

## REQUEST FOR EXEMPTION FROM COMPLIANCE WITH CONTRACT PROCEDURE RULES (CONTRACT PROCEDURE RULE 3)

<b>Authorisation Log Number</b> (to be completed by Internal Audit):	<b>219</b>
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Exemptions can be approved as follows:

- >£5k, < £25k Head of Service (eg only one supplier)
- >£25k, < £75k Chief Officer
- >£75k, < EU thresholds Chief Finance Officer and relevant Cabinet Member

### NO EXEMPTION CAN BE USED IF THE EU PROCEDURE APPLIES

Application For Exemption Under Contract Procedure Rule 3:	
Directorate	Operations
Section	Highways and Flood Management
Authorised Officer	Name Paul Keeble      Signature <i>Paul Keeble</i> Date 5 <sup>th</sup> April 2017
	Tel No 01633 644733 Email Address paulkeeble@monmouthshire.gov.uk
Head of Service	Name Roger Hoggins      Signature <i>R Hoggins</i> Date 18/07/12

### Nature of Works / Services / Goods / Materials to be Performed:

Abergavenny Public Realm Improvements Phase 2 which consists of the renewal of footways and carriageways in Lion Street and Frogmore Street to extend and complement works completed in Phase 1

Please outline below a summary of the grounds for the exemption sought (Please specify **WHICH** Contract Procedure Rule you are seeking to receive exemption for and **WHY**)

**Please ensure that a written report is attached to this form giving the full details of the contract and the reasons for the exemption(s) applied for.**

**See attached**

continue overleaf if required)

Contract Start Date (if known):	January 2018
Contract Duration:	20 weeks
Site Address (if applicable):	Lion Street, Abergavenny
Estimated Contract Start Date:	January 2018
Actual Contract Value (if known) or Estimated Contract Value	Approx.. £330,000

<b>Authorisation to grant Exemption from Contract Procedure Rules</b> (as detailed above)					
<b>Head of Service (&gt;£5k, &lt; £25k)</b> or <b>Chief Officer (&gt;£25k, &lt; £75k)</b>			<b>Where value exceeds £75,000:</b> <b>Section 151 Officer and Cabinet Member</b>		
Agreed: YES / NO			Agreed: <u>YES</u> / NO		
Name	Signature	Date	Name	Signature	Date
			SM ROBSON	<i>Robson</i>	18/7/17
			<i>S. B. Jones</i>	<i>S. B. Jones</i>	18/07/17
(Comments can be endorsed overleaf if required)			(Comments can be endorsed overleaf if required)		

**Please outline below the grounds for exemption sought (Please specify WHICH Contract Procedure Rule you are seeking to receive exemption for and WHY)**

Under Clause 3.4

1st Extension of existing contract

**Additional Comments from Head of Service / Chief Officer / Section 151 Officer or Cabinet Member**

Budget approved + funded from section 106 monies Cabinet  
in June 2017

**PLEASE RETURN THE COMPLETED AUTHORISED FORM TO THE CHIEF INTERNAL AUDITOR, INTERNAL AUDIT SERVICES, MAGOR**

**andrewwathan@monmouthshire.gov.uk**

## **Reasons for Exemption and awarding contract as an extension to the existing contract**

Phase 1 of the Improvement Works was tendered in accordance with CSO and using the South East Wales Framework Contract.

The contract was awarded on a 40% Cost / 60% Quality basis

The reason for the high emphasis on `Quality ` was because of the nature of the works in a sensitive town centre environment.

The Quality submission and associated statements submitted by the Contractor are an integral part of the contract .

Alun Griffiths was a clear winner of the tendering process with a score of 98/100. The next best was 75/100

Phase 1 of the works was valued at approx.. £1.2m , the extension of the contract to Phase 2 is approx. 25% of the original contract.

Since the contract used bespoke material from a local quarry Alun Griffiths has sourced and established a reliable supply chain for the specified material.

The original contract is current and remains in force.

There is no doubt that Alun Griffiths performance in developing delivering Phase 1 was quite exceptional in all respects.

By extending the contract and appointing Alun Griffiths at an early stage in the process , we can develop the phase 2 of the project using `early contractor involvement` which is an industry standard best practice for developing difficult projects and anticipating issues that may arise.

Given that the procurement process and tenderers will remain unchanged using the SE Wales Framework rates we are satisfied that there is no purpose in repeating the process and that it is both reasonable and most cost effective to extend the contract and award the works to Alun Griffiths.

Ian Brain

Project Engineer Highway Design Manager

14/03/2017

