

Decision under Delegated Powers

This decision is made by Pam Kettle, Director (Finance and Operations) on 6 January 2014 considering the following information:

1) The Background

- 1.1 It has been known that there are unsafe 17th Century chalk mines in Hatfield for a number of years. About ten years ago a Council property subsided in Briars Lane as a result of chalk mines. This led to the first funding application to the government sponsored mine remediation project. Following successful receipt of this funding, the Briars Lane area was remediated. It was acknowledged that there were still risks in the Borough and a wider Hatfield investigation took place to identify areas of high risk.
- 1.2 Chantry Lane was identified as the higher risk area and as a result further investigation took place culminating in an application to the Homes and Communities Agency (HCA) for funding.
- 1.3 In March 2011, the HCA granted funding of £1,949,158 for the whole project. This enabled the first stage of the project to be completed (appointment of consultants and the ground investigation works). The ground investigation works determined the probable extent of the mine network and enabled the tender for remediation to be drafted.
- 1.4 During the summer of 2013, a tender exercise took place to appoint a contractor to undertake the remediation works. This is effectively pumping concrete into the ground to make the ground safe and will enable the housing in the area to be developed and potentially sold.
- 1.5 As the preferred bid was greater than the funding available a subsequent bid for additional funding was made to the HCA.
- 1.6 To enable the process to move speedily, the Council's Cabinet delegated authority to the Director (Finance and Operations) to award the contract to the successful bidder once the additional HCA funding was confirmed.
- 1.7 No alternative options were considered by the Cabinet

2) The Procurement Process

- 2.1 The Procurement was undertaken in accordance with the Council's Contract Procedure Rules, the Public Contracts Regulations 2006 and the European Procurement Directives.
- 2.2 The advertised evaluation criteria was 40% price and 60% quality
- 2.3 The tenders were evaluated in accordance with this criteria and the results of the evaluation were:

	Bidder 1	Bidder 2	Bidder 3	Bidder 4	BAM Ritches
Price	40	12	27	7	0
Quality	14	23	31	17	59
Total	54	35	58	24	59

2.4 As the highest scoring bidder, BAM Ritches should be awarded the contract at a cost of £2,990,032.00.

3) The Funding

3.1 As a result of a further application, the HCA agreed to fund the remediation up to a sum of £2,990,032.00.

4) The Authority

4.1 The Cabinet Meeting of the 3/9/13 resolved as follows:

That delegated authority be given to the Director of (Finance and Operations), in consultation with the Deputy Leader and Executive Member, Resources, to award the contract for the remediation of the chalk mines in the Chantry Lane area of Hatfield, subject to the full budget being made available by the Homes and Communities Agency.

4.2 On 8th November 2013, I consulted with Councillor Alan Franey (Deputy Leader and Executive Member, Resources) who agreed with the recommendation to award the contract to BAM Ritches.

4.3 Councillor Franey has declared no interest in respect of this matter and therefore no Head of Paid Service dispensation is required.

The Decision

In accordance with the Cabinet decision of 3rd September 2013, I agree that the contract for the remediation of former Chalk Mines in the Chantry Lane area of Hatfield be awarded to BAM Ritches for the sum of £2,990,032.00. I confirm that the HCA has agreed funding up to this sum.

Signed P. Kettle

Pam Kettle, Director (Finance and Operations)

Dated 6 January 2014