

PART A

Report to: Cabinet
Date of meeting: 1 September 2014
Report of: Lesley Palumbo, Head of Corporate Strategy and Client Services
Title: Relocation of Glen Rovers Gaelic Football Club to Radlett Road – exemption to contract procedures in relation to the pitch works

1.0 SUMMARY

1.1 The relocation of Glen Rovers GAA Club to Radlett Road has been an ongoing project linked to the WHC initiative. Two growing seasons are required to allow establishment of a new pitch for use in 2016. The relocation of the club is a planning condition of the proposed new link road, commencing in November 2014.

1.2 A Pre Qualification Questionnaire (PQQ) was issued for the pitch works in March 2014 on the councils procurement portal with only 4 submissions. Three subsequent Invitations To Tender (ITT) were issued but only 1 tender was returned which was considerably over the allocated budget.

With the delays in the project due to ongoing planning concerns, there is a need to appoint a high quality contractor with experience in this line of work who can also advise and influence the design – in essence ECI (Early Contractor Involvement) and can input significant value engineering. A contractor needs to be appointed in August to ensure works commence on site no later than September 2014 or a growing season is lost.

1.3 Agripower Ltd carried out works at Knutsford Playing Fields on pitch No2 for the Rugby Club on behalf of the RFU / WBC / WRFC successfully and did not see the advert for the initial tender. We wish to appoint them to work with the appointed landscape architect Southern Green Ltd to deliver a Design and Build pitch that is within the agreed budget to the now very tight timescales and ensure that all the agreed planning conditions are met. The timescales for delivery are now critical and as the previous procurement process did not succeed, exemption is being sought therefore to appoint Agripower direct.

1.4 The Council's Contract Procedure Rules allow for exemptions to the Procurement Procedures in exceptional circumstances. In view of the above an application for exemption was made to the Managing Director and Head of Corporate Strategy and Client Services and approved on 4 August 2014 seeking approval to award the contract to Agripower Ltd based on their previous competitive work at WRFC at Knutsford Playing Fields and their expertise in this field of work as well as capacity to deliver on time. This approval is therefore being reported to Cabinet.

2.0 RECOMMENDATIONS

2.1 That Cabinet notes the Approved Exemption to the Council's Procurement Procedures in relation to the relocation of Glen Rovers Gaelic Football Club to Radlett Road in relation to the pitch works only.

Contact Officer:

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Report approved by: Lesley Palumbo, Head of Corporate Strategy and Client
Services

3.0 DETAILED PROPOSAL

3.1 Details of the Exemption, including the estimated cost of the works can be found at Appendix A to this report along with an extract of the Council’s Contract Procedure Rules as they relate to Exemptions.

4.0 IMPLICATIONS

4.1 Financial

4.1.1 The cost of implementing the pitch works is estimated at £350k and is to be funded by WBC, but is linked to the overall Health Campus Project.

4.1.2 The Shared Director of Finance comments that the financial implications are contained within the report.

4.2 Legal Issues (Monitoring Officer)

The Head of Democracy & Governance comments that It is a requirement of the Contract Procedure Rules that any exemptions have to be reported to Cabinet.

4.3 Equalities

4.3.1 **Watford Borough Council is committed to equality and diversity as an employer, service provider and as a strategic partner. In order to fulfil this commitment and its duties under the Equality Act 2010 it is important to demonstrate how policies, practices and decisions impact on people with different protected characteristics. It is also important to demonstrate that the Council is not discriminating unlawfully when carrying out any of its functions**

4.3.2 Not applicable in relation to this item.

4.4 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
Potential tenderers challenge the Councils decision not to procure the works using competitive tendering procedure.	1	4	4

Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service’s Risk Register.

4.5 **Staffing**

4.5.1 There are no staffing implications from this report.

4.6 **Accommodation**

4.6.1 There are no accommodation implications from this report.

4.7 **Community Safety**

4.7.1 There are no community safety implications from this report.

4.8 **Sustainability**

4.8.1 There are no sustainability implications from this report.

Appendices

Appendix A Exemption Record Application incorporating an extract from Watford Borough Council's Contract Procedure in relation to Exemptions and signed approval form dated 15 May 2014.

Background Papers

No background papers were used in the preparation of this report.

File Reference

None