

## PORTFOLIO HOLDER DECISIONS



**Please refer to Guidance Notes overleaf**

Forward Plan Ref. No.	<b>2017 278</b>	06/07/17
Name of Portfolio Holder	Cllr Philip Ham	
Name of Officer	Jane Sharp	
Details of Decision	Authorisation to enter into a procurement exercise with Avon & Somerset Constabulary for a joint project manager / quantity surveyor to co-ordinate build works at the Shape Mendip site during 2017-2019.	
Details of consultation carried out: Tick		
Chief Executive/ Deputy Chief Executive	Name: Donna Nolan	Date:04/07/17
Legal	Name: Alex Kershaw-Moore	Date: 26/6/17
Finance	Name: Paul Deal	Date: 04/07/17
Group Manager	Name: David Clark	Date: 26/06/17
Portfolio Holder	Name: Philip Ham	Date: 06/07/17
Ward Member (mark NA if necessary)	Name: NA	Date: NA
Reasons for Decision	<p>The appointment of a joint PM/QS is more cost-effective and avoids duplication.</p> <p>The build phases are: phase 1 Hub extension (MDC) and phase 2 Police response centre (ASC). The current timetable shows there will be a short period of overlap between phase 1 build works being completed and phase 2 build works starting on-site. It is therefore essential to have one PM/QS in place who can co-ordinate and manage the two phases including the appointment of a single build contractor.</p> <p>Relevant Phoenix Sponsorship Board agreements:</p> <ul style="list-style-type: none"> <li>• On 13/02/17 it was agreed to facilitate the relocation of the Shepton Mallet Library to the Shape Mendip Site and appointment Pick Everard as design advisors for the extension.</li> <li>• On 13/6/17, ASC's preferred location for their Response Centre was confirmed as being the same as that of the Board; officers were asked to work towards achieving this and provide regular updates.</li> </ul>	
Any alternative options considered and rejected	The alternative is for MDC and ASC to each procure their own PM/QS. It is considered that this would not provide a site-wide overview in terms of the build programme and be a more expensive option with less efficiencies gained and with the risk of more duplication. It would also increase the risk of two build contractors operating on site at the same time.	
Financial and personnel	The Joint PM QS costs have been included in the financial	

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implications	<p>analysis that was previously considered and endorsed by the Phoenix Board so are not new costs.</p> <p>The Joint PM QS fees for the Hub Extension are expected to be 5% of build costs. Build costs are approximately £1.5m. The fees and build costs will be firmed up once the build contract has been out to tender.</p> <p>To drive best value, a full competitive procurement exercise is being undertaken, led by MDC with supported by Capita. The exercise uses the Council’s Contract Procedure Rules and Terms &amp; Conditions.</p> <p>The indicative completion date of the procurement is 31/7/17.</p> <p>It is imperative that this procurement exercise takes place as soon as possible so that the project can meet the build timescales for the Hub Extension including the library.</p> <p>The cost of the joint appointment would be shared between MDC and ASC on the basis of the contract value of the proposed phases. For MDC the forecast cost is £75,000, which is 5% of the estimated £1.5m build costs for the Hub extension.</p> <p>If ASC were to decide not to relocate to the Shape Mendip site, then the procurement documentation allows for phase 1 only and if this is the case, the cost would be met by MDC.</p> <p>For clarity, if we proceed with the procurement, we intend to capitalise this cost and so it becomes part of the overall costs. If the Hub Extension project doesn’t go ahead for any reason, it would be treated as a revenue cost and be funded from contingency or reserves and Corporate Finance would advise accordingly.</p>
Any relevant personal Interest under the Code of Conduct	None
Reports and Background papers relevant to the decision	None
Date e-mailed to Members incl Scrutiny Board Chair	<b>06/07/17</b>
Date of Publication of Notice	<b>06/07/17</b>
Date Decision comes into force (*see below)	<b>14/07/17</b>
<b>* Please Note:</b> The decision detailed above will come into force, and may be implemented, 5 clear working days after Publication unless subject to call-in by the Scrutiny Board.	
<b>Signature of Portfolio Holder</b>	.....

**Please complete and return to Democratic Services**

## Guidance for Officers

1. The Council's Constitution sets out some quite specific procedures to be followed when decisions are made by individual members of the Cabinet. These are based on statutory requirements and are intended to ensure that:
  - (a) such decisions are made available to the public in the same way as decisions made by the Cabinet as a whole; and
  - (b) Scrutiny Board has an opportunity to consider whether to call-in such decisions for review before they become effective.
2. The information required overleaf should be completed in relation to each decision made by a portfolio-holder. Any relevant reports and background papers should be attached as these must be available for public inspection.  
**Please note** that, to comply with the Constitution, the form needs to confirm that various parties have been consulted and to give details of any relevant personal interest of the portfolio-holder.
3. The form and attachments should then be forwarded to Democratic Services within 2 days of the decision being made. They will add the date of publication and the date on which the decision will come into force if not called-in, and make the necessary publication arrangements. These will include:
  - publishing the decision on the Council's web-site
  - storing a copy of the form centrally on SharePoint
  - e-mailing a copy of the form to all members, including the chair of Scrutiny Board.

Other methods of publicising the decision may also be used from time to time.

4. Democratic Services will return a copy of the form to the officer submitting it giving the date of publication and the date that the decision can be implemented.  
**Please note: It is important to be aware that the decision cannot be implemented until it comes into force – under the current constitutional arrangements this will be 5 working days after publication, provided the decision is not called-in.**
5. Decisions should only be called in under exceptional circumstances. If this happens, the procedures in paragraph 14 of the Overview and Scrutiny Rules in Part 8 of the Constitution will be followed, and the decision cannot be implemented until these procedures have been gone through as appropriate.
6. Any queries on this procedure should be addressed to Democratic Services or Donna Nolan (ext. 210).