

Record of officer decision

Decision title:	To award a building contract for the refurbishment of toilet facilities within the Maylord Shopping Centre
Date of decision:	29 January 2021
Decision maker:	Director for Economy and Place
Authority for delegated decision:	<p>On 26 November 2020 Cabinet approved recommendations that:</p> <p>(a) The £750,000 funding from government for the Towns Fund accelerated projects be accepted by the council;</p> <p>(b) The spending of the £750,000 funding from government on the Towns Fund accelerated projects as detailed within this report is</p> <p>Approved</p> <p>(c) The Director of Economy and Place be authorised to take all operational decisions to implement recommendation (b) including, but not limited to, the procurement and commissioning of new projects, and following consultation with the S151 officer, the movement of budgets between projects to ensure the full expenditure of funding.</p> <p>The projects identified by Cabinet as accelerated projects and approved for funding included Project 4: Maylord Shopping Centre Improvements.</p> <p>http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?Ild=50035605</p> <p>A subsequent officer decision dated 21 December 2020 gave approval for expenditure of up to £100,000 for the Maylord Shopping Centre Improvements project and to delegate authority to the Senior Project Manager to authorise spend and manage the budget.</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7463</p>
Ward:	Widemarsh
Consultation:	<p>The decision to proceed with the expenditure was consulted upon as part of the cabinet and officer decisions listed above.</p> <p>The Strategic Property Services Manager and a Senior Solicitor within the Council's Legal team have been consulted as part of the review of the contract documents and the decision to proceed.</p>
Decision made:	<p>To award a JCT Minor Works Building Contract in the sum of £72,572.36 (inclusive of £3,000 contingency) to TRS Construction Solutions Ltd for refurbishment of the public toilet facilities at Maylord Shopping Centre.</p> <p>The contract administration associated with this contract to be performed by Montagu Evans LLP, the body appointed to manage Maylord Shopping Centre on behalf of the Council.</p> <p>That authority to spend and manage the contract sum be delegated to the Senior Project Manager.</p>
Reasons for decision:	There is a need to award a building contract in order to commence the improvement work and incur the expenditure necessary to defray the

	<p>allocated Towns Fund grant funding</p> <p>The public toilet facility at the Maylord Shopping Centre is a valuable amenity and its closure has previously been linked to reduced footfall to the Maylord Shopping Centre area. The Towns Fund Accelerated Projects grant provides an opportunity to refurbish and re-open the facilities</p> <p>TRS Construction Solutions Ltd (TRS) have been identified as the bidder representing best value for money following a competitive tender and assessment process commissioned by Montagu Evans LLP on behalf of the council. A formal tender enquiry was issued to four prospective contractors, all of whom returned a valid quotation for consideration</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Should TRS not be engaged, there is a high risk that the work will not be completed by the grant deadline of 31 March 2021, which would mean that the council would not benefit from the grant funding and that the Maylord Shopping Centre would continue to lack toilet facilities.</p> <p>There is a risk that the contractor does not for any reason meet the programme necessary to complete the work before the 31 March 2021, which is a pre-requisite of the grant funding. This risk is mitigated by the use of an established standard form of contract which provides for obligations and protections on the part of both the council and the contractor, and by the use of a suitably experienced contract administrator to act on the council's behalf.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>To not award the construction contract to TRS and undertake a new tender process for a construction contract. This is not recommended due to the time delay which would result, leading to the works not being completed by the deadline of 31 March 2021 and loss of the grant funding opportunity to improve a valuable council-owned facility.</p>
<p>Details of any declarations of interest made:</p>	<p>None Recorded</p>

Signed:

Richard Ball
Director for Economy & Place

Date: 29 January 2021