

Community Committee	
Meeting Date	10 th August 2022
Report Title	Procurement of St Michael's Church Flint Wall Repair / Reconstruction works, Sittingbourne
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Regeneration, Economic Development and Property
Lead Officer	Eva Harris Business Support Officer Property Services
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That the Committee approves the appointment of Company 'E' for the repair / partial reconstruction of St Michael's Church Wall at a value of £108,708 exc. VAT. 2. That the Committee supports the additional costs of the project and that these be drawn from the existing High Streets Fund budget 3. The committee agree to the waiver requested in relation to the works contract and that the Director of Resources be authorised to complete the necessary documentation

1 Purpose of Report and Executive Summary

- 1.1 In May 2022, the Regeneration, Economic Development and Property service launched a one stage tender process for the repair / partial reconstruction of St Michael's Church Flint Wall in Sittingbourne. The process set out that quotes would be evaluated on 60% price and 40% quality.
- 1.2 This report summarises the procurement process and its results and seeks Committee approval to instruct the recommended contractor.

2 Background

- 2.1 The restoration of St Michael's Church Flint Wall in Sittingbourne High Street is an agreed High / Medium member priority project to repair / partially reconstruct a grade II listed church wall, including flint works and new iron railings using appropriate materials and restoration processes.
- 2.2 £80k budget was allocated for these works from the High Streets Fund, based on officer cost estimates. 10% contingency is included within the budget for all projects, meaning £88k is available.

- 2.3 Planning permission was secured in spring 2022. The full Specification was provided to the Diocese for consultation and approval prior to advertising request for quotes in May 2022.
- 2.4 The opportunity was advertised in accordance with current contract standing orders, with interested parties asked to complete a Request For Quotation, A823.
- 2.5 Nine quotes were received, all of which exceeded £100k, meaning a full tender process should have been undertaken. Officers in the Property team have completed a waiver request to allow the procurement process to be considered valid. This is on the basis that the procurement process enacted was believed to be the correct route at the point of commencement. In addition, a full tender process would have been very unlikely to change the outcome of the assessment process.
- 2.6 The recommended contractor scored the highest for quality and cost, and as such represents the most economically advantageous quotation. The quote is £108,708+VAT i.e. £20,708 above budget.
- 2.7 The High Streets Fund was originally fully allocated across staff and projects. Following the departure of the Capital Projects team however (the Project Officer in March 2022 and the Programme Manager in June 2022), there is c. £35k surplus budget available to accommodate the additional costs of the recommended contractor.
- 2.8 The tender assessment panel consisted of three senior Swale Borough Council officers, in line with procurement guidance). Each panel member scored independently. The scores were as follows:

Company	Price Score	Quality Score	Total
A	Failed Technical & Professional ability	Failed Technical & Professional ability	N/A
B	27.31916896	27.33333333	54.65250229
C	49.09251022	26	75.09251022
D	38.38740054	20	58.38740054
E	60	32.33333333	92.33333333
F	45.93090379	31.66666667	77.59757046
G	26.11415393	24.66666667	50.7808206
H	52.04502673	31.66666667	83.71169339
I	49.12773061	28.33333333	77.46106394

- 2.9 The Contractor E has the highest score for both quality and price.

- 2.10 By waiting until the next scheduled meeting of the Community Committee to award the contract would cause delay to the extent that the works may not be able to be undertaken until spring 2023 as the specialist nature of the works requires them to be completed during mild weather. Under Contract Standing Orders, this would mean the need to undertake a fresh tender process, which given current conditions, could very well lead to a significant price rise

3 Proposals

- 3.1 The Committee is recommended to approve:
- 3.1.1 the appointment of Company 'E' for the repair / partial reconstruction of St Michael Church Wall at a value of £108,708 exc. VAT, and that the additional costs of the project be drawn from the existing High Streets Fund budget
- 3.1.2 the waiver in relation to the repair / partial reconstruction of St Michael's Church Wall works contract.

4 Alternative Options

- 4.1 Not to award the contract (rejected as does not meet the member priority, and budget is available.
- 4.2 To undertake a full tender process (rejected as time and budget implications and unlikely to change the outcomes
- 4.3 To seek to reduce the works to within budget (rejected as complex, will not achieve the full desired outcome which is possible within the HSF budget)

5 Consultation Undertaken or Proposed

- 5.1 Officers have consulted with the Procurement Department regarding the process to secure the waiver to allow the award of the contract.

6 Implications

Issue	Implications
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Corporate Plan	<p>Corporate Plan: 2.4 Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry</p> <p>Appointing a contractor that meets a good quality standard and provides good value for money contributes towards all the corporate priorities as it assists with the key element within the Sittingbourne High Street Conservation Area order as part of a planned wider package of works to improve the public realm in the Sittingbourne town centre</p>
Financial, Resource and Property	<p>Anticipated spend on the repair / partial reconstruction of St Michael's Church Wall Contract is £108,708.00 +VAT. This is £20,708 above original budget</p>
Legal, Statutory and Procurement	<p>The contract will be drawn up using JCT D&B along with the Council's supporting terms and conditions which have been approved by Mid Kent Legal Services and Finance.</p> <p>Because there is no requirement under RFQ threshold to include Social Value, no reference or weighting were placed against this element.</p>
Crime and Disorder	None identified at this stage
Environment and Climate/Ecological Emergency	None identified at this stage
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Risk Management and Health and Safety	Part of the procurement process ensures that contractors are fully competent, particularly in the area of health and safety. The recommended contractor's competence is evidenced through their responses to quality questions.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
None

8 Background Documents

None.