

## Decision Record – S278 Highway Improvement Scheme at B4642 Coventry Road / Site Access, Cawston (Decision taken under the County Council Urgency Procedure)

<b>Cabinet Portfolio Holder taking the decision</b>	Cllr Alan Cockburn (Finance & Property)
<b>Date of Decision</b> (not before 16 September 2016)	<b>19/09/2016</b>

### Decision Taken

The Portfolio Holder for Finance and Property gives approval to:

- (1) increase the capital programme provision for the S278 highway improvement scheme at B4642 Coventry Road / site access, Cawston, to £1.45m;
- (2) the award of the contract for the S278 highway improvement scheme at B4642 Coventry Road / site access, Cawston.

### Reasons for Decisions

This urgent decision was required owing to the cost of the project exceeding the original estimate. The total cost is to be met by developers.

### Background Information

On 22 January 2016 the Deputy Leader gave approval to add the (Highways Act 1980) Section 278 highway improvement scheme to the capital programme. The estimated cost, including works and fees, was £650,000.

The S278 works are required as part of the planning consent given by Rugby Borough Council for a residential development off Coventry Road, Cawston. The works comprise the addition of a fifth arm to a roundabout and a new Toucan crossing. The S278 agreement was signed by Bellway Homes (the Developer) on 25 February 2016. The Developer will be providing 100% of the funding for the scheme.

The procurement of the works is through a Package Order Call Off Contract (POCOC) under Warwickshire County Council's Provision of Construction Works Framework Contract. The Framework Contract was established in April 2014 following an EU procurement process. The Framework contract comprises five Framework Lots (identified by financial value and / or nature of work). Successful applicants were awarded a place as a supplier within a Framework Lot following evaluation of Lot-specific ITT questionnaire responses provided by each of the tendering applicants. A Lot-specific POCOC for a particular Work Package is awarded following further competition between suppliers for the Lot to which the Work Package relates. Further competition is on the basis of price alone.

All of the seven named suppliers in the appropriate lot of the Framework were invited to submit quotations for these works on 19 July 2016, with a tender return date of 19 August 2016. Five suppliers declined further participation and one did not submit a quotation. The reasons for declining included current tender commitments and it being the holiday season. Just one supplier returned a quotation which has been verified but exceeds the amount entered on to the capital programme.

Approval has been given to increase the capital programme provision to £1.45m to cover the cost of the works and fees, and an allowance for contingencies. There is no financial risk to Warwickshire County Council as S278 schemes are fully funded by the Developer's contribution which is ring fenced for the works specified. For Developer funded schemes, there are no alternative uses for the contribution and it does not affect the overall level of available capital resources. The Developer has given notice to accept the quotation and has therefore accepted the cost.

Warwickshire County Council's Contract Standing Orders (September 2013) Section 2.3 states that authority to award a major contract between £1.0m and £3.0m requires a report back to the relevant Portfolio Holder where the bids exceed the original estimate by 10% or more.

<b>Financial Implications</b>
None to WCC

<b>Report Author</b>	Shirley Reynolds
<b>Head of Service</b>	Mark Ryder
<b>Strategic Director</b>	Monica Fogarty
<b>Portfolio Holder</b>	Councillor Peter Butlin

### Checklist

<b>Urgent matter?</b>	Yes
<b>Confidential or Exempt?</b> (State the category of exempt information)	No
<b>Is the decision contrary to the budget and policy framework?</b>	Yes/No

<b>List of Reports considered</b>
<p>Link to published proposed decision report:</p> <p><a href="https://democratic.warwickshire.gov.uk/cm5/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/645/Meeting/3822/Committee/585/Default.aspx">https://democratic.warwickshire.gov.uk/cm5/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/645/Meeting/3822/Committee/585/Default.aspx</a></p>

<b>List of Background Papers</b>

<b>Members and officers consulted or informed</b>
<p>Portfolio Holder – Councillor Peter Butlin</p> <p>All Strategic Directors</p> <p>Legal – Ian Marriott, John Gregory, Peter Endall</p> <p>Finance – Liz Firmstone, Virginia Rennie</p> <p>Equality – Claire Bonnet</p> <p>Democratic Services – Paul Williams</p> <p><u>Communities OSC – party spokes:</u></p> <p>Councillors Clark, Fradgley, Johnson, Lea</p>