

## Record of operational decision

<b>Decision title:</b>	Whitney on Wye Flood Damage Repairs – Contract Award
<b>Date of decision:</b>	20 May 2022
<b>Decision maker:</b>	Corporate Director Economy and Environment
<b>Authority for delegated decision:</b>	<p>Cabinet Decision 23 July 2020 Reallocation of Capital Programme budgets for priority flood works.</p> <p>(f) subject to the decision taken at Council confirming the changes to the capital programme the director of economy and place be authorised to procure the priority flood repair works.</p> <p><a href="https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7027">https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7027</a></p> <p>A further decision was taken on 8 October 2021 which confirmed that a budget of £500k had been allocated for these proposed works.</p> <p><a href="https://hcmogov.herefordshire.gov.uk/documents/s50094669/Revision%20of%20Capital%20Programme%20Budget%20for%20Priority%20Flood%20Works%20VFinal.pdf">https://hcmogov.herefordshire.gov.uk/documents/s50094669/Revision%20of%20Capital%20Programme%20Budget%20for%20Priority%20Flood%20Works%20VFinal.pdf</a></p> <p>The authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
<b>Ward:</b>	Castle
<b>Consultation:</b>	Finance, Legal, Cabinet Member for Infrastructure, Commercial Services
<b>Decision made:</b>	To award the contract to Owen Pell Ltd who are the successful tenderers for the Whitney on Wye Flood Damage Repair Works and these works are progressed to completion.
<b>Reasons for decision:</b>	<p>Following the decision by Cabinet on 23 July, 2020, the subsequent decision taken by the Council on the 4<sup>th</sup> August 2020, the works to repair all remaining sites were to be commissioned and delivered.</p> <p>Consequently the Director Of Economy and Place took the decision on the 22 September 2020 that all remaining elements of the Fownhope work be delivered through the Public Realm Contract. The Whitney on Wye scheme be delivered as a Design and Build Commission. The various flood damaged sites be delivered through a framework commission.</p> <p>The Fownhope works have been delivered, the framework of flood damaged sites is being delivered. The Whitney scheme went to tender However no returns have been received.</p> <p>2 July 2021 the Director for Economy and Place took the decision to Whitney on Wye Scheme is delivered through the Public Realm Services Contract with the build element delivered through an open market contract which will follow once the design is complete.</p> <p>A council compliant procurement exercise has been completed, this</p>

	<p>decision is to award the contract. The tender price for the works is £187,100.94</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Legal</b> If the work is not completed the council will not of met its duty to maintain the highway under S41 of the Highways Act 1980.</p> <p><b>Community</b> The connectivity and prosperity of the locality and across the county bordering into Wales will be affected. If the deterioration accelerates, there may be a need to close the road.</p> <p><b>Asset Condition</b> The site has deteriorated since the initial failure, further failure may continue if works to correct are not progressed.</p> <p><b>Equality</b> There is a risk of further failure which will have a negative impact on the locality with extensive diversions and accessibility to services restricted.</p> <p><b>Finance</b> The budget is part of the Capital Programme. The 8 October 2021 set out the budget for Whitney on Wye as £500,000.00 being available. The scheme cost is within the allocated budget, £120,000.00 for ground investigation, environmental surveys and design, delivery of the scheme is £187,100.94, supervision and management of the scheme circa £50,000.00 which allows for a budget to cater for variances to the contract. The scheme is anticipated to be below the forecasted budget allocation.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>Not to undertake the work but this has been rejected due to the impact of maintaining safety and the risk of further deterioration which may need the road to be closed. The council has a duty to maintain the network at public expense.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

Signed..... Date:

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