
Contract Award for Downlands Sports Centre Expansion Project

Committee considering report:	Executive
Date of Committee:	7 July 2022
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	9 May 2022
Report Author:	Alessandro Annunziata/Vickie Collins
Forward Plan Ref:	EX4199

1 Purpose of the Report

To seek delegated authority to award the contract for expansion works at the Downlands Sports Centre following the concluded tender process.

2 Recommendations

2.1 The Executive resolves to approve:

- a) Delegated authority to the Executive Director - People to award the contract for the Downlands Sports Centre Expansion Project to the successful bidder following a full tender process, in consultation with the Executive Director (Resources) and the Portfolio holder for Children, Young People and Education.
- b) Delegated authority to the Service Lead Legal & Democratic Services to finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments to the terms of the agreement which are necessary to reach final agreement but do not materially affect the intent and substance of the agreement.

3 Implications and Impact Assessment

Implication	Commentary
<p>Financial:</p>	<p>The estimated value of the contract is £ 3,248,331.98 including Construction and Project Contingency.</p> <p>Budget available in the Capital Programme is £3,191,850, including planned slippage of unspent budget from 2021/22.</p> <p>Costs given are indicative based on Quantity Surveyor pre tender estimates as at 25th March 2022. Total forecast costs are £56.5k greater than the residual budget available for this project. These projections include assumptions for project contingency and steps will be taken to control expenditure, where possible to bring total project costs in line with budget.</p> <p>Final figures will not be known until the tender process is complete.</p> <p>Agreed by Finance (Ian Wigginton) 03/05/22.</p>
<p>Human Resource:</p>	<p>N/A</p>
<p>Legal:</p>	<p>The contract value is over £2.5 million and is a key decision requiring approval from the Executive prior to award of the contract. Since there will not be enough time for the Executive to approve the award, the report is seeking delegated authority for the Head of Education Services to award to the winning Tenderer.</p> <p>It will be necessary to use the appropriate form of JCT contract to ensure that the Council's position is protected.</p> <p>Agreed by Legal (Claire Say) 03/05/22.</p>
<p>Risk Management:</p>	<p>Appropriate safeguards are in place to minimise risk to the Council. Any decision by the Head of Education will be made in conjunction with the Head of Finance, S151 Officer and the Portfolio Member for Education, Children and Young People, prior to award.</p> <p>In addition prior to a decision going before the Head of Education, any approval to appoint the successful contractor will have needed to be given by the Project Board, in the line with the Council's Property Project Management Methodology. On this Board sit senior council officers and Members,</p>

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	including the Property Services Manager and the Education Place Planning and Development Manager. Legal Services will also be consulted prior to award.			
Property:	The land belongs to The Downs School and the trust governors have released their consent at the planning stage.			
Policy:	N/A			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	yes			The sports hall will be used by pupils and the community as leisure centre.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	yes			The sports hall will be provide opportunity for local people to improve their fitness and wellbeing.

<p>Environmental Impact:</p>	<p>yes</p>		<p>The overall design has been carefully considered to reduce the buildings energy usage and the refurbishment works to the external envelope will increase the existing building fabrics thermal performance, reducing running cost for the facility and creating a more comfortable building for staff and students.</p> <p>The new sport hall building will be given an Energy Performance Certificate rating of class A (Very efficient) at the design stage.</p> <p>Main heating fuel: Grid supplied electricity</p> <p>Heating will be provided through an underfloor heating with air source heat pumps.</p> <p>The hot water system will run from new air source heat pumps, ensuring that the upgraded facility is as renewable and sustainable as possible.</p> <p>Ventilation will be natural to all spaces except the changing areas where mechanical ventilation and heat recovery will be utilised due to the high moisture content.</p> <p>Openable windows are provided to office spaces and all systems are automatic with manual overrides to ensure that the building is running to optimal performance and energy efficiency at all times.</p> <p>A new photovoltaic array is provided to the southern facing pitch of the sports hall to generate electricity to power the hot water system primarily but will also serve the wider site when hot water is not being called for.</p> <p>Low energy LED light fittings will be utilised throughout.</p> <p>The site includes a Sustainable Drainage Systems (SuDS) and rainwater harvesting</p>
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				using 10,000 litres tank to recycle water for flushing toilets.
Health Impact:	yes			The proposal will have a positive health impact on pupils and the entire community.
ICT Impact:		n/a		The proposal cannot be delivered in whole or part via an ICT solution.
Digital Services Impact:		n/a		The proposal cannot be delivered in whole or part via a digital solution
Council Strategy Priorities:	yes			The proposal will support positively the Council's Priorities
Core Business:	yes			The proposal will support positively the Council's Priorities for improvement.
Data Impact:		n/a		Not applicable
Consultation and Engagement:	<p>The proposal has been discussed at the Procurement Board, with Cllr Ross Mackinnon and at the Project Board.</p> <p>Project Board Members as follows:</p> <ul style="list-style-type: none"> • Alessandro Annunziata – Project Officer • Miss. R. Brophy – Downs School Business Manager • Chris Burnell – PM/QS Consultant • Mark Lewis – Project Sponsor • Head The Downs School • Dominic Boeck – Executive Member for Education • Carlyne Culver – Ward Member • Richard Turner – Property Services Manager 			

4 Executive Summary

This report seeks approval from the Executive to delegate authority to award the contract for a contractor to deliver works as part of the Downlands Sports Centre Expansion Project once the tender process has concluded and the outcome is known.

5 Supporting Information

Introduction/Background

- 5.1 The Downs School is a secondary school located in the north of West Berkshire within the village of Compton. The school is a medium sized school with a student capacity of 1355 with a Pupil Allocation Number (PAN) of 210.
- 5.2 The sports hall facility (Downlands Sports Centre) was originally built in 1980's and is a community sports hall which is utilised during the school day by the school and the community in the evenings and weekends by various groups including a badminton club, Scouts and archery competitions.
- 5.3 The purpose of this procurement is:
 - To provide a suitably sized sports hall in order to allow the school to improve its delivery of the PE curriculum and increase the variety of sports available to all pupils.
 - To allow the Downs School to deliver their PE curriculum to a high standard and thus improving the potential of current and future pupils of the school.
- 5.4 The facility is part of the Council's Leisure Contract which is currently operated by Legacy Leisure (a subsidiary of Parkwood Leisure). There is a small gym on site with approximately 12 stations and they have approximately 7 registered members. The gym area on the second floor on site is very small, in poor condition and is not fit for purpose as it limits its possible uses (and therefore income).
- 5.5 The WBC/ Legacy Leisure contract (for all the WBC sites) was due to expire in June 2022 but has been extended until at least 31 December 2022, but may be extended further. The contract is currently being retendered.
- 5.6 A key objective of this project is to develop the current community sports hall provision and raise it to a minimum of the BB103/Sport England guidelines, with appropriate changing spaces and associated facilities.
- 5.7 The new sports centre will fully comply with the Special Educational Needs and Disability Act 2011 and guidance from the Government Equalities Office.
- 5.8 The project is managed using WBC's Project Management Methodology.
- 5.9 This project is a high priority for the Education Service and to ensure it proceeds as per the current programme, there is necessity for delegated authority to be granted so that the contract can be awarded immediately once the outcome of the tender process is known.

6 Other options considered

Permission to go out to tender was sought from Procurement Board. The procurement options were set out in the procurement strategy.

7 Conclusion

7.1 The Executive resolves to:

- a) Delegate authority to Head of Education Services to award the contract for the Downlands Sports Centre Expansion Project to the successful bidder following a full tender process, in consultation with the Executive Director (Resources) and the Portfolio holder for Children, Young People and Education.
- b) Delegate authority to the Service Lead Legal & Democratic Services to finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments to the terms of the agreement which are necessary to reach final agreement but do not materially affect the intent and substance of the agreement.

8 Appendices

None

Subject to Call-In:

Yes: No:

- | | |
|--|--------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months | <input type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Officer details:

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