

Record of officer decision

Decision title:	To award a professional services contract to Mace to provide an NEC Project Manager and NEC Supervisor to complete the onsite supervision (Clerk of Works) and contract management required for RIBA delivery stage 5 of the Expansion of Marlbrook Primary school
Date of decision:	22 May 2020
Decision maker:	Director for Children and Families
Authority delegated decision:	<p>The authority for the specified officer to take this decision is set out in the cabinet report approved on the 27th November 2019. http://hc-modgov:9070/ieDecisionDetails.aspx?ID=6457</p> <p>The Cabinet Decision approved</p> <p>a) the revised business case for the expansion of Marlbrook Primary School at Appendix 1 be approved;</p> <p>b) a revised scheme cost of up to £6.141m be approved (being an additional £1.006m to the previously approved cost); and</p> <p>c) the Director for Children and Families be authorised to take all operational decision necessary to implement the above recommendations within the agreed budget.</p>
Ward:	Redhill
Consultation:	Consultation has taken place with both Claire Ward (Solicitor to the Council) and Andrew Lovegrove (Chief Finance Officer) and both are satisfied with the decision.

Decision made:	<p>a) To award a professional services contract to Mace up to the value of £90,000 (inclusive of a 20% contingency) to provide an NEC Project Manager and NEC Supervisor to complete the onsite supervision and contract management required for RIBA delivery stage 5 of the Expansion of Marlbrook Primary school up until May 2021 and during the defects period of May 2021-May 2022.</p> <p>b) To authorise spend up to the value of £90,000 from the professional fees budget line for this capital project.</p> <p>The budget detailed in the cabinet report relating to this decision to spend are as follow:</p> <p>http://hc-modgov:9070/ieDecisionDetails.aspx?ID=6457</p> <p><u>The construction budget</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Item</th> <th style="text-align: left;">Budget</th> </tr> </thead> <tbody> <tr> <td>Professional Fees</td> <td>£200,000</td> </tr> </tbody> </table>	Item	Budget	Professional Fees	£200,000
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Professional Fees	£200,000				
Reasons for decision:	<p>1) To allow Mace to manage the construction contract with Morgan Sindall Group Plc on behalf of the council and to provide an NEC Supervisor to ensure health and safety requirements are met and work with the Quantity Surveyor to assess quality of work and value for money so the council can be satisfied that each payment certificate is valid.</p> <p>2) To gain authorisation to spend up to the value of £90,000 from the professional services budget line.</p>				

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>a) By not appointing Mace to complete the NEC Project Management, the council is at risk of not managing the contract with Morgan Sindall Group Plc effectively during RIBA stage 5. There will be an absence of contract administration, giving instructions, administering time and cost aspects of the works, evaluating compensation events and managing risk against the contract.</p> <p>b) The council is at risk of not having the correct knowledge and expertise to challenge early warnings from the contractor or manage the risk accurately that may be presented. To protect the council's investment and ensure best value the roles are essential.</p> <p>c) The construction period has been running for 10 days and the first progress report has presented a potential early warning that could result in a compensation event so the council will need to challenge and assess this and further potential claims as part of the appointment of these roles to ensure best value and manage the financial risk associated with compensation events against the contract.</p> <p>d) By not appointing Mace to complete the NEC Supervision role, the council does not have the technical skills requirement in house to monitor health and safety requirements effectively or the quality of work completed against the school design scope and the work packages within the contract. The role is essential to work together with the Quantity Surveyor & Project Manager to protect the council's investment and insure value for money at every stage on the construction programme.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to award the contract to Mace. This option is not recommended as the roles are essential for the management of health and safety, quality of work, risk management, budget control and contract management.</p> <p>Delivering the services in house has been assessed and the council is not in a position to appoint the roles in house due to a skills gap and capacity issues within the property services team.</p> <p>Complete a tender process for another provider. This is not recommended as the construction contractor Morgan Sindall has already begun on site, the good weather has meant they are further on than expected in the first week and there is an immediate requirement for the roles to commence to protect the councils investment due to potential early warning compensation events.</p>
<p>Details of any declarations of interest made:</p>	<p>None Recorded</p>

Signed

Date: 22/02/2020