



## North Devon Council

MeetingDate

### Request for Waiver

1. NAME AND JOB TITLE OF OFFICER REQUESTING WAIVER:

Helen Bond, Property Manager

2. TITLE OF PROPOSED CONTRACT:

FHSF Boutport Street Contract Administrator Role

The proposed contract for the above will be between £5,000 and £74,999.99.

With this RFW I include a copy of the specification or brief which has been prepared for this contract and which details the goods, services and/or works which will be provided.

*Specification Attached (and provide a brief description of the contract below):*  
The largest Intervention of the FHSF Project, the redevelopment of 36 and 37 Boutport Street is now out to Tender. The next stage will require the formal appointment of a Contract Administrator. To date this role has been allocated to the Architects, Oxford Architects, support by Myles Clough, as the over reaching Project Manager. However, the scale and intensity of the Boutport Street intervention requires more dedicated support from a CA to bring the internal team, Design Team and Contractor together, to maximise the potential for successful delivery. This decision is also based on lessons learnt from the Pannier Market intervention.

I can also confirm that the contract terms which will be used for this contract will be the Council's standard terms and conditions for goods and services or (where relevant) works or, where this is not the case, I have sought the approval of Legal Services to the alternative terms and conditions that I propose to use for this contract.

In accordance with the Council's Contract Procedures Rules, three alternative quotes should be obtained and the lowest quotation should be accepted.

I can confirm that I have sought advice from Legal Services and we have agreed that it is appropriate that this requirement be waived for the following reason(s):

*(Delete A, B **OR** C as applicable)*

**A** ~~Obtaining three price quotes is not appropriate~~

**B** Received fewer than three price quotes

**NOTE:** This form, and the decision, must be kept on file and properly recorded for audit purposes.

It is a legal requirement that details of the contract being procured pursuant to this RFW must be included on the Council's Contract Register. A copy of this RFW must be sent to [supplyingndc@northdevon.gov.uk](mailto:supplyingndc@northdevon.gov.uk) immediately following approval.



**C Supplier with lowest price quote is not suitable and/or higher price quote is more suitable**

**3. THE PROPOSAL IS TO AWARD THIS CONTRACT TO THE FOLLOWING SUPPLIER:**

WT Hills

**4. DETAIL**

5. Oxford Architects submitted a quote of £59,500.00 for the four interventions. The budget cost for Boutport Street being £5.5m of the total £11.147m for the four interventions, would represent a fee of 49% of the overall quote. Approximately £29,155.00. The Property Manager also sought a quote from W T Hills who provided the CA role on Ilfracombe Watersports. Their fee quote was split into a basic CA Fee of £37,696.00 with a Fee for enhanced support of £28,800.00, bringing the Total Fee to £66,496.00. It is proposed to waive procedure rules and appoint W T Hills to this post.

I can confirm that, despite non-compliance with the requirement to seek at least three quotes, the award of this contract to the above supplier will be best value for the Council for the following reason(s):

This appointment will enable a dedicated Contract Administrator to manage this project, and allow the Architects to concentrate on the design work involved in its delivery, allowing the CA to manage the contractors and their performance, which is vital to the delivery of this intervention. Hills have worked with NDC previously – to bring any other party in at this stage that would have to establish working relationships as well as the brief would be incredibly challenging.

*Where quotes were received (option B or C above) please provide summary information below:*

Quotation 1:

*Does the quotation conform to the provided specification? Yes  
(If no, please provide detail)*

*Supplier Name: W T Hills*

*Quotation Price: £66,496.00*

Quotation 2:

*Does the quotation conform to the provided specification? No, this would be a basic CA service as opposed to the enhanced role proposed in Quote 1*

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*(If no, please provide detail)*

*Supplier Name: Oxford Architects*

*Quotation Price: £29,155.00*

*Quotation 3:*

*Does the quotation conform to the provided specification? Y / N*

*(If no, please provide detail)*

*Supplier Name:*

*Quotation Price:*

*(Add more as appropriate)*

6. DECISION TO BE MADE BY: Head of Place, Property and Regeneration

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To be completed by Decision Taker:

7. REQUEST FOR WAIVER AUTHORISED BY DECISION TAKER?: Y

8. DECISION TAKER'S COMMENTS: The Future High Street programme is the most significant set of regeneration projects that the Council is working on and of that, this intervention is the most significant. The Contract Administrator role is critical to its success. OA, as Principal designer, carried out the CA role on the PM which was challenging and complex. Separating out the two roles will enable a focused approach to the individual elements. Bringing someone entirely new in at this stage would be very difficult. Hills have worked with us previously and whilst they are more expensive than OA, the added value they can bring to the project has been proven elsewhere and the separating out of the two roles is deemed vital to the success of the project and on time and on budget.

9. DATE OF DECISION: 11/10/2023

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