

EXECUTIVE DECISION

made by a Council Officer



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

Executive Decision Reference Number – COD49 22/23

| Decision | |
|----------|--|
| 1 | Title of decision: Contract Award - Appointment of Contractor to undertake continued public realm works at Old Town Street, New George Street and Civic Square. |
| 2 | Decision Maker: Paul Barnard, Service Director SP&I |
| 3 | Report author and contact details: Catherine Arthurs, Design and Delivery Co-ordinator, Tel: 01752 305440 catherine.arthurs@plymouth.gov.uk |
| 4a | <p>Decision to be taken:</p> <p>To award a contract to undertake continued public realm works in Old Town Street, New George Street and Civic Square in respect of the Council's Better Places Programme of public realm improvements to Morgan Sindall Construction and Infrastructure Ltd.</p> <p>It is intended to award the contract using a Short Form Delivery Agreement using the SCAPE Framework.</p> |
| 4b | <p>Reference number of original executive decision or date of original committee meeting where delegation was made:</p> <p>Executive Decision L43 19/20 (03.07.20)</p> |
| 5 | <p>Reasons for decision:</p> <p>The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.</p> <p>Undertaking the public realm works is necessary for the Council to maintain its commitment to expend central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.</p> <p>Old Town Street, New George Street and Civic Square are identified as a priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre.</p> <p>The public realm works follow on from earlier phases of enabling works. There will be no reduction to the number of existing trees resulting from these works.</p> |

| 6 | <p>Alternative options considered and rejected:</p> <p>Option 1: Do Nothing – This is not an option since the project is already committed to as a result of earlier enabling works and an order has been placed to purchase granite.</p> <p>Option 2: Do Nothing and await the award of the main contract- If the Council doesn't continue these works, serious delays will result to the construction programme for the project. Doing nothing and not completing the works will lead to the loss of external funding for the project and will seriously damage the Councils reputation for the delivery of high quality public realm schemes.</p> <p>Option 3: Contract separately for Old Town Street/New George Street and Civic Square. It is the most cost effective approach to deliver the projects through a single contract to reduce overhead costs</p> | | | | | | | | | | | | | | | | |
|---|--|--|--|----|--|--|--|---|---|--|--|---|--|--|--|---|--|
| 7 | <p>Financial implications and risks:</p> <p>The contract award value is £2,733,988.79 but as with all construction contracts "compensation events" are likely to occur due to project risk meaning the final sum due to the contractor will likely exceed this figure for the specified scope of works.</p> | | | | | | | | | | | | | | | | |
| 8 | <table border="1"> <thead> <tr> <th data-bbox="245 909 759 1010">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="759 909 852 1010">Yes</th> <th data-bbox="852 909 1007 1010">No</th> <th data-bbox="1007 909 1495 1010">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="245 1010 759 1173"></td> <td data-bbox="759 1010 852 1173"></td> <td data-bbox="852 1010 1007 1173">X</td> <td data-bbox="1007 1010 1495 1173">in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</td> </tr> <tr> <td data-bbox="245 1173 759 1359"></td> <td data-bbox="759 1173 852 1359"></td> <td data-bbox="852 1173 1007 1359">X</td> <td data-bbox="1007 1173 1495 1359">in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</td> </tr> <tr> <td data-bbox="245 1359 759 1547"></td> <td data-bbox="759 1359 852 1547"></td> <td data-bbox="852 1359 1007 1547">X</td> <td data-bbox="1007 1359 1495 1547">is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</td> </tr> </tbody> </table> | Is the decision a Key Decision? (please contact Democratic Support for further advice) | Yes | No | Per the Constitution, a key decision is one which: | | | X | in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total | | | X | in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million | | | X | is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority. |
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| | | X | is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority. | | | | | | | | | | | | | | |
| 8b | <p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p> | n/a | | | | | | | | | | | | | | | |
| 9 | <p>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:</p> | <p>Growing Plymouth - The outcomes of this project will help support a growing city by encouraging inward investment in the retail, leisure and cultural offer of Plymouth city centre and supporting the diversification of uses including residential and office.</p> <p>Providing aesthetically attractive and inviting city centre streets and spaces that function better through day and into evening will attract increased visitors to the city centre for prolonged periods of time resulting in higher</p> | | | | | | | | | | | | | | | |

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| | | <p>spend, more viable businesses and a more competitive city centre further establishing Plymouth's position as a premier retail and shopping destination for the South West.</p> <p>Caring Plymouth - The project will support the creation of positive spaces for residents from across the city, supporting the achievement of health and wellbeing outcomes and promoting social inclusion.</p> <p>This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.</p> |
| I0 | Please specify any direct environmental implications of the decision (carbon impact) | <p>The project aims to deliver significant environmental improvements to the city centre including a net increase in trees and tree canopy cover, biodiversity net gain through the introduction of new species including those that support pollinating insects. The scheme will deliver a new Sustainable Urban Drainage (SUDs) system that will form part of a wider strategic network in the city centre. The SUDs systems includes 'rain gardens' which integrate the drainage system with the cities green infrastructure to make the best use of surface water. Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint.</p> |

Urgent decisions

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| I1 | Is the decision urgent and to be implemented immediately in the interests of the Council or the public? | Yes | No | (If yes, please contact Democratic Support for advice) |
| | | | X | (If no, go to section I3a) |


I2a Reason for urgency: n/a

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|------------|----------------------------------|--|-------------|--|
| I2b | Scrutiny Chair signature: | | Date | |
| | Scrutiny Committee name: | | | |
| | Print Name: | | | |

Consultation

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|------------|--|--|-----------|--------------------------|
| I3a | Are any other Cabinet members' portfolios affected by the decision? | Yes | No | |
| | | X | | (If no go to section I4) |
| I3b | Which other Cabinet member's | Councillor Jonathan Drean (Cabinet member for transport) | | |

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| | portfolio is affected by the decision? | | | | | | | |
| I3c | Date Cabinet member consulted | 16.03.23 | | | | | | |
| I4 | Has any Cabinet member declared a conflict of interest in relation to the decision? | Yes | No | If yes, please discuss with the Monitoring Officer | | | | |
| | | | X | | | | | |
| I5 | Which Corporate Management Team member has been consulted? | Name | Anthony Payne | | | | | |
| | | Job title | Strategic Director for Place | | | | | |
| | | Date consulted | 27.03.23 | | | | | |
| Sign-off | | | | | | | | |
| I6 | Sign off codes from the relevant departments consulted: | Democratic Support (mandatory) | DSI36 22/23 | | | | | |
| | | Finance (mandatory) | pl.22.23.346. | | | | | |
| | | Legal (mandatory) | MS/39682/ 22.03.23 | | | | | |
| | | Human Resources (if applicable) | N/A | | | | | |
| | | Corporate property (if applicable) | N/A | | | | | |
| | | Procurement (if applicable) | SN/PS/672/ED/0323 | | | | | |
| Appendices | | | | | | | | |
| I7 | Ref. | Title of appendix | | | | | | |
| | A | Contract Award Report Part I | | | | | | |
| | B | Equalities Impact Assessment | | | | | | |
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| Confidential/exempt information | | | | | | | | |
| I8a | Do you need to include any confidential/exempt information? | Yes | 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 I8b below. | | | | | |
| | | | | | | | | |
| | | Exemption Paragraph Number | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

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| 18b | Confidential/exempt briefing report title: Contract Award Report Part 2 | | | X | | | | |
| Background Papers | | | | | | | | |
| 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 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p> | | | | | | | |
| Title of background paper(s) | | Exemption Paragraph Number | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | | |
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| Council Officer Signature | | | | | | | | |
| 20 | <p>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.</p> | | | | | | | |
| Signature |  | | | Date of decision | 27.03.23 | | | |
| Print Name | Paul Barnard, Service Director SP&I | | | | | | | |