

MINUTES

CABINET

17 JANUARY 2018

Councillors: Williams (Leader)
Elliot
Harden
Marshall
G Sutton

Officers:	Mark Brookes	Solicitor to the Council and Monitoring Officer
	James Deane	Corporate Director - Finance and Operations
	Mark Gaynor	Corporate Director - Housing & Regeneration
	Ben Hosier	Group Manager - Commissioning, Procurement & Compliance
	Katie Mogan	Member Support Officer

The meeting began at 6.00 pm

CA/1/18 MINUTES

There were no minutes to sign.

CA/2/18 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Griffiths.

CA/3/18 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/4/18 PUBLIC PARTICIPATION

There was no public participation.

CA/5/18 REFERRALS TO CABINET

None.

This notice requirement applies whether the key decision is to be taken by the Cabinet at a meeting, by the Executive Leader, another Cabinet Member or by an officer without a meeting taking place.

The Council intends via this urgent Cabinet decision to make a decision to award the contract for the Berkhamsted Multi-Storey Car Park.

The approval of the contract award is urgent to enable the Council to award the contract and secure the contract price but also to secure the contractor to enable them to commit to delivering the contract within a reasonable timeframe; however, it is still possible to give 5 days' notice to all members of the relevant overview and scrutiny committee (Finance and Resources) and therefore the "general exception" rule applies. 5 days' notice has been given to all members of the Finance and Resources Overview and Scrutiny Committee in compliance with this rule.

Part 4- under "Overview and Scrutiny Procedure Rules": "Call-in and Urgency"

Call-in can be disapplied where the decision is urgent; the decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The decision is an urgent one and therefore should not be subject to call-in in order to enable the Council to award the contract and secure the contract price and the contractor for the works. In the absence of the Mayor (on leave), the deputy Mayor has agreed both that the decision proposed is reasonable in all the circumstances and that it is to be treated as a matter of urgency.

The matter, including the reasons for urgency, will be reported at the next available Council meeting.

S.151 Officer

This is a s151 Officer report.

Advice

Councillor Elliot introduced the report and said that this report was to combine the budgets for this project and award the contract for the multi-storey car park.

B Hosier said there was a delay in awarding the contract due to the extended procurement process. Typically, a tender evaluation process for a contract of this type would take four weeks but due to the increased number of clarification questions for bidders it has extended to 12 weeks. The main reason for this delay has been the proximity of the site to residential and commercial units and Waitrose meaning that the council needed to be absolutely certain on the construction methods to ensure that access routes would be kept open. The urgency of this report is due to there being a number of other tenders the successful bidder is awaiting to hear from and the need for the Council to secure the project construction programme to commence in 2018. The contractor will be on site by September 2018. The

budget for the project is £5.1 million: £3.6 million for the construction and £1.5 million for strategic acquisitions.

Councillor Harden arrived at 6.03pm

Councillor G Sutton said that the price of steel had increased significantly, would the budget increase if there was another rise in prices?

B Hosier said the price of the project was now fixed.

Councillor Marshall asked if this price was fixed for materials.

B Hosier said yes. Once the contract is awarded, the company will place an order for the materials they need.

Councillor Marshall referred back to the price of steel. What if there was a significant increase after the contract was awarded?

B Hosier said steel prices last increased on 2nd January. If there was a major shift in the market, then the company may discuss any increase in the cost however there is currently no foreseen increase.

Councillor Marshall said she accepted the need to investigate the precise program of companies but this was known prior to the tender going out. Could this not have been built in knowing the sensitivities of the site?

B Hosier said that this was a valid point and he would look at extending the evaluation process for larger projects in the future.

Voting

None

The Meeting ended at 6.07 pm