

East Herts Council Report

Executive

Date of Meeting: 7 July 2020

Report by: Executive Member for Wellbeing

Report title: Contract Procedure Rules: Exemption Report

Ward(s) affected: Bishop's Stortford Meads / ALL

Summary

To present to Executive the updated contract value of the contract exemption in place for archaeological works at Grange Paddocks Leisure Centre (GPLC).

RECOMMENDATIONS FOR EXECUTIVE:

(a)The contract procedure exemption be noted

1.0 Proposal(s)

- 1.1 To advise the Executive that the value of the contract exception noted by the Executive on 08 October 2019 has increased in value from £82,417 to £264,683.
- 1.2 It is proposed that Executive note the increased contract value of the contract exemption in place for RPS Consulting Ltd in relation to archaeological works at GPLC. This contract value still remains below the EU threshold for works.

2.0 Background

- 2.1 Last Year, at its meeting on 08 October 2019, the Executive noted the contract procedure for the archaeological excavation at GPLC. This report can be

found in Appendix A.

- 2.2 The contract exemption value, noted by the Executive on 08 October 2019, was based on the archaeological evidence found in the initial investigations undertaken by Cotswold Archaeology in Summer 2019. These early investigations did not indicate the levels of archaeology that were subsequently found on site during the full footprint excavation.
- 2.3 As a result of these unexpected findings, the excavation took an additional five weeks on site, requiring two additional archaeologists along with additional equipment. Consequently the post-excavation costs also increased due to the unexpected level of findings on site, which was not limited to: four sunken floored Roman buildings, over 200 kilos of Roman pottery, 10 inhumations, and over 600 metal objects. These findings have therefore incurred significant additional cost to the contract value exemption.

3.0 Reason(s)

- 3.1 To advise the Executive of an exemption to the formal tender procedure normally required for contracts with a value of between £50,000 and the EU threshold for works.
- 3.2 This matter was originally reported to the Executive in accordance with para 4.4 of Part 4H of the Councils Constitution: Contract Procedure Rules. Since that report, the Contract Procedure Rules have been modified, as agreed by Council on 13 May 2020. There is no longer a requirement that such exemptions be reported to the Executive. The exemption has been approved by the Head of Operations, in consultation with the Head of Strategic Finance and Property.

4.0 Options

- 4.1 Five quotations were sought as part of the original contract exemption report which can be found in Appendix A.

5.0 Risks

- 5.1 There is no risk of this contract value increasing again as these archaeology works, on behalf of East Herts, have now concluded.
- 5.2 The GPLC project maintains a project risk register which is reported to the Leisure Project Board.

6.0 Implications/Consultations

- 6.1 There are no financial implications to the Council as a result of this increase in contract value. This increased contract value has been accounted for as part of the GPLC capital budget.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

Yes

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – confirmed that as archaeology is classified as works, this contract value falls below the EU threshold.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 Appendix A – previous report taken to Executive in October 2019.

Contact Member Eric Buckmaster, Executive Member for Wellbeing
eric.buckmaster@eastherts.gov.uk

Contact Officer Jess Khanom-Metaman, Head of Operations
Contact Tel No x.1693
jess.khanom-metaman@eastherts.gov.uk

Report Author Emily Coulter, Project Manager
emily.coulter@eastherts.gov.uk