

## OFFICER DECISION RECORD SHEET

**Name of decision maker:** Assistant Director, Corporate and Contracted Services and Chief Finance Officer & S.151 Officer

**Service Area:** Corporate and Contracted Services

**Title of Decision:** To award a contract for the Pre-Construction Services for the Berkhamsted Sports Centre Development

### Part I with Part II Procurement Report

#### Decision made and reasons:

**Decision:** To award a contract to Morgan Sindall Construction and Infrastructure Limited for the Pre-Construction Services for the Berkhamsted Sports Centre Development.

**Reason:** Following an options appraisal on the redevelopment of Berkhamsted Sports Centre, Cabinet agreed to move forward with investigating the development of a new sports centre on the current sports centre site.

In November 2021, Cabinet was provided with an update on the project, reporting at the end of RIBA Stage 2 (Concept Design) and approved the commencement of RIBA Stage 3 (Spatial Planning). Cabinet also provided delegated authority to the Assistant Director, Corporate and Contracted Services and the S.151 officer to commence the procurement for a two stage, design & build tender process and award the first stage pre-contract services agreement to the preferred main Contractor.

The Council have carried out a tender process to appoint a main Contractor under a Pre-Construction Services Agreement to review the Stage 3 design and cost plan and assist with the design development for RIBA Stage 4 (Technical Design). This will allow the main contractor to have vital input into the design, and review the cost plan to help the Council decide whether the project is viable prior to moving forward to the technical design and construction phases (RIBA Stages 4-7). The tender allows for the Council to appoint the main contractor for the construction phase however, there is no commitment for the Council to do so.

The Council received four excellent tender submissions which have been evaluated and the preferred bidder is Morgan Sindall. The full procurement report is set out in the annexed Part II tender report.

Officers will report back to Cabinet for further approval at the end of the current Stage 3 before proceeding to Stage 4.

#### Reports considered:

Cabinet report - Berkhamsted Leisure Centre – 23<sup>rd</sup> November 2021  
Procurement report (Part 2)

#### Officers/Councillors/Ward Councillors/Stakeholders Consulted:

Mark Brookes – Assistant Director, Corporate and Contracted Services

## OFFICER DECISION RECORD SHEET

Ben Hosier – Group Manager, Procurement and Contracted Services  
David Barrett – Group Manager, Housing Development  
Andrew Linden - Commissioning, Procurement and Compliance Team Leader

**Financial Comments:**

The November cabinet approved a reserve commitment of up to £550k for the RIBA stage 3. The cost of this procurement is within budgeted expectations.

**Deputy Monitoring Officer Comments:**

The proposed award has followed a compliant procurement process in accordance with the Council Procurement Standing Orders. The award will be confirmed by the completion of a pre-construction services agreement which has been drafted with the assistance of external solicitors (Eversheds-Sutherland).

**S151 Officers Comments:**

The preferred bidder provides the best value for money out of the submitted bids and is within the approved budgeted levels.

**Financial:**

The Council carried out a competitive tender exercise and assessed four submissions based on 70% quality and 30% price. The best value for money submission was from Morgan Sindall.

The cost of the Pre-Construction Services agreement is £66,700.00.

**Options considered and reasons for rejection:**

The Council have considered a number of options for the project which has been reviewed and agreed by Cabinet. The appointment of Morgan Sindall will allow the Council to continue work to develop and assess the viability of the project prior to seeking further approval from Cabinet.

If this contract was not awarded then there is a risk that the project will develop without the required input and specialist knowledge of a contractor experienced in building facilities similar to the Berkhamsted Sports Centre.

**Officer Signature:**

Date:

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