stable development platform that has been land raised out of flood plain.
- 1.2 This report summarises the procurement process and seeks Cabinet approval to provide delegated authority to officers, in consultation with Cabinet members for the approval and appointment of the recommended contractor. This report also seeks Cabinet approval to provide delegated authority to the Head of Legal Services to approve and execute the Contract documentation for the appointment of the selected contractor.

## **2 Background**

- 2.1 In December 2018, Cabinet approved to enter into the Homes England Grant Determination Agreement (GDA) to provide £3.5 million HIF funding secured from Homes England to assist the delivery of the infrastructure improvements required to enable Phase 4 of the Queenborough and Rushenden regeneration scheme to be developed. This was increased in June 2019 to £5.1 million. In August 2019, a procurement waiver was approved to appoint Campbell Reith as the Project Manager's for the HIF works tender specification and contractor appointment process.
- 2.2 The HIF funded works contract was advertised in accordance with current contract standing orders, with interested parties asking to complete a standard Invitation to Tender. At the time of writing this report, the tender process has just commenced and so it is not known at the current time, how many compliant tenders will be received. However, all compliant submissions will be scored in accordance with the criteria explained in the tender document.
- 2.3 Due to the timescales associated with the HIF funding milestones and completion dates, we need to make an appointment to the successful contractor as soon as the procurement process has been completed and so are seeking a delegated authority to be made to the Head of Housing, Economy and Community Services in consultation with the Cabinet Member for Economy and Property and the Cabinet Member for Finance to finalise the appointment.
- 2.4 A full and robust scoring process will take place for all compliant tender submissions and the tenderer that submitted the most economically advantageous tender will be appointed. The panel will consist of the Economic Development Officer, the Project Manager from Campbell Reith plus the Senior Development Manager from Homes England.
- 2.5 It is anticipated that they contract for this element of the works will total circa £3.5million. Separate contracts will be procured in due course for the other specialist elements of the HIF funded works.

## **3 Proposals**

- 3.1 That the Cabinet provides delegated authority for the appointment of the contractor to deliver the land raising and remediation contract currently being procured to the Head of Housing, Economy & Community Services in consultation with the Cabinet Member for Economy and Property and the Cabinet Member for Finance.
- 3.2 That Cabinet provides delegated authority to the Head of Legal Services to approve and execute the Contract documentation for the appointment of the selected contractor. Cabinet is requested to delegate authority to approve the proposal to enter into a contract with the successful tenderer for the durations of

the works, expected to be 18 months, with the option to extend the contract for up to a maximum of a further six months. These works are funded in full by the HIF funding, even if the contract extension is utilised.

## 4 Alternative Options

- 4.1 An alternative option would be to not provide delegated authority and require the appointment recommendation to be presented to the next available Cabinet meeting on 23 September. This option is not considered to be a suitable alternative due to the negative impact it would have on our ability to meet the milestones detailed within the HIF agreement and subsequently our ability to claim the full amount of funding required to deliver the works.

## 5 Consultation Undertaken or Proposed

- 5.1 Internal consultation has taken place with relevant colleagues in Legal, Procurement and Senior Management Team about the procurement and appointment process. There has also been ongoing dialogue with Homes England and we have a robust contract in place with Campbell Reith as Project Managers for this scheme.
- 5.2 Legal and Procurement colleagues will be required to approve all process and documentation prior to any agreements being signed or contracts issued.

## 6 Implications

Issue	Implications
Corporate Plan	The Queenborough and Rushenden Regeneration scheme is a key element of Delivering Regeneration within the current Corporate Plan and contributes to the delivery of major regeneration projects in the Borough to improve the appearance and facilities of our towns and villages. Supports the priority of supporting the right homes in the right places in line with the emerging Corporate Plan.
Financial, Resource and Property	Failing to deliver these works within the scope of the grant funding investment could impact on our ability to successfully claim the full amount of funds available which would then jeopardise the financial viability to deliver the remaining phases of the scheme.
Legal, Statutory and Procurement	Both Legal and Procurement have indicated that the proposals and all associated documents provided to date are acceptable. On receipt of further documentation, they will again be subject to review by colleague from the relevant service areas.
Crime and	None identified at this stage.

Disorder	
Environment and Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	Failing to secure this grant funding would put the future of the Queenborough and Rushenden Regeneration scheme at risk of failure through elongating the development timescales.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	All regulatory and legislative requirements associated with privacy and data protection are accounted for and met by utilising the council's procurement portal, Pro-Contract.

## **7 Appendices**

None.

## **8 Background Papers**

Background documents are held with the Economic Development department and are also held on the Council's e-procurement system. A copy of the Contract if approved will be executed as a deed and a copy will be held with our Legal department.