

Record of Operational Decision

Decision title:	To award a contract for professional services in connection with contract administration and cost control
Date of decision:	25 th November 2022
Decision maker:	Director of Resources and Assurance
	<p>On the 25 November 2021, the cabinet key decision was made for the purpose of obtaining approval of the procurement route, new delivery proposals and processes and to put in place appropriate delegation to approve the spend and resources required in connection with the delivery of the Section 106 schemes identified.</p> <p>https://hc-modgov.herefordshire.gov.uk/documents/d8385/Printed%20decision%20Section%20106%20Portfolio%20of%20Works%20-%20delivery%20proposals.pdf?T=5</p> <p>The authority for the specified officer to take this decision as set out in The Master’s House Landscaping: Cabinet Portfolio Members Update dated 27th May 2022</p> <p>G:\ENV\EH&TS\Infrastructure Delivery\1 Projects\04 Masters House Ledbury\Meetings\Adhoc Meetings\20220527 Masters House Cabinet Portfolio meeting\20220527 Minutes MHL Cabinet Portfolio Mtg.docx</p> <p>At the meeting, it was agreed that:</p> <ul style="list-style-type: none"> • That the project is divided into two projects for governance reasons; <ul style="list-style-type: none"> ○ Project One (Phase 1): referred to as The Masters House Landscaping project with the intent of spending existing secured funds. ○ Project Two (Phase 2): referred to as The Masters House Accessibility and Landscaping improvement project. Funding is yet to be secured. • To confirm that the team progress with the suggested scope of landscaping works for Project One for the Master’s House Landscaping project, which is to be completed at a cost of not more than £164,860. This budget is to include the section 106 funding balance of £109,860 and the additional budget of £55,000 from the unspent capital estates budget within the estate capital programme 2019/22. Correspondence has been received from Philip Huggett confirming governance is in place for the fund to be included in the Masters House Landscaping Phase 1 • To agree that the Masters House project team seek governance approval in the form of an Executive Officer non-key decision for Project (Phase) One. • To approve the scope of Project Two landscaping works and to approve that a full business case is completed to seek capital funding in February 2023. <p>APPROVED: Members agreed phase one should be progressed using identified budget.</p> <p>APPROVED: Members agreed with the suggested objectives for Project One and Project Two</p>
Ward:	Ledbury North

<p>Consultation:</p>	<p>Political Consultation: In connection with the Cabinet decision to proceed with Project (Phase) 1, consultation was undertaken with the Cabinet Member for Finance, Corporate Services and Planning (also the ward member) to discuss the revised scope of works to be included in Phase 1, provided the total cost of the works does not exceed the available budget. It was further agreed that a cost consultant be appointed to mitigate the risk of the costs exceeding the £164,860 budget.</p> <p>Officer Consultation: Internal consultation has taken place with officers sitting on the Project Board to discuss the four enquiries sent out to cost consultants. Despite all four agreeing to submit prices only three prices were received. The prices were as follows: Tender 3: £18730.00 Tender 2: £17500.00 Tender 1: £12500.00</p>
<p>Decision</p>	<p>To award a contract to the lowest offer from Seymour Chartered Surveyors to:</p> <p>Prepare Cost Plan / Budget</p> <p>Tender <i>Attend online meetings to agree scope, timeframe, form of contract, tender list and procurement procedure, draft Prelims and ITT complying with HC's procurement rules, collate design information into ER's and contract tender template, issue tender documents, manage tender queries</i></p> <p>Review and Award <i>Tender review and negotiation, tender report and recommendation, production of Contract Documents, contract award</i></p> <p>Construction Phase <i>Attend pre-start meeting on site, attend progress meetings on site, carry out monthly valuations of work completed, manage all instructions, prepare monthly cost reports (period of 12 weeks included)</i></p> <p>Post Contract Phase <i>Inspections at completion to prepare and sign off snagging, issue certification, inspections at end of defects to prepare and sign off snagging, issue certification, final account</i></p> <p>TOTAL EXCLUDING VAT £12,500.00</p> <p>Include a contingency £2000.00</p> <p>It is recommend that a Purchase Order be raised in the sum of £14500.00 against which invoices can be charged.</p>

Reasons for decision:	<p>The Master’s House is surrounded by St Katherine’s car park. Clearly, this surface level car park does not form part of the original characteristic or setting of the prestigious Master’s House.</p> <p>The aim of this project is to take the austere car park and turn it into The Masters House garden with ample parking. The objective is to utilise scope within St Katherine’s to enhance the civic architecture and townscape. To provide a much more attractive public environment and better use of civic buildings. To ensure a better performing physical estate in Ledbury and more effective use of public assets.</p> <p>This project will deliver a destination public space for the local community and visitors, complementing recent investment by HC in the renovation of 16th Century Master’s House building.</p> <p>Phase 1 of the works includes the construction of a retaining wall and filling behind, to create a level platform for St Katherines Square. The cost of the Phase 1 works including all professional fees, must not exceed the available budget. The appointment of a cost consultant will provide assurance that this will not occur.</p>
Equality Considerations	<p>Equality duty</p> <p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> <p><i>Scheme specific statement below:</i> <i>The proposed improved paving will provide a safer accessibility for some members of the community with particular needs.</i></p>
Highlight any associated risks/finance/legal considerations:	<p>Cost advice has been obtained in advance of the appointment, from one of the consultants that also provided a cost for the works; however they were not the lowest price. There is a possibility that Seymour will have a different opinion regarding the cost of Phase 1. This may affect the viability of progressing Phase 1, or having to reduce the scope of works to suit the budget</p>
Details of any alternatives considered and rejected:	<p>Not to appoint the cost consultant. This option is not recommended. This supplier has been identified through a low value mini competition process. Not to appoint could result in the cost of the currently identified scope of works exceeding the available budget.</p>

Details of any declarations of interest made:	None declared.
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Signed Andrew Lovegrove
Director of Resources & Assurance

Date: 25th November 2022