

# EXECUTIVE DECISION

made by a Council Officer



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD12 21/22

Decision					
1	<b>Title of decision:</b> Contract modification for Tamar Crossings Technical Support Contract to extend the current contract with AECOM for a further year.				
2	<b>Decision maker (Council Officer name and job title):</b> Anthony Payne, Strategic Director for Place				
3	<b>Report author and contact details:</b> Adrian Trim, <a href="mailto:Adrian.trim@plymouth.gov.uk">Adrian.trim@plymouth.gov.uk</a> EXT 7729				
4a	<b>Decision to be taken:</b> Contract modification for Tamar Crossings Technical Support Contract, to extend the current contract with AECOM for a further year (beyond the original 4+1+1 contract) under Reg 72. .				
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b>				
5	<b>Reasons for decision:</b> Due to issues and delays caused by the pandemic, along with other works that were delayed and with a reduced market appetite given the flood of building works currently experienced across the market. Maximum £400k cost based on the current £1.5m contract. A contract variation will be required to facilitate this extension.				
6	<b>Alternative options considered and rejected:</b> Not to extend the contract. <b>Rejected</b> Aecom have initiated and been key to many of the works that have been impacted by delays due to the Covid pandemic. To enter into a new tender process at the current time would not be in the interests of the Joint undertaking as it would be counterproductive and further delay urgent ongoing works.				
7	<b>Financial implications and risks:</b> TBTF operate on a 'user pays' basis, where the costs are covered by Tolling, the costs of Aecom technical support have been planned for and approved by the Joint Committee from Toll income, there are therefore no financial implications for the Council.				
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>		<b>Per the Constitution, a key decision is one which:</b>	
		<b>No</b>	x		in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			x		in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of

				<b>£1 million</b>
			x	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
8b	If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a>			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		This decision helps to discharge the Council's responsibility to provide a safe crossing 24/7 365 for vehicles using Tamar Bridge and Torpoint Ferries.	
10	Please specify any direct environmental implications of the decision (carbon impact)		No direct environmental impacts.	
<b>Urgent decisions</b>				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact <a href="#">Democratic Support</a> for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathon Drean, Cabinet Member for Transport		
13c	Date Cabinet member consulted	15/11/21		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
15	Which Corporate Management	Name	Anthony Payne	

	<b>Team member has been consulted?</b>	<b>Job title</b>	Strategic Director for Place						
		<b>Date consulted</b>	15/11/21						
<b>Sign-off</b>									
16	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS81 21/22						
		<b>Finance (mandatory)</b>	djn.21.22.162						
		<b>Legal (mandatory)</b>	MS/15.11.21						
		<b>Human Resources (if applicable)</b>	N/A						
		<b>Corporate property (if applicable)</b>	N/A						
		<b>Procurement (if applicable)</b>	N/A						
<b>Appendices</b>									
17	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Briefing report for publication							
	B	Equalities Impact Assessment							
<b>Confidential/exempt information</b>									
18a	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.					
		<b>No</b>	x						
		<b>Exemption Paragraph Number</b>							
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	
18b	<b>Confidential/exempt briefing report title:</b>								
<b>Background Papers</b>									
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>								
<b>Title of background paper(s)</b>		<b>Exemption Paragraph Number</b>							
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	

<b>Council Officer Signature</b>							
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.						
<b>Signature</b>			<b>Date of decision</b>	15/11/2021			
<b>Print Name</b>	Anthony Payne						

## **Briefing Report**

### **1.0 Introduction**

- 1.1 The Tamar Bridge and Torpoint Ferries crossings are a 'joint undertaking' of Plymouth City Council and Cornwall Council, operating under statute since 1953.
- 1.2 The crossings are operated on a 'user pays' basis, with the tolls covering operational and maintenance costs, (hence no cost to the Council for this procurement) delivering public crossings at the Bridge and Ferry 24/7 365.

### **2.0 Aecom Technical Support Contract**

- 2.1 Tamar Crossings are a unique undertaking that require specialised professional input to support the crossings.
- 2.2 Aecom were appointed through a Cornwall Council Tender process and awarded the contract by Plymouth and Cornwall Councils for a period of four years, with extensions available for additional +1+1 year should they meet requirements.
- 2.3 The pandemic has delayed many projects in which Aecom have been involved, providing expert knowledge and guidance in very specialised areas. An additional extension of 1 year under Regulation 72 would be appropriate and beneficial to the momentum and continuity of these programmes and projects, reducing further delays and additional programme costs.
- 2.4 The additional cost is estimated to be £400k and will be covered by Toll collection as referred to in para 1.2 and therefore will not be a cost to the Council.