



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNCIL**

**Regeneration and Sustainable Development Cabinet Board**  
3rd December 2021

**Report of the Head of Planning and Public Protection**  
Ceri Morris

### **Matter for Information**

#### **Wards Affected:**

All Wards

### **Contract Extension in Accordance with Rule 7.2 of the Contract Procedure Rules**

#### **Purpose of the Report:**

To report, for information, details of a contract extension for interim Project Management of the regional European/WG funded Connecting Green Infrastructure Project that relies upon the exception to contract procedure rules 7.1.1-7.1.23.

#### **Executive Summary:**

To facilitate the delivery of the regional Connecting Green Infrastructure Project appointment of a consultant to provide interim project management services, until project staff are appointed, is necessary. Only one consultant has the necessary experience and

knowledge to be able to provide such a service. Direct award of contract will slightly exceed contract procurement rules. This report sets out a record of the justification and reliance upon exception to contract procedure rules 7.1.1-7.1.23.

## **Background:**

In September 2021 we received confirmation of a grant from the Welsh Government's Enabling Natural Resources and Well-being in Wales (ENRaW) Fund for the Connecting Green Infrastructure Project – South West Wales. The grant for £2,277,210 is to fund a regional partnership project, running up to 30th September, 2023.

The project is funded by the Welsh Government's Enabling Natural Resources and Well-being in Wales (ENRaW) Fund, supported by the European Agricultural Fund for Rural Development and Welsh Government.

The primary aim of the project, working as part of a new regional partnership, is to facilitate the design and delivery of Green Infrastructure (GI) in ways that meets local needs, supports communities and their health, builds ecosystem resilience, and enhances biodiversity.

The project is setting out a new and collaborative approach to designing and delivering Green Infrastructure (GI) across Neath Port Talbot (NPT), Swansea and Carmarthenshire, for the benefit of local communities and their natural environment. This is a far-reaching, and ambitious project, involving local people in delivering improvements to their local environments in ways which also benefit wildlife, whilst supporting health, well-being and local communities.

This is a partnership project. NPT Council is acting as project lead, working alongside Swansea Council, Carmarthenshire County Council, Coed Lleol (Small Woods Association) and Cwmaman Town Council.

The project was originally proposed to be delivered over a 3 year period and some of the project staff were offered appointments in readiness for project start back in 2019. However, the grant was not confirmed until September 2021 leaving around 18 months to deliver a 3 year project. The previously secured staff had moved on in the interim period. Due to the time restricted period and the increased administrative burden relating to the grant processes, consultancy help was procured from a local consultant – Catrin Evans Consultancy to help with the final grant administration before the grant award and subsequently for project management and set up. Project Management and set up was deemed necessary until new project staff are in place.

	Contract Value	Total Amount Invoiced against Contract
Contract 1 – Grant Application	£9947.50	£2,587.50 (contract ended with no further payments due)
Contract 2 – Project Management and Set up	£4875	£4875
Contract 2 – Proposed Extension	£4387.50	£4387.50 (expected)
Total		£11,850

Due to difficulties with communicating with WG and continual additional grant administrative burden the original contracted hours for consultancy help have not been adequate and an extension is necessary. The extension will however, take the total value of contracts with this particular consultant over the direct award procurement threshold (under £10,000). No further contract extensions are anticipated to be required as project staff are being appointed. However, this will be kept under continual review and if necessary the need for such services/advice will be considered for example if WG rejected the current re-profile or the upcoming grant claim.

Due to the timescales involved and the specialist advice required, that no other consultant is able to provide, including existing knowledge and experience of the project, grant and funding processes plus existing relationships with partner organisations it is considered appropriate to rely on the exception rules 7.1.1-7.1.23 to extend the current contract (also see detail in background paper 1). This extension to the contract can be excluded from the requirements for competition in the Contract Procurement Rules.

**Financial Impacts:**

No implications.

**Integrated Impact Assessment:**

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring / information purposes.

**Valleys Communities Impacts:**

No implications

**Workforce Impacts:**

No implications

**Legal Impacts:**

The proposed extensions to the existing contracts with third party providers gives rise to the question of whether the extensions amount to a direct award of the contracts and therefore are in breach of the Council's Contract Procedure Rules (CPRs).

Under 7.1.4 the execution of Works or the Provision of Services of a specialised nature which are carried out by only one Contractor.

No other consultant could provide such services within the necessary and immediate timescales. No other consultancy would be able to meet these requirements as Catrin Evans is the only consultant with prior direct knowledge and experience of the project and the grant funding. Catrin Evans has been involved in the project development and the grant application as such is the only consultant with full understanding of the project, how to deliver it and what the funding processes require. Current project administration and set up is necessary, which requires prior knowledge and experience of the project and the grant requirements and processes. No other consultancy would be able to meet these requirements.

A full project re-profile and grant claim is due over the next few months and therefore it is essential that experienced project management is in place to ensure such can be undertaken.

No capacity is available within the existing staff arrangements of the Countryside and Wildlife Team. As lead partner for the project, NPT Council are required to project manage and administer the grant on behalf of the other regional partners. Therefore, to ensure the project is not put at risk, appropriate interim project management services are necessary until such time as project staff are in post and up to speed on the project.

The only consultant that has previous experience of the project is Catrin Evans Consultancy and therefore is the only consultant able to deliver such services on the immediate basis necessary.

As set out in the justification above it is considered that this exception to the rules apply and the extension to the contract can be excluded from the requirements for competition in the Contract Procurement Rules.

**Risk Management Impacts:**

Risk management impacts are detailed in the Legal Impacts section above.

**Crime and Disorder Impacts:**

No impact

**Counter Terrorism Impacts:**

No impact

**Violence Against Women, Domestic Abuse and Sexual Violence Impacts:**

No Impacts

**Consultation:**

There is no requirement for external consultation on this item.

**Recommendations:**

None. For Information only.

**Reasons for Proposed Decision:**

None. For Information only.

**Implementation of Decision:**

N/A

**List of Background Papers:**

1. Report to Council in accordance with rule 7.2 of the Contract Procurement Rules

**Officer Contact:**

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Neath Port Talbot Council

**Report to Council**

In accordance with rule 7.2 of the Contract Procedure Rules (the Rules)

To report for information the fact that contracts have been let under rule 7.1.1 – 7.1.23

**Department :** Countryside and Wildlife Team, Planning Policy

Insert details of Contract: Provision of project management services in relation to the Connecting Green Infrastructure Project South West Wales

**Contractor:** Catrin Evans Consultancy

**Description of works/service/goods:** Project management services to:  
help to set up the Connecting Green Infrastructure Project, including outlining monitoring and reporting procedures/requirements for all partners as required by the Enabling Natural Resources and Well-Being (ENRaW) Grant Award letter, any conditions and guidance undertake project planning, including the development of a project grant chart/timetable covering (a) tasks necessary for initial project set up in the first quarter of the project; and (b) project reporting schedule; draft contracts for project delivery including for project monitoring and evaluation; provide the secretariat for the steering group; provide professional advice, support and assistance to NPTCBC including liaison with partners, undertake project administration and support the grant claim process; provide general assistance and support to facilitate the project delivery as agreed with NPTCBC; and at all times, respond within a reasonable time in accordance with the urgency of any requests.

**Contract Period:** Consisting of 13.5 days work from 10<sup>th</sup> November – end January 2021

**Total Contract Value:** £4,387.50

Details of exception relied upon (relevant rule 7.1.1 - .7.1.23):

Reasons for relying upon the particular exception: This is an extension to an existing contract for project management and set up services needed to deliver a regional European/WG funded project until such time as project staff are in place. In addition to this, a contract was also let to the same consultancy to help with the project grant application. Together these contracts exceed the procurement threshold for direct appointment. However, due to the timescales involved and the specialist advice required it is considered appropriate to rely on the exception referred to above. No other consultant



**Annex 2**

could provide such services within the necessary and immediate timescales. Current project administration and set up is necessary, which requires prior knowledge and experience of the project and the grant requirements and processes. As well as existing relationships with partner organisations. No other consultancy would be able to meet these requirements as Catrin Evans is the only consultant with prior direct knowledge and experience of the project and the grant funding. Catrin Evans has been involved in the project development and the grant application as such is the only consultant with full understanding of the project, how to deliver it and what the funding processes require. A full project re-profile and grant claim is due over the next few months and therefore it is essential that experienced project management is in place to ensure such can be undertaken. No capacity is available within the existing staff arrangements of the Countryside and Wildlife Team. As lead partner for the project NPT Council are required to project manage and administer the grant on behalf of the other regional partners. Therefore, to ensure the project is not put at risk appropriate interim project management services are necessary until such time as project staff are in post and up to speed on the project. The only consultant that has previous experience of the project is Catrin Evans Consultancy and therefore is the only consultant able to deliver such services on the immediate basis necessary.

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**Signatory of Authorised Officer:** \_\_\_\_\_

**Designation:** \_\_\_\_\_