

## **HAVANT BOROUGH COUNCIL**

### **Portfolio Holder Delegated Decision**

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**Decision By: Cllr Michael Wilson**

**ISSUE TITLE: BUILDING CONTROL IT SYSTEM - PREFERRED BIDDER**

**Report by: Chris Bradley, Head of Service**

**Key Decision: No**

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#### **1.0 Purpose of Report**

1.1 To approve the selection of the preferred bidder for the Building Control IT system, which is over the value of £50,000 but which was not the lowest price.

#### **2.0 Decision**

2.1 In accordance with the constitution of HBC and EHDC, the Leaders have the power to approve the awarding of a contract to a supplier which was over the value of £50,000 but was not the lowest price submitted.

2.2 The price is within the budget approved by both councils. The combined HBC/EHDC funds allocated were £120,000. The current spend forecast is £119,989, which includes contingency for mobilisation.

#### **3.0 Issue**

3.1 The Council delegated the authority to spend the funds set aside for the procurement of a new Building Control IT System to the Executive Director (Operations and Place Shaping) and Portfolio Holders for Planning at HBC and EHDC. (HBC 14 March 2018 & EHDC 24 May 2018). The post holder's being Mr Hassett, Cllr Glass and Cllr Turner.

3.2 On the 6 December 2018, following a presentation by the procurement team, the Executive Director (Operations and Place Shaping) and Portfolio Holders for Planning at HBC and EHDC were unanimous in approving the preferred bidder.

3.3 Of the three proposals received for the replacement Building Control IT System, the preferred supplier scored highest on quality and was second on price. The cheapest supplier scored last on quality. The second placed supplier on quality was significantly more expensive.

3.4 Using the approved and pre-published evaluation criteria scoring method, 60% quality, 40% price, the preferred supplier won by 71.4 points to 64.6 points with the third, more expensive, supplier scoring 51.4.

3.5 The constitution of HBC requires any contract over £50,000 and not awarded to the cheapest supplier to be approved by the Leader.

#### **4.0 Implications**

- 4.1 **Resources:** If this decision is not approved, under EU regulations the procurement will need to be rerun with a revised evaluation criterion. This will result in at least a six-month delay to the project.
- 4.2 **Legal:** Approval by both leaders will satisfy the constitution of each councils and reduce the risk of legal challenge.
- 4.3 **Strategy:** As described in the approved a Cabinet papers, a new Building Control IT System is a priority for the council.
- 4.4 **Risks:** There is a small risk of challenge from a member of the public but the team have strong evidence to support the decision.

#### **5.0 Local Government (Access to Information) Act 1985 – ‘confidential’ or Exempt’ Information Indicator:**

- 5.1 This delegated decision does not contain confidential information.

#### **6.0 Is this an Urgent Decision?**

Yes - A delay would place the procurement at risk and delay the mobilisation of the project.

**Agreed by:** Councillor Michael Wilson

**Date:** 19 December 2018

(The decision is subject to the usual ‘call-in’ process and, if not called in by the Scrutiny Board, will be effective five clear working days after the date of publication. If an urgent decision, this date will be the same as the date that this decision record was published)

Agreed and signed off by:

Legal Services: Nick Leach  
Executive Head for Finance: Lydia Morrison  
Relevant Executive Head: James Hassett  
Cabinet Lead HBC: Cllr Leah Turner

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