

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 25 APRIL 2019

Councillors Present: Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Graham Jones, Rick Jones and Richard Somner

Also Present: John Ashworth (Corporate Director - Environment), Bill Bagnell (Manager - Special Projects), Nick Carter (Chief Executive), Tess Ethelston (Group Executive (Cons)), Ian Pearson (Head of Education Service), Shiraz Sheikh (Principal Solicitor), Peta Stoddart-Crompton (Public Relations Officer), Stephen Chard (Principal Policy Officer) and Councillor Mollie Lock

Apologies for inability to attend the meeting: Councillor James Fredrickson

PART I

105. Declarations of Interest

There were no declarations of interest received.

106. Highwood Copse Project (Urgent Item)

The Executive considered a report (Agenda Item 3) which sought approval for an exception to be granted to the Council's Contract Rules of Procedure for the retender of the Highwood Copse Construction Contract. This would be by way of issuing an Invitation to Tender document to two identified contractors and to award the contract to the successful bidder.

Councillor Lynne Doherty explained that this was being proposed as the contractor delivering the Highwood Copse project, Dawnus Construction, had gone into administration in mid-March 2019.

The Council's greatest priority for this project had always been to school children and their families, and the granting of this exception would enable the school to be completed ahead of the Spring of 2020. This would give prospective school children and their families an opportunity to view the completed school before it opened in September 2020.

Councillor Jeanette Clifford asked Councillor Doherty to comment on whether or not due diligence had been followed for the original appointment of this contract.

Councillor Doherty explained that the Council had appointed Dawnus Construction following a full tender process. All required due diligence checks had been undertaken as part of this process including accounts. No issues had been raised at this time. In addition, the Council had appointed Dawnus Construction on previous occasions and therefore had experience of their work.

Councillor Doherty added that advanced payments had not been made to Dawnus Construction with payments only made for works that had been completed.

RESOLVED that an exception would be granted to the Council's Contract Rules of Procedure under Paragraph 11.11.7(c) for the retender of the Highwood Copse Construction Contract by way of issuing an Invitation to Tender document to two identified contractors and to award the contract to the successful bidder.

EXECUTIVE - 25 APRIL 2019 - MINUTES

Other options considered:

- Full tender starting with advertisement. Longest timescale to deliver with no prospect of achieving a competitive price.
- Select a framework. Quick timescale but where the two identified contractors most likely to provide value for money are not on the same framework.
- Revisit contractors who tendered the contract during 2018. Long timescale and where, with the exception of one contractor, there is no prospect of achieving a competitive price. The one competitive contractor in this previous process is one of the two contractors from whom it is proposed to seek a tender price.
- Direct award to one contractor. Quickest timescale and but with no competition.

(The meeting commenced at 5.00pm and closed at 5.03pm)

CHAIRMAN

Date of Signature