

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

***PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted: N/A

SERVICE DIRECTORATE: *Place*

1. DECISION TAKEN

A decision to extend the contract with Groundwork East who were the previous successful project managers to deliver Capital works to renovate play grounds and other locations as identified by the Greenspace Management Strategy.

2. DECISION TAKER

Vaughan Watson, Service Director – Place

3. DATE DECISION TAKEN:

18th February 2021

4. REASON FOR DECISION

- 4.1 Under the current coronavirus conditions suppliers have vastly reduced their staffing levels and generally working on limited operational duties. At this time there is no certainty on how operations will develop going forward and that putting the contract out for quotation, due to the low value, would possibly not achieve the response or interest of assembling teams to undertake the operations. Fortunately, Groundwork East are local and are operating selected teams within Government Recommendations and would be able to fulfil the contract should it be granted an extension.
- 4.2 There is currently a contract in place with Groundwork East for the same services that can be extended.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Procure for quotations to appoint contractors.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

- 6.1 The Service Director – Place has consulted with the Executive Member: Environment and Leisure and the Service Director - Resources.

7. FORWARD PLAN

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND

- 8.1 Groundwork East have successfully managed a number of capital projects over the term of the existing agreement. This includes public consultation, design and project

management through to completion projects that have been identified within the Greenspace Management Strategy or that have become available through S106 contributions. This includes the Skate Park at Norton Common, renovation of the play area at King George 5th Hitchin, renovation of the play area at Chiltern Road Baldock and currently the renovation of the play area at Howard Park and Gardens Letchworth.

9 LEGAL IMPLICATIONS

- 9.1 Under paragraph 14.6.4 of Section 14 of the Council's Constitution, Service Directors have general authority to enter contracts to out works and/or for the supply of goods and services within approved budgets. An extension of a contract is within the Service Director's general authority.
- 9.2 Paragraph 14.6.9 further gives the Service Director - Place the authority to manage, direct and control resources relating to, amongst others, environmental services, grounds maintenance and parks and open spaces. The Executive Member for Environment and Leisure is also responsible for leadership, strategic planning and development, partnership working and decision making within these stated service areas under this paragraph.
- 9.3 The original contract was awarded in compliance with the Contract Procurement Rules and the contract itself gives Council an extension right.
- 9.4 Rule 29.2 of the Contract Procurement Rules states that where an extension is required by up to 24 months or up to a value of £200,000, the Service Director following a consultation with the Service Director – Resources and the relevant Executive Member may authorise such extension. The proposed extension is for 24 months with a value of £180,000 therefore the extension has been authorised by the Service Director - Place in consultation with the Service Director – Resources and the relevant Executive Member.
- 9.5 The extension is also permitted under Regulation 72(e) of the Public Contract Regulation on the basis that the proposed extension is for the continued performance of the same service and for the same price as is under the original contract and therefore not a substantial modification to the original contract.

10. FINANCIAL IMPLICATIONS

- 10.1 No additional funding is required for the extension.

11. RISK IMPLICATIONS

- 11.1 None

12. EQUALITIES IMPLICATIONS

- 12.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in paragraph 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.3 There are no additional equality implications associated with this proposal.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 If Groundwork East do not undertake this work, we would not have the internal resource to manage these projects.

16. BACKGROUND PAPERS

16.1 None

17. APPENDICES

17.1 None

NOTIFICATION DATE

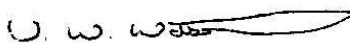
19th February 2021

Signature of Executive Member Consulted:



Date: 19-02-21

Signature of Decision Taker:



Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS