

POLICY AND RESOURCES COMMITTEE - 1 NOVEMBER 2021

PART 1 - DELEGATED

8A. EXEMPTION FROM PROCUREMENT PROCEDURE RULES – EASTBURY OUTDOOR GYM (DCES)

1 Summary

1.1 To advise Members that an exemption to the Procurement process was approved by the Director of Community and Environmental Services under the Exceptional Circumstances exemption as permitted by the Council's Constitution.

2 Details

2.1 An exemption may be considered by the Chief Executive or a Director in exceptional circumstances. This applies in the case of the Eastbury Outdoor Gym.

2.2 Once approved, a report to the Policy and Resources Committee must detail the actions taken. This report is for information only to comply with the requirements of the Constitution.

2.3 The exemption was given to award the contract to Kompan with a higher budget than had previously been advertised. This increase in budget was a direct result from Batchworth Community Council (BCC) identifying additional funds to go towards the project.

2.4 Kompan submitted a tender as part of the original procurement exercise, with a budget of £16,000 - £8,000 from Three Rivers District Council (TRDC) and £8,000 from BCC. The contractor met this budget within the agreed specification.

2.5 Subsequently, BCC identified additional funds for additional items of equipment, which would result in a total project cost of £33,574.87.

2.6 The budget split would therefore be:

- £8,000 – TRDC Capital
- £25,574.87 – BCC Capital

2.7 Officers will carry out public consultation on the design and the location, prior to the planning process.

2.8 Any additional costs relating to the equipment will be recharged to BCC. This includes items such as day to day maintenance, replacement items, repairs etc. This will be formalised through an agreement between TRDC and BCC.

3 Options and Reasons for Recommendations

3.1 The Constitution requires that a report is taken to the Policy and Resources Committee on the action taken in the event that an exemption to the procurement process is approved.

4 Policy/Budget Reference and Implications

4.1 The recommendations in this report are set out in Part 4 of the Council's Constitution.

5 Financial Implications

5.1 None specific as the TRDC contribution remains at £8,000.

6 Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

6.1 None Specific.

7 Recommendation

7.1 That the Policy and Resources Committee note the action taken.

Report prepared by: Charlotte Gomes, Landscapes and Leisure Development Manager

Data Quality

Data sources: not applicable

Background Papers

The Council's Constitution: Part 4 – Contracts Procedure Rules

APPENDICES / ATTACHMENTS

None