

KENT COUNTY COUNCIL –RECORD OF DECISION

DECISION TO BE TAKEN BY:

Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

DECISION NO:

19/00077

For publication, with the exception of addendum note.

Key decision*

YES

This is a key decision, as it involves expenditure over £1m

Subject: Letting of the building contract for the Barton Court Academy Trust Free School Project, Canterbury

Decision:

As Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services I endorse the decision to award an initial building contract to Kier Construction Limited for the Phase 2 enabling works at the Barton Court Free School site and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Finance, Corporate and Traded Services to finalise the contractual terms and enter into any necessary documentation.

Reason(s) for decision:

KCC is delivering the construction of the new Barton Court Free School on the former Chaucer School site in Canterbury. The DfE has appointed KCC to act as the Local Delivery Agent (Responsible Body), with Gen2 acting as KCC's Agent. As the Responsible Body, KCC will be the contracting authority for the purpose of delivering the scheme. The new school will be located on part of the former Chaucer School site, with the remainder allocated to the land disposal programme.

Financial implications:

Funding for the project is provided by Project Delivery Grant from the Department for Education. KCC applies for the grant on a stage by stage basis.

Legal Implications:

A JCT Minor Works building contract with Kier Construction for the enabling works will be entered into.

Equalities Implications:

N/A

Cabinet Committee recommendations and other consultation:

A paper was presented to June 2019 outlining the outcome of the procurement process to secure a building contractor and contracts are ready to be finalised.

(open access to minutes)

The proposed decision was discussed by the Policy and Resources Cabinet Committee on 8 November 2019 and the proceedings were as follows:

(1) Mr Oakford (Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services) and Mrs Spore introduced the report which set out information relating to letting of the building contract for the Barton Court Academy Trust Free School Project in Canterbury.

a) Mrs Spore and Mr Watts then responded to comments and questions from Members which related to Kier's performance as a contractor, projected delivery costs, the risks associated with the project's delivery and how the risks could be mitigated.

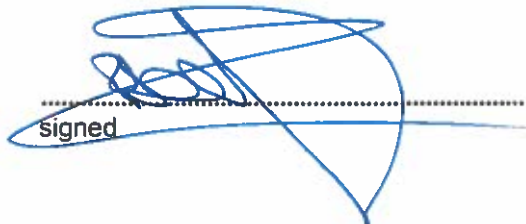
(2) In the information set out within the report about sources of funding, Mrs Spore corrected one entry.

(3) RESOLVED that the proposed decision to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to approve the award of building contracts to Kier Construction Limited for the Barton Court Free School be noted, and authority be delegated to the Director of Infrastructure in consultation with the Cabinet Member for Finance, Corporate and Traded Services to finalise the contractual terms and enter into any necessary documentation including land sale and development agreements.

Exempt addendum note added for Members' information in regards to questions raised at the Policy and Resources Cabinet Committee on 8 November regarding performance of Kier and mitigating risks.

Any alternatives considered: None

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None


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signed

19th December 2019
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date