

To: City Executive Board

Date: 8th December 2010 **Item No:** 18

Report of: Head of Business Improvement

Title of Report: Award of framework contract for the provision of Safer Surfacing for Playgrounds and other Recreational Facilities.

Summary and Recommendations

Purpose of report: To grant project approval to award three contracts forming a framework (call off) agreement for the provision of Safer Surfacing for Playgrounds and other Recreational Facilities to Oxford City Council.

Key decision? Yes

Executive lead member: The Deputy Leader – Councillor Ed Turner
Councillor Mark Lygo – Board member for Sport, Play and School Liaison

Policy Framework: Oxford City Council Corporate Plan
Transform Oxford City Council by improving value for money and service performance.
Improve the local environment, economy and quality of life.

Recommendation(s): That the City Executive Board gives approval to:

- 1) Grant project approval for the provision of Safer Surfacing for Playgrounds and other Recreational Facilities to Oxford City Council.
- 2) That the City Executive Board award three contracts which will form a framework agreement for the provision of Safer Surfacing for Playgrounds and other Recreational Facilities for a four year period commencing on 1st January 2011. The three suppliers are; Soft Surfaces Limited, S & C Slatter Limited and UAC Limited.

Appendix 1: Risk Assessment

1. Background

- 1.1 Oxford City Council manages 90 play areas in the city and a large number of these require modernisation works, which include the replacement of the playground surfacing.
- 1.2 In order to deliver this programme of works, it is necessary to employ the services of specialist play area resurfacing organisations each specialising in different types of playground and other recreational facilities surfacing.
- 1.3 Up until now, each time there has been a requirement to replace a playground surface (other than wet pour); quotes have been obtained in line with the playground equipment supplier which has not necessarily delivered best value for re-surfacing.
- 1.4 A restricted tender process using the EU procurement regime has been undertaken to select appropriate organisations.

2. Tender Process

- 2.1 The value of the contract meant that an advertisement was placed in the Official Journal of the European Union, the South East Business Portal and on each of the Oxfordshire District Councils websites that were interested in participating in the framework. The tender process has been carried out using the restricted EU tender process, with companies being invited to complete a pre-qualification questionnaire (PQQ) before being selected and invited to tender. Twelve expressions of interest were received and eight suppliers were short listed and invited to tender. Six tenders were received and evaluated.
- 2.2 The evaluation panel was made up of Officers from both the Procurement Team and the Parks Team. These Officers have also marked the tenders and have unanimously agreed on the award recommendation.
- 2.3 The evaluation panel determined the relevant financial and technical evaluation criteria that provided the most economically advantageous contract, with 40% of marks being awarded for the pricing offer and 60% of marks awarded for evidence on quality. Six suppliers were short-listed and have demonstrated that they are technically and operationally competent and able to meet the specification.
- 2.4 This contract has been advertised so that other Councils located within Oxfordshire including Town and Parish Councils and other not for profit organisations can use it.

3.0 Other Options

3.1 The Constitution and Procurement Strategy advises that City Executive Board considers what other options are available before giving major project approval and awarding a contract over 100k. These are detailed below.

- **Continue as we are** – The previous contract for wet pour rubber surfacing expired in March 2010. Safer Surfacing Suppliers are currently selected as part of the overall playground project and the suppliers are not necessarily providing value for money or variety of surfacing to make the recreational facilities fun and vibrant. With the pricing structure within this tender, better value for money will be delivered.
- **Use a contract set up by another organisation** – There are no contracts available that meet the nature of this procurement.

4.0 Benefits of this contract

- 4.1 The proposed framework includes an agreed rate by which the prices charged can be increased in line with RPI. This will enable the Council to have more control over pricing and be able to manage the effects of inflation over the four years.
- 4.2 This new contract reduces the risk of delays in the supply of a range of safer surfacing by committing the suppliers to stock holding and delivery timescales that meet the requirements of playground refurbishment timetables.
- 4.3 This new contract provides access to new technology which can be considered when reviewing playground refurbishment projects to make Oxford City Playgrounds at the forefront.
- 4.4 The recommended suppliers have committed to deliver the goods in line with the Oxford Transport Strategy.
- 4.5 The pricing schedules offered by the three recommended suppliers are significantly lower than the other 3 tenderers and the current pricing paid on playground refurbishment projects which will provide financial savings for new projects.
- 4.6 The administration time for the Parks department will be reduced as works will not have to be procured on an individual basis.
- 4.7 Scope has been built into this contract to enable the use of materials for other applications including sports surfacing.
- 4.8 The framework will provide an ongoing competitive framework between the 3 suppliers and encourage them to build innovation and price

efficiencies into new projects as they will have the opportunity to be involved earlier in the design process.

- 4.9 The proposed framework agreement will create no obligation on anyone to place all, most or any of the relevant work through the agreement but the selected suppliers are there and available simply on an as and when required basis.

5.0 Financial Implications

- 5.1 The pricing schedules offered by the three recommended suppliers represents cost avoidance on future projects but will deliver a minimum saving of £5,670 per annum. This saving has been based on 2009/10 spend of £189,000 at a 3% saving. This saving is subject to money being available for the refurbishment of playgrounds, and the chosen surface.

6.0 Legal Implications

- 6.1 This contract has been tendered in accordance with the EU procurement regime. It therefore complies with both the Council's own procurement requirements and external regulation. There are no additional legal implications.

7.0 Climate change / Environmental Impact

- 7.1 The Council needs the diversity of playground re-surfacing to provide natural play and to cope with climate change where areas of play might normally not drain, or the grass grow as detailed below:-

Wet Pour Tiles	Useful for high wear sites such as swings and roundabouts. To replace existing installations, this is cost effective when used in small areas.
Tiger Mulch	Is a natural look which does not require edge or base. Has a dual function as a free draining tree pit surround.
Grass Mat	Provides a grass effect and bank protection – cheaper than wet pour and is a good material for natural play.
Synthetic Grass	Will look like grass for areas where grass will not grow and there is no access for machinery. Dual application for sports courts and cricket wickets should these be required.
Play Bark	Loose fill for natural play sites. Has a play value in its own right and is needed to maintain existing installations.

- 7.2 The recommended suppliers have committed to deliver the goods in line with the Oxford Transport Strategy.

8.0 Equalities Impact

- 8.1 The procurement process ensures that the supplier's recruitment policy complies with the Equalities Act.

9. Level of Risk

9.1 A risk assessment has been undertaken and the risk register is attached at Appendix 1. All risks have been mitigated to an acceptable level.

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List of background papers:

Version number: 2