

Planned Procurement Activities – 12th October 2021

For Public Report

ADDENDUM TO PUBLIC REPORT

Additional item added due to urgency

Title of Contract	Southside Public Realm Works
Director / Assistant Director	Phil Edwards, Assistant Director, Inclusive Growth
Briefly describe the service required	<p>The Cabinet Members for Transport and Environment and Finance and Resources approved the Full Business Case and award of a contract to nmnc plc in the report dated 10th February 2021. On 4th October 2021, nmcn plc entered into administration and there is an urgent requirement for the completion of the works by another organisation with the ability, capacity and financial robustness to complete the works: The scope of the works includes:</p> <ul style="list-style-type: none">• Providing a consistent, high-quality paving material palette between the south of Hill Street through to Hurst Street and Ladywell Walk.• A new pedestrianised square on Hurst Street to be used as a new event space.• Improvements to street furniture, including de-cluttering, upgrading lighting and new trees.• Improving pedestrian crossings at the Smallbrook Queensway junction.• Improving segregation to the existing contra flow cycleway on Hill Street.
What is the proposed procurement route?	<p>To enter single contractor negotiations with CPC Civils Ltd. In the event that agreement to conclude the award of contract with CPC Civils Ltd is not reached, negotiations will be entered into with another suitable and available organisation for the works above.</p> <p>If these negotiations are not successful, a contract will be required to make good the exposed areas using a suitable framework agreement whilst any strategy for the future of the scheme is formulated].</p>
What are the existing arrangements? Is there an existing contract? If so when does that expire?	<p>The existing contractor has entered into administration and does not have the ability to finish the works. The existing contract will be terminated once a replacement arrangement is awarded to ensure contractual assurances are in place with no break.</p>
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	<p>This was an unforeseen event and there is not time to carry out a procurement exercise for the completion of the works to mitigate cost increases, safety issues with the site and stakeholder satisfaction.</p> <p>CPC Civils Ltd is best placed to undertake the completion of the works that will mitigate the risk to the project as they are currently satisfactorily delivering the City Centre Public Realm scheme that is of a similar nature. CPC Civils Ltd has significant experience of working in the city centre having recently delivered works in nearby locations for Severn Trent, Engie and the WMCA. The negotiations will look to realise any efficiencies from the delivery of schemes within close proximity through a shared compound and ensure rates are reflective of current market conditions such that they provide best value.</p>

	CPC Civils Ltd will be required to be certified to the BBC4SR and produce commitments proportionate to the estimated value to the supplier of the contract.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house for the period of this contract.
How will this service assist with the Council's commitments to Route to Zero?	The specification will require the service to be delivered in a way that reduces or eliminate their carbon footprint, in particular with transport.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the Southside public realm works are required to be completed to improve the visitor experience to the city centre and assist with the facilitation of economic growth.
What budget is the funding from for this service?	The scheme will be funded by the existing approved budget from Greater Birmingham and Solihull Local Enterprise Partnership Economic Zone (EZ), Section 106 and third-party contributions.
Proposed start date and duration of the new contract	The proposed start date is November 2021 for a duration of up to 15 months.