

**SAPLEY SQUARE – PROFESSIONAL SERVICES
(Report by Director of Operational Services)**

1. INTRODUCTION

- 1.1 Cabinet previously has considered reports on contractual and financial matters relating to the Acorn Community Health Centre (Phase 1) and Sapley Square West (Phase 2) projects.
- 1.2 This reports seeks approval for securing the necessary professional services for Phase 2.

2. BACKGROUND

- 2.1 Prior to the District Council becoming involved with the delivery of Phase 1 the intention of the project's promoters were to –
- (a) transfer the existing contractual relationship with their Architect (Macmon), Structural Engineer and Mechanical and Electrical Engineer to the successful 'design and build' contractor;
 - (b) to maintain the services of their Quantity Surveyor (Dudley Smith) as employer's agent;
 - (c) appoint a project manager to look after the interests of the building's eventual occupiers; and
 - (d) appoint a Clerk of Works to superintend the construction
- 2.2 Because of the closeness of the locations of the two phases it would be impractical to construct them concurrently using different contractors. This principle has been accepted by ODPM who would not oppose a negotiated contract for Phase 2 being secured with the contractor engaged for Phase 1.
- 2.3 The District Council already has established a relationship with the Phase 1 Architect and Quantity Surveyor for initial preparatory work in respect of Phase 2.
- 2.4 Subject to a decision to run Phases 1 and 2 concurrently using the same contractor a single Clerk of Works only would be required.
- 2.5 The District Council has advertised for a Project Manager (2 year contract) to manage its client-side interest in the projects. This is separate from, and will perform a different task to, the Project Manager referred to at 2.1(c) above and is being financed through the Planning Delivery Grant.

3. CODE OF PROCUREMENT

- 3.1 At the time of writing this report there is some uncertainty regarding the Council undertaking both Phases 1 and 2 based on the tendering

procedure that has been completed. A requirement to re-tender would alter the timing of the construction but would not alter the proposed arrangements for securing professional services described in the following paragraphs.

- 3.2 Both the Architect, Macmon, and Quantity Surveyor, Dudley Smith already have an extensive knowledge of Phases 1 and 2 and their retention to complete the projects is recommended. Clause 2.2 of the Code of Procurement provides for the use of 'single tenders' where –

“Specialist consultants, agents or advisers and required and ...
...it is in the Council's best interest to engage a particular consultant, agent or adviser”

- 3.3 The caveat to this is that the relevant Head of Service shall “... retain records to demonstrate that the best price or value for money has been obtained from the negotiations with the tenderer.”

- 3.4 Following the award of the 'design and build' contract the services of the Architect (and associated engineering consultants) would be transferred to the principal contractor, thereby terminating the relationship with the District Council.

- 3.5 With regard to the Clerk of Works there are three options:-

- (a) to secure the service from the Quantity Surveyor;
- (b) to enter into an arrangement with Cambridgeshire County Council to make use of their service; or
- (c) employ directly on a fixed term contract.

- 3.5 Direct employment is not favoured as it would not be possible to provide cover for absences through sickness and holiday.

4. RECOMMENDATIONS

- 4.1 The Cabinet are recommended to:-

- (a) authorise the Director of Operational Services to secure using the 'Single Tender' procedure the services of Messrs. Macmon and Dudley Smith in connection with the Sapley Square project; and
- (b) authorise the Director of Operational Services to secure the necessary Clerk of Work services using an approach that delivers best value for money for the Council.

Background papers

Nil

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