

DECISION RECORD ¹

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution) **Council's Constitution**

Subject: To enter into a Delivery Agreement for the construction of the New Ware Household Waste Recycling Centre

Staff Contact: Matthew King

Executive Member: Terry Hone

Tel: 01992 556207

Portfolio: Community Safety & Waste Management

1. Decision ²

To sign the Delivery Agreement with Balfour Beatty to construct the new Ware Household Waste Recycling Centre.

2. Reasons for the decision ³

Hertfordshire County Council, through the Waste Disposal Authority's Waste Spatial Strategy (WSS) 2009 (updated in 2016), has identified the need for a new "super site" Household Waste Recycling Centre (HWRC) at the existing Westmill site (in HCC's ownership) to improve the resident experience, plan for property growth, and allow consideration for the rationalisation of the HWRC network.

In October 2013 a business case secured capital funding of £6m to develop an improved HWRC at the Westmill site. Although the project has progressed the capital budget has been carried forward as capital works on site have not yet started.

All works to date, including detailed design and the planning application phase, have been procured through the Scape framework agreement. Scape is a public sector organisation providing managed procurement frameworks that are available to any public body in the United Kingdom. The framework procured the services of Balfour Beatty under the Civil Engineering contract who in turn completed open book mini-tendering exercises for any sub-consultants and services. In addition project management, quantity surveyor and health & safety services from Pick Everard have also been procured through the framework. The same process is proposed for the construction phase.

Planning approval has now been received and the majority of associated planning conditions have been discharged. Therefore approval is sought to sign up to a Delivery Agreement with Balfour Beatty to commence the construction phase with the ability to terminate without cost should the final planning condition discharge not be achieved.

Construction is expected to take up to a year to complete. Construction will be based on the New Engineering Contract (NEC) which is an industry standard set of 'plain English' term and conditions aimed at delivering high quality construction projects. Subject to final agreement works are expected to commence in the spring of 2019. The existing HWRC will close for the duration of the works.

3. Alternative options considered and rejected ⁴

The Scape framework was chosen as it offers public sector organisations procurement compliant routes to construction and project management experts without the need for a full independent procurement exercise. The framework identified two principal contractors to choose from, but following discussion with the framework manager and meetings with the potential contractors, Balfour Beatty was identified as the most appropriate for this project.

Balfour Beatty were originally appointed in September 2016 to provide detailed design and planning application for the Ware HWRC and therefore their continued input into the project makes sense from a continuity and knowledge point of view.

The option of delaying the project until planning condition discharge has been confirmed was considered, however, this would risk further delay and potential cost in either signing up to the new framework agreement or procuring the construction works independently.

4. Consultation

(a) Comments of Executive Member ^{5 6}

I am in agreement with the decision to sign a Delivery Agreement with Balfour Beatty to construct the new Ware Household Waste Recycling Centre.

(b) Comments of other consultees ⁷

5. Following consultation with, and the concurrence of the Executive Member, I am proceeding with the proposed decision.

Signed:

Title: ...
3EMENT &
LEP PLANNING Date: 11 / 1 / 19

6. Copies

- All consultees
- All members of the County Council (Democratic Services to send)
- Hard & electronic copy (for public inspection both at County Hall and on hertfordshire.gov.uk) to the Democratic Services Manager - Room 213 County Hall; democratic.services@hertfordshire.gov.uk

¹ Please refer to the Call-in and Contract Award Process for officers to determine if notice on this decision record for successful and unsuccessful bidders is exempt information and is therefore subject to inclusion in Annex 'A'

² If this decision relates to the award of contract, please provide a summary of the evaluation process and reasons for the award of contract to the successful bidder.

³ for guidance see Chief Legal Officer's note "Taking Decisions"

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⁴ details of any alternative options considered and rejected by the officer at the time the decision was made

⁵ record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without taking advice from the Chief Legal Officer

⁶ If the matter has general significance for the Council and/or is, or is likely to be, controversial, then the officer shall consult the appropriate Executive Member before proceeding. In some cases it will be necessary to consult more than one Executive Member, and in some cases the Leader of The Council will need to be consulted

⁷ If the matter has local significance, but no general significance for the Council and no controversial aspects, the officer shall consult or inform the local member in writing (or by email) and proceed. It is essential that all officers responsible for delivering services ensure that local members are kept well briefed on issues affecting their areas.

