



ADUR & WORTHING
COUNCILS

**Record of Officer
Executive Decision**
Ref. No: DforC/009/16-17
Date of Decision: 18 April 2017

If you have any questions about this decision, please contact 01903 221006 or email heather.kingston@adur-worthing.gov.uk.

Record of Decision: Waiving of Contract Standing Orders

Decision taken by: Director for Communities

Declaration: I do not have a disclosable pecuniary interest, or conflict of interest.

Delegated authority: Paragraph 2.7.8 of the Councils' Officer Scheme of Delegations provides authority to the Chief Executive, Directors and all Heads of Service to "do all matters in relation to procurement and the letting of contracts, in accordance with contract standing orders".

Paragraph 8.8.2 of the Councils' contract standing orders provides that "the Director shall, where the value of the contract exceeds £100,000, obtain at least 5 sealed tenders using either the open or restricted procedure, unless it is impractical to do so."

Decision: To agree to waive contract standing orders in relation to the procurement of services to project manage the redevelopment of Cecil Norris House a site/building owned by Adur District Council which forms part of the Adur Housing Revenue Account. The services required include; architecture, Legal, and other professional services to deliver the redevelopment of this site.

In particular, this decision waives the standing order that requires the submission of five sealed tenders for contracts of this value (between £90,000 and £125,0000) unless the Director for Service or delegated nominee considers it impractical to do so. The reasons for this decision are highlighted below.

Key Decision: No

Reason for the Decision: As part of a short term consultation Adur District Council have engaged the services of Eastbourne Borough Council (EBC) to provide a high level view of the development options available with the HRA.

The power for public bodies to contract with each other is found at s1 of the LA (Goods and Services) Act 1970 but the power is subject to the procurement rules.

The next phase of development for Cecil Norris House requires significant investment in project management and development skills which the council does not currently have, hence the requirement to procure these from another source. This decision notice confirms the reasons why it is deemed appropriate to proceed without undergoing a further procurement process for the following reasons:

- The cost quotations provided by EBC are aligned to all regular industry standards
- EBC have prior knowledge of the site and the scheme and have already helped the Council identify preferred, viable options for the site.
- EBC are able to mobilise quickly and given the length of time this site has been empty and the need for housing development this is a key aspect.
- EBC understand the practical hurdles that the Council and officers need to navigate in order to develop in-house housing schemes for the first time. They can provide valuable skills and knowledge transfer to allow officers to learn long lost skills.
- The Council already has other existing relationships with EBC and whilst this could be seen in a negative light, in this case, the benefit of existing professional relationships, can only strengthen the outcomes for this project.

Alternative Options Considered: Open procurement / request for sealed tenders - not proceeded with for the reasons outlined above.

Other Matters Considered:

Legal Advice and Issues	x	Financial Advice and Issues	x
Sustainability Issues	x	Equality Issues	x
Community Safety Issues	x	Human Rights Issues	x
Reputation	x	Risk Assessment	x
Health and Safety Issues	x		

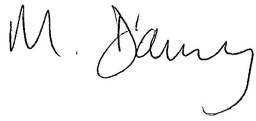
Consultation:

The Executive Member for Customer Services for Adur is aware of this approach and is in agreement.

Background Papers:

None.

Call-in: The call-in deadline for this decision will be 5:00pm on Tuesday 25 April 2017.



Signed:

Dated: 18 April 2017

Name: Mary D'Arcy, Director for Communities

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