

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I109222
---------------------------------	----------------

1. **TITLE:** Depot Project
2. **SERVICE AREA:** Delivery
3. **PURPOSE OF DECISION**

To seek approval to novate the works contract.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive Member for Transformation & Finance
6. **DECISION:**

That the novation of the works contract for the redevelopment of the Council's depot site to Brymor Group Southern Limited be approved.

NB: An urgent decision was required to avoid incurring additional costs due to the impact of inflation.

7. **REASON FOR DECISION**

For continuity of the project and to retain the knowledge and the technical design, of the Brymor Construction Ltd team, which have now been transferred to Brymor Group Southern Ltd.

To continue with the development of the new Depot facility, which will free up a third of the site, for possible development under the Bracknell Forest Cambium Partnership.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Consideration has been given to going back out to the market, to re-tender and procure a new contractor. This could increase construction costs by an estimated circa £1.2m - £1.3m and would extend the contract completion to the programme circa 6-9 months.

Retendering would require paying for the technical design again and a validation check would be required on the works previously undertaken to date by Brymor Construction Ltd.

The option of negotiating with the second or third contractor from the original tender submissions had been dismissed. The second contractor no-longer had the financial standing to handle this contract size. The third contractor was no longer able to honour their tender submission, due to cost inflation. Therefore, applying the general percentage cost inflation, the construction industry has experienced over the time from the point of tender award would see this figure in excess of the sum that could be negotiated with the preferred contractor.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Delivery

10. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
16 September 2022	27 September 2022