

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE  
TUESDAY, 19 FEBRUARY 2008**

Councillors \*Diakides, \*Meehan, \*Adje (Chair) and \*Santry

\*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC48.	<p><b>TETHERDOWN PRIMARY EXPANSION - PHASE 2B</b> (Report of the Director of the Children and Young People’s Service - Agenda Item 4)</p> <p>Our Chair agreed to accept the report as urgent business. The report was late because negotiations were not completed until after the despatch of the agenda. The report was too urgent to await the next meeting because a contract award to enable works to commence was needed to ensure that works would be completed before the start of the 2008/09 academic year.</p> <p>Details of the contract which were set out in the Appendix to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).</p> <p>We noted that the sum of the tender returned by Bolt &amp; Heeks for Phase 2B had exceeded the project budget and that the project team had carried out a value engineering exercise with the contractor. The specification had been reviewed and alternative manufacturers and suppliers identified offering comparable quality and design. Also that items had been removed from the scope of the project so that the total value of the schedule of omissions and variations agreed enabled a revised form of tender to be submitted which was within the budget of Phase 2B.</p> <p>Arising from consideration of the Chief Financial Officer’s comments at Section 4 and of the Appendix to the interleaved report, Councillor Diakides indicated that he had a number of questions about the funding of the Tetherdown Primary School Expansion project but that he would pursue these with the Director of the Children and Young People’s Service outside our meeting.</p> <p><b>RESOLVED:</b></p> <p>That approval be granted to the award of the contract for the construction of Phase 2b of the Tetherdown Primary School Expansion to Bolt and Heeks Ltd. in the sum of £1,020,982.34 (excluding VAT) with a contract period of 15 weeks.</p>	DCYPS
PROC49.	<p><b>AMENDMENT TO THE BUILDING SCHOOLS FOR THE FUTURE (BSF) OVERSIGHT PROTOCOL</b> (Report of the Director of the Children and Young People’s Service - Agenda Item 5)</p>	

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	<p>Our Chair agreed to accept the report as urgent business. The report was late because necessary consultations were not completed until after the despatch of the agenda. The report was too urgent to await the next meeting because the BSF programme required key and timely decision making in order to minimise potential risk to cost and time of individual schools projects.</p> <p>We noted that the BSF programme required key and timely decision making in order to minimise potential risk to cost and time of individual schools projects and that the contract value of BSF projects fell largely within the reduced Forward Plan threshold for a key decision of 500,000. However, whilst acknowledging the need for the BSF programme to maintain momentum we considered that it was of paramount importance that Member involvement and scrutiny of decision making, especially at the stage of contract award was transparent and fully compliant with the requirements of the Council's Constitution and.</p> <p>We also noted that the scheduling of dates for future meetings of the Procurement Committee might present a real risk of delay and in acknowledging this risk, we indicated that in respect of BSF contracts we would be prepared to forego the agenda clearing and report clearing stages of the normal process and, as necessary, convene special meetings of our Committee with the agenda restricted to only consider BSF items such meetings could be held before or after other meetings involving Committee members but If no items were available, then pre-scheduled meetings would be cancelled.</p> <p>We asked that a briefing note be prepared for the Leader on the time scale required for report production and we also asked that the Corporate Procurement Unit, Corporate Financial Services and Legal Services fast track any requests for comments in relation to BSF contract reports.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That the decision taken by the Committee on 27 June 2007 (vide Minute PROC.09 (1)) be rescinded and the award of Building Schools for the Future project contracts which exceed £250,000 in value be made by the Procurement Committee.</li> <li>2. That for the purpose of the Council's Forward Plan the decision making body shown in relation to any decisions on the award of Building Schools for the Future Contractor Partner call off contracts valued at £500,000 reflect the revised arrangements described in 1 above.</li> <li>3. That all reports above £250,000 in value contain legal comments (to be provided by Eversheds) confirming that the respective project contracts under the Building Schools for the Future Framework Agreement have been awarded in accordance with the Public Contracts Regulations, 2006.</li> </ol>	<p>DCYPS</p> <p>DCYPS</p> <p>DCYPS</p>
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	4. That after the Pre-Construction stage has been completed in a project over £250,000 in value it should be reported to the Procurement Committee with the Agreed Maximum Price (AMP) before the Construction works commences.	DCYPS
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CHARLES ADJE  
Chair