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Award

Increased fees for the appointed Employers Agent (EA) service for the Eastwick Row housing development

Dacorum Borough Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-056388

Procurement identifier (OCID): ocids-h6vhtk-0599d6

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Section I: Contracting authority/entity

I.1) Name and addresses

Dacorum Borough Council

The Forum, Marlowes

Hemel Hempstead

HP11DN

Contact

Andrew Linden

Email

Andrew.Linden@dacorum.gov.uk

Telephone

+44 1442228263

Country

United Kingdom

Region code

UKH23 - Hertfordshire

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<http://dacorum.gov.uk>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Increased fees for the appointed Employers Agent (EA) service for the Eastwick Row housing development

II.1.2) Main CPV code

- 71530000 - Construction consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

Extension of the existing contract with Philip Pank Partnership LLP (PPP) for EA services due to:

- Collapse of original contractor (Jarvis Contracting Ltd)
- Emergency support provided by PPP
- Continuity and specialist knowledge of the project

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £208,204

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKH23 - Hertfordshire

II.2.4) Description of the procurement

In 2018, Dacorum Borough Council undertook a competitive procurement exercise to appoint an Employer's Agent (EA) for the Eastwick Row housing development, a scheme comprising 34 new apartments. Following the evaluation of 20 tenders, the contract was awarded to Philip Pank Partnership LLP (PPP) in September 2018 for a value of £72,046 + VAT.

The EA was appointed to manage the building contract through to the end of the defects liability period. However, due to unforeseen circumstances-including the collapse of the original principal contractor, Jarvis Contracting Ltd, in March 2023-PPP was required to provide additional services beyond the original scope. These included liaising with the administrator and bondsman, preparing a full inventory of materials left on site, and supporting the procurement of a replacement contractor.

Given PPP's in-depth knowledge of the project and their continued involvement since the design stage, the Council determined that extending the existing contract represented the most expedient and value-for-money solution. A new contract value of £208,204 + VAT has been agreed, incorporating previously undrawn funds and additional fees for the extended scope of work.

This direct award is made under Regulation 32(2)(c) of the Public Contracts Regulations 2015, due to extreme urgency brought about by unforeseeable events. Re-tendering the EA role at this stage would risk significant delays and disruption to the project.

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The contract has been awarded under Regulation 32(2)(c) of the Public Contracts Regulations 2015 due to extreme urgency brought about by unforeseeable events.

Dacorum Borough Council originally procured the Employers Agent (EA) services for the Eastwick Row housing development through a competitive tender in 2018, awarding the contract to Philip Pank Partnership LLP. The EA was appointed to manage the building contract through to the end of the defects liability period.

In March 2023, the principal contractor Jarvis Contracting Ltd. went into administration, creating an urgent need for continuity and additional EA support. PPP provided emergency services including liaising with the administrator, securing site materials, and preparing documentation for a new contractor appointment.

Given PPP's extensive knowledge of the project and their ongoing involvement since the design stage, re-tendering the EA role would have caused significant delays and risked non-compliance with the Council's Employers Requirements. The Council determined that extending the existing contract was the most expedient and value-for-money solution.

The revised contract value is £208,204 + VAT, incorporating previously undrawn funds and additional fees for the extended scope of work.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

6 August 2024

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Philip Pank Partnership LLP

113 Euston Street

London

NW1 2EX

Country

United Kingdom

NUTS code

- UKI3 - Inner London – West

Companies House

OC437669

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £208,204

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

London

Country

United Kingdom