

## MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 26 January 2012 in the Boardroom - Municipal Building, Widnes*

Present: Councillors Polhill (Chairman), Stockton and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: B. Dodd, D. Parr, M. Reaney, S. Nicholson, M. Noone and A. Jones

Also in Attendance: (Observers) Councillors Browne, Jones, McDermott and T McInerney

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

*Action*

#### MGEB12 MINUTES

The Minutes of the meeting held on 17 November 2011 were taken as read and signed as a correct record.

#### MGEB13 GOVERNANCE AND FINANCIAL APPROVALS

The Board considered a report of the Chief Executive which outlined recent actions that had been taken by the Mersey Gateway Team in conjunction with senior officers in respect of financial and governance arrangements. The actions and procedure set out in the report had been exercised in accordance with the governance arrangements agreed with the Members, whereby certain authority had been delegated to the Chief Executive in consultation with the Leader.

The Board was advised that Appendix One to the report gave details of the approval process for Mersey Gateway advance works.

RESOLVED: That

- 1) the approval procedure for Advance Works as outlined at Appendix One to the report be approved;

- 2) the Chief Executive's use of the Emergency Procedures in waiving of Standing Orders Part 4 (1.8.1 Forms of Tendering) in respect of the use of a Marine Site Investigation tender be noted;
- 3) the appointment of Rock Infrastructure Ltd to provide commercial advice to the team and the waiver to Standing Orders paragraph 1.8.2.c be noted;
- 4) the Chief Executive's action to award the contract for Private Sector Adviser – Finance and Commercial – to the contractor Daniel Hennessey on terms to be agreed, taken within his delegated powers, and that in light of the exceptional circumstances (namely need to independent external advice clear of conflict of interest with any potential bidder and in accordance with Procurement SO 1.8.2.c) the competition requirements of Standing Orders Part 4 be waived on this occasion in view of Propriety and Security, be noted; and
- 5) the Chief Executive's action to award the contract for Private Sector Adviser – Infrastructure and Technical – to the contractor Rod Holmes on terms to be agreed, taken within his delegated powers, and that in light of the exceptional circumstances (namely need to independent external advice clear of conflict of interest with any potential bidder and in accordance with Procurement SO 1.8.2.c) the competition requirements of Standing Orders Part 4 be waived on this occasion in view of Propriety and Security, be noted.

MGEB14 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) Whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

#### MGEB15 MERSEY GATEWAY BRIDGE - THE MARKET RESPONSE TO THE PREQUALIFICATION INVITATION

The Board considered a report of the Chief Executive which advised Members that procurement had commenced with the prequalification process aimed at selecting three bidding groups that had provided evidence to demonstrate that they were the most suitably qualified candidates to compete for the Mersey Gateway Bridge contract. The private sector had been invited to express an interest in the project by a Contract Notice which appeared in the Official Journal of the European Community on 24 October 2011. Interested parties were required to forward their submissions in the form of a completed Prequalification Questionnaire, to be returned to the Council by noon on 14 December 2011. The report provided an initial account of the organisations that had sought to prequalify and explained the evaluation process.

RESOLVED: That

- 1) the level of market interest confirmed in the response to the prequalification invitation being above expectations be noted; and
- 2) the evaluation of the prequalification submissions taking place be noted.

**MINUTES ISSUED: 27 January 2011**

**CALL-IN: 3 February 2011**

**Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm on 3 February 2011.**

*Meeting ended at 4.15 p.m.*