



RECORD OF DELEGATED DECISION (OFFICER)

CONTRACT AWARD

1. Decision Reference No.	CEX493
2. Name/Title of Officer	Edd De Coverly Chief Executive
3. Email address of Officer	edecoverly@melton.gov.uk
4. Title / Subject Matter:	AOC – Continuation of Professional Services for the LUF Programme
5. Type of Decision:	Public
6. Key Decision?	Yes – expenditure of over £50k
7. Decision Taken: 1. To award the contract for professional services, in relation to the Stockyard Project through the construction phase and defects liability period as part of the LUF Programme, to TSA Riley.	
8. Reasons for Decision: TSA Riley has been supporting the Council to deliver the Stockyard Redevelopment Project, which is funded by the Levelling up Fund, through the design phases up to RIBA Stage 4. Specifically, the services of Quantity Surveying, Contract Administration and Employers Agent providing a wide range of expertise that can be called upon as and when needed to support delivery of the programme. TSA Riley's contract is due to come to an end at the completion of RIBA Stage 4 and it would be detrimental to the programme to lose the knowledge and experience that the existing consultants have developed in relation to the Stockyard project since the start of the programme. The Council does not currently have the necessary expertise internally to provide the above services that would enable it to manage this programme effectively and so it is reasoned the most cost-effective way forward is to retain the services of TSA Riley for RIBA Stage 5, the construction phase and RIBA Stage 6, the defects liability period of the project. The current decision notice CEX409 was approved to the end of RIBA Stage 4 at a cost of £79,092 and has been funded from the Stockyard project management allowance secured from the LUF programme. It is expected that retaining the services of TSA Riley through RIBA Stages 5 and 6 will cost an additional £113,959 will also be funded from the Stockyard project management allowance secured from the LUF programme.	

If approved the Council will be able to continue progressing the project through to the construction phase in spring 2025.

The supplier has been procured in compliance with the contract procedure rules, and all necessary due diligence has been carried out by the Council Officer.

9. Authority / Legal Power:

At its meeting on [June 16th 2022](#) Cabinet approved the principles of the Stockyard project (point 6 of the minutes) as part of submitting of the Levelling Up Funding Bid.

On securing the funding, [Cabinet on Wednesday, 8th March, 2023](#), considered the scheme and recommended to [Council on Thursday, 23rd March, 2023](#) acceptance of the funding. Council resolved to accept Melton's proportion of the LUF funding and to enter the capital scheme for the Stockyard to the capital programme to enable its delivery.

The Chief Executive can approve contracts up to £3million provided that the Contract Procedure Rules have been complied with.

The Chief Executive has delegated authority in regard to the overall responsibility for the delivery of all Council services pursuant to 12.1 of the Officer Scheme of Delegation.

The proposal to extend the contract with TSA Riley through to the end of the defects liability period is within the terms of the funding provided under the LUF BID.

10. Background Papers attached?

No background papers attached.

11. Alternative options available / rejected:

1. Do not retain existing support and manage in house. There is currently not the skill set within the organisation to manage all components of the Stockyard programme effectively. The level of knowledge and insight the existing consultancy have gained through the development of the programme is significant and it would be detrimental to the programme to lose this.
2. Open procurement for the work – this has not been recommended as the level of knowledge and insight the existing consultancy have gained through the development of the programme is significant and it would be detrimental to the programme to lose this. There would also be significant delay whilst a new provider was bought up to speed and this could impact the pace at which the design stage of the programme is being delivered.

12. Implications:

Legal

The Council has power to enter contracts to discharge its functions under section 111 of the Local Government Act 1972 and section 1 of the Local Government (Contracts) Act 1997. The 1972 Act also requires the Council to make Standing Orders regulating how it enters contracts. In addition to complying with relevant UK and retained EU legislation every contract entered by the Council must also comply with the Council's Contract Procedure Rules and Financial Regulations in the Constitution.

The Financial Procedure Rules provide that the Chief Executive can

	<p>approve contracts up to £3million provided that the Contract Procedure Rules have been complied.</p> <p>The cost of this work will be funded by the Stockyard project management allowance secured as part of the LUF Funding.</p> <p>Funding for this work is provided by the Levelling Up Fund, and the proposed expenditure complies with the legal and/or contractual requirements pursuant to which that funding was provided.</p> <p>Assistant Director for Governance & Democracy - 11 December 2024</p>
Finance	<p>A formal fee proposal has been received from TSA Riley to include the necessary services of Quantity Surveying, Contract Administration and Employers Agent to the end of RIBA Stage 6. This fee proposal has been analysed by the Council's Programme Lead and Project Manager and is seen as a fair market rate for these works.</p> <p>This is being funded through the LUF programme and is considered eligible expenditure against which we can claim back the costs. Invoices will be retained for costs incurred which will be submitted to Rutland County Council as the Accountable body for the programme to draw down against these expenses. This will be done on a half yearly basis (3 months retrospectively and 3 months forward based upon planned expenditure for that period)</p> <p>Director for Corporate Services – 3 December 2024</p>
HR	No HR implications are identified as a result of this decision.
Procurement	<p>This appointment will be a direct award through the ESPO Consultancy Services Framework with T&C's as set out in the Call off Contract.</p> <p>Mark Fisher – 8 January 2025</p>
Other	N/A
13. Signature of Decision Maker with authority to sign (See Section 9):	Edd de Coverly Chief Executive
14. Consultation with:	N/A
15. Date:	6 March 2025

**16. Officer Responsible
for Procurement**

**I confirm compliance with the Contract Procedure Rules
Phil Norwell, Capital Project Manager**