

NORTH EAST JOINT TRANSPORT COMMITTEE
RECORD OF DELEGATED DECISION BY OFFICER

1. Subject of decision

Variation of contract for Design & Build of Go Ultra Low Rapid Charging Clusters

Delegation Reference (Refer to Meeting Minute Number or Delegation Scheme in the Constitution)

Joint Transport Committee Scheme of Delegation -- Proper Officer for Transport

4. Subject to the agreement of the Chief Finance Officer:

- (i) To negotiate and agree price increases where a contract provides for such increases to be negotiated and agreed by the parties

This decision has been delegated to one or more officer(s) under:

(a) A specific express authorisation was given to make and enter into appropriate contracts in relation to each project after specified consultation.

(b) a general authorisation to take such decisions **and**, the effect of the decision is to:

(i) grant a permission or license;

(ii) affect the rights of an individual; or

(iii) award a contract or incur expenditure which, in either case, materially affects the Authority's financial position.

2. Name and Title of Decision Maker

Tobyn Hughes, Managing Director, Transport North East

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3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

4. Executive Summary

Following a fully compliant OJEU procurement process conducted on behalf of the North East Combined Authority by Newcastle City Council, a contract for the Design & Build of five Go Ultra Low Rapid Charging Clusters was awarded to Fastned UK Limited at a price of £399,545. During the contract term the Contractor has identified cost increases which are necessary to the delivery of the contract specification, but which were not identified as the responsibility of the contractor. These additional costs total £86,125 relating to the following:

- Kingston Park requires a new substation to be built which has extra costs for a substation foundation, GRP Substation Enclosure, and additional ducting, and associated additional design & management costs, and planning costs.
- The change in substation location required additional Northern Power Grid works and Fastned construction costs

The additional works can be awarded direct to Fastned under the Public Contracts Regulations 2015 (reg 72). The additional costs has been reviewed by an engineer and are deemed to be reasonable and provide value for money.

5. Decision(s)

To agree a variation to the contract with Fastned UK Ltd, dated 1 February 2019, for the design & build of five Go Ultra Low Rapid Charging Clusters by the inclusion of additional works and services as described above and set out in greater detail in the associated delegated decision report, at a cost of £86,125..

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5(b) If Exempt or Confidential, please provide a reason:

Confidential – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, Information relating to the financial or business affairs of any particular person (including the authority holding that information)

6. Alternative options considered

The additional works and services are integral to the delivery of the full complement of five rapid charging clusters, and their award to the existing contractor for the programme offers best value for money. To not carry out these additional works would have meant the programme could not be completed and was therefore rejected as an option.

7. Reasons for the Decision(s)

To secure the delivery of the five Go Ultra Low rapid charging clusters on a value for money basis.

8. Contact Officer

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9. Date of Publication

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10. Date of Call-In Deadline

n/a (not a key decision)

11. Implementation Date

Signature of the Decision-Maker



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Please return the following to Emma Reynard in Democratic Services (emmareynard@gateshead.gov.uk) **within 2 working days of the decision having been taken.**

- A Word version of the completed Delegated Decision report
- A Word version of the completed Delegated Decision Record
- A scanned PDF version of the completed and signed Delegated Decision Record

The Delegated Decision will be published by Democratic Services within three working days of it being taken, and it will then be open to call-in for a further five working days.

Decisions must not be implemented until the call-in process is completed. Democratic Services officers will advise report authors and decision makers of the relevant deadlines for call-in.