

## NOTIFICATION OF DECISION FOR URGENT IMPLEMENTATION

(Decision either included or not included on the current Forward Plan but needs to be implemented immediately by virtue of the urgency of the actions that need to be undertaken. This decision will not be subject to call-in.)

### ORIGINATOR'S DETAILS

**Name & Contact details:**

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### DETAILS OF THE REPORT

**Title and brief description of the nature of the business to be considered:****Gateway 2 - Contract Award Approval: Mint Street Adventure Playground Stage 2 Tender return for main contract award**

Award of the Mint Street Adventure Playground main works contract to Neilcott Construction Ltd following the completion of a two stage design & build procurement exercise.

- *Why has this decision been delayed until now?*

This decision has been slightly delayed in publication due to detailed discussions regarding the stage 2 tender price to ensure that it was within the approved budget. The scope of the project changed during the pre-construction period (stage 1) to reflect consultation outcomes and a new public playground was also included within this project. The contractor undertook competitive procurement for this element of the work. The resultant price initially exceeded the capital budget available and therefore the publication of the report was delayed whilst an exercise was undertaken to reduce the contract sum to within the available budget.

- *Why can't the decision be reasonably deferred?*

Enabling works have started on site (stage 1), and expedient progression would ensure that works are delivered to programme without any abortive costs that could result if works did not progress beyond 3 July 2017.

- *How long has the department known the decision was to be taken?*

The council has been working towards a main contract award to deliver new adventure playground building and playground at Mint Street within these timescales for the last 18 months.

- *If scheduled on the forward plan for a particular period, what's changed to make it so urgent now?*

This decision is scheduled on the forward plan for July 2017. The intention was to ensure that the decision was taken in sufficient time to allow for the formal process to have completed by 3 July 2017 however, as referred to above, the decision was delayed due to additional discussions that took place on the contract sum to confirm the final submission.

- *Why is it important that this decision is taken now?*

The procurement route for this project has been two stage design and build, with Neilcott Construction Ltd appointed at stage 1. With a two stage approach to procurement, there is an expectation and likelihood that the contractor appointed for pre-construction services (stage 1) would be appointed for the works contract, subject to the contractor delivering the project within the terms of the agreement and the approved budget[

As the successful tenderer at Stage 1, Neilcott Construction Ltd was invited in February 2017 to submit a Stage 2 tender return. An enabling works package was agreed to undertake the demolition and site clearance of the former adventure playground building. Neilcott are therefore now in a position to continue with the main contract without any delay, should the recommendations of the award of contract report be confirmed.

- *What is the potential cost to the council if the decision is delayed?*

The contractors are currently on site having completed an enabling works package to clear the site – the programmed start on site date is 3 July, if this is delayed the council will incur additional costs of maintaining a vacant site – circa £9,000 per week.

Also, as part of the commitment to the local community to maintain a service at Mint Street, there is currently a programme of activity in place whilst the adventure playground is being redeveloped, circa £750 per week.

Any further costs incurred as a result of delay will require additional funding to be identified.

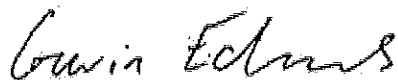
**Date decision to be taken by: 3 July 2017**

#### **Declaration**

I agree with the Chief Officer/Head of Service that the proposed Decision is reasonable that it can be treated as a matter of urgency.

~~Reason for refusal~~

Signed



Dated 28/06/17

Chair of Overview & Scrutiny Committee

Please note reasons for refusal, additional points or further action required  
(as appropriate)

Please return completed form to Everton Roberts Constitutional Team, 160 Tooley  
Street, PO Box 64529, London, SE1P 5LX – tel: 020 7525 7221

