CABINET

Churchill Playing Fields - Award of Drainage and Pitch Works Contract

Report to Elaine McLean, Executive Director Economy, Place and Skills

Portfolio Responsibility: Executive Member Neighbourhoods, Cllr J Stretton

Monday, 3 October 2011

Officer Contact: Darren Judge
Ext. 3816

Purpose of Report
To update Cabinet with regards to the award of the contract for the Churchill Playing Fields drainage and pitch works scheme.

Executive Summary
Oldham Council Parks and Street Scene in conjunction with Corporate Procurement have tendered for a contractor to undertake levelling, drainage, sand amelioration, sand slitting and seeding of the new playing field. It is advantageous to carry out the bulk of the drainage and pitch works during the late spring and summer months and therefore the project will commence in spring 2012.

Recommendations
It is recommended that Cabinet:
- Note the acceptance of £230,000 grant funding from the Football Foundation and Rugby Football League towards the Churchill Playing Fields project
- Consider the report regarding the award of a contract for works at Churchill Playing Fields in the exempt item which is to be discussed at this meeting
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CHURCHILL PLAYING FIELDS – AWARD OF DRAINAGE AND PITCH WORKS CONTRACT

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1 Purpose of Report

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2 Executive Summary

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3 Recommendations

3.1 It is recommended that cabinet:

- Note the acceptance of £230,000 grant funding from the Football Foundation and Rugby Football League towards the Churchill Playing Fields project
- Consider the report regarding the award of a contract for works at Churchill Playing Fields in the exempt item which is to be discussed at this meeting
4 **Background**

4.1 In September 2009 the Saddleworth & Lees District Partnership asked for a report on Churchill playing fields following the cancellation of community events and matches which resulted in much public concern. This report was received in February 2010 and as a result a working group was set up to progress a solution to the issues being faced at the site.

4.2 Churchill Playing Fields has poor drainage and regularly floods, causing events and sporting activities to be cancelled. Saddleworth and Lees District Partnership’s aspiration for Churchill Playing Fields is “To improve and enhance this leisure and recreation facility for the benefit of all the community”.

4.3 The aim of the proposals to improve drainage at Churchill Playing Fields is to:
- Reduce the occurrence of flooding on the site
- Reduce the number of cancelled events and sports matches arising from poor surface conditions
- Meet the current and future demands of the site for sports and events booking.

4.4 A package of funding has been put in place as follows:-

<table>
<thead>
<tr>
<th>Funding</th>
<th>Amount (£)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>DB 228 - Former Andrew Mill, Chew Valley Road, Greenfield (Rimmons Close) (PA/50955) – Section 106</td>
<td>78,255.77</td>
<td>Confirmed – (recorded on the modern gov system at <a href="http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370">http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370</a>)</td>
</tr>
<tr>
<td>DB 260 - The Old Police Station, Buckley Street, Uppermill (PA/41998) - Section 106</td>
<td>9,734.28</td>
<td>Confirmed – (recorded on the modern gov system at <a href="http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370">http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370</a>)</td>
</tr>
<tr>
<td>DB 155 - Village Manor, High Street, Uppermill (PA/45361) - Section 106</td>
<td>17,601.79</td>
<td>Confirmed – (recorded on the modern gov system at <a href="http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370">http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370</a>)</td>
</tr>
<tr>
<td>Saddleworth &amp; Lees District Partnership</td>
<td>50,000.00</td>
<td>Confirmed - (EDRS 10090152)</td>
</tr>
<tr>
<td>Saddleworth Round Table</td>
<td>10,000.00</td>
<td>Confirmed</td>
</tr>
<tr>
<td>Rugby Football League</td>
<td>50,000.00</td>
<td>Confirmed - delegated decision report to Executive Director Economy Place and Skills, signed 3 October 2011</td>
</tr>
<tr>
<td>Football Foundation</td>
<td>180,000.00</td>
<td>Confirmed - delegated decision report to Executive Director Economy Place and Skills, signed 3 October 2011</td>
</tr>
<tr>
<td>Fundraising by local clubs</td>
<td>16,000.00</td>
<td>Confirmed</td>
</tr>
<tr>
<td><strong>TOTAL FUNDING PACKAGE</strong></td>
<td><strong>411,591.84</strong></td>
<td></td>
</tr>
</tbody>
</table>
5 Current Position

Grant Funding

5.1 Offers of grant funding were received from the Football Foundation and Rugby Football League on 24 and 25 August respectively. The terms and conditions of the grant have been appraised in satisfaction of Financial Procedure Rule 2.40 and negotiations undertaken with the two bodies to revise the terms and conditions to address differences between the two funding bodies and make them more acceptable to the council. These funding offers have now been accepted in a separate delegated report to the Executive Director, Economy, Place and Skills.

Tender Exercise

5.2 This was a restricted tender; five contractors were randomly selected from Constructionline and sent the tender documentation via the Councils Procurement Portal; The Chest. Bidders in Alphabetical order are:

- Bancroft Amenities Limited
- J. Mallinson (Ormskirk) Limited
- John Greasley Limited
- Souters Sports Limited
- White Horse Contractors (Northern) Limited

5.3 In accordance with the Council’s Contract Procedure Rules, the evaluation of the tender submissions has sought to identify the submission offering best value, based upon a combination of economy, efficiency and effectiveness. The weightings applied to the tender submissions have been:

- Technical Assessment – 40%
- Contract Price – 60%

5.4 The tender evaluation was undertaken by Darren Judge (Corporate Procurement Commercial Manager), Glenn Dale (Principal Countryside & Horticultural Officer) and John Hacker (Director of Professional Sportsturf Design (NW) Limited)

5.5 Four out of five contractors submitted a compliant tender response. One contractor did not respond to the tender invitation.

5.6 In ascending order the following scores were agreed by the evaluators:

- 60.03
- 65.13
- 85.00
- 90.99

5.7 The outcome of the evaluation process is in the exempt item which is to be discussed at this meeting
6 Options/Alternatives

6.1 The two options available with regard to the contract are set out in the exempt item which is to be discussed at this meeting.

7 Preferred Options

7.1 The preferred option with regard to the award of the contract is set out in the exempt item which is to be discussed at this meeting.

8 Consultation

8.1 The tender has progressed in consultation with Corporate Procurement, Parks and Street Scene, Neighbourhoods and external consultant Sportsturf Design (NW) Limited.

8.2 The vision for the future of Churchill Playing Fields, and the planned improvement works, have been developed through a process of consultation involving the District Partnership, national sporting bodies (including UK Athletics, Football Association, Rugby Football League) local groups (sports and events) who pay to use the playing fields, local residents and other interested parties.

9 Financial Implications

9.1 The planned improvement works to Churchill Playing Fields consist of:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount (£)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage and pitch improvements</td>
<td>353,007.60</td>
<td>Contract sum</td>
</tr>
<tr>
<td>Other site improvements (relocation</td>
<td>5,000.00</td>
<td>Cost estimate (detailed costs being developed</td>
</tr>
<tr>
<td>of long jump, distance markers etc.)</td>
<td></td>
<td>by Parks and Countryside section)</td>
</tr>
<tr>
<td>Changing room improvements</td>
<td>36,284.24</td>
<td>Cost estimate (detailed costs will be sought)</td>
</tr>
<tr>
<td>Design/Project management Fees</td>
<td>15,000</td>
<td>Fixed fee Sportsturf Design (NW) Ltd.</td>
</tr>
<tr>
<td>CDM Co-ordinator</td>
<td>1,000</td>
<td>Fixed fee Sportsturf Design (NW) Ltd.</td>
</tr>
<tr>
<td>Environment Agency Application</td>
<td>50</td>
<td>Fixed fee</td>
</tr>
<tr>
<td>Legal Fees</td>
<td>1,250</td>
<td>Fixed fees</td>
</tr>
<tr>
<td><strong>Total (£)</strong></td>
<td><strong>411,591.84</strong></td>
<td></td>
</tr>
</tbody>
</table>
9.1.2 This will be funded as follows:

<table>
<thead>
<tr>
<th>Funding source</th>
<th>2011/12</th>
<th>2012/13</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>DB 228 - Former Andrew Mill, Chew Valley Road, Greenfield (PA/50955) – Section 106</td>
<td>£0</td>
<td>£78,255.77</td>
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<td>£0</td>
<td>£50,000</td>
<td>£50,000</td>
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<tr>
<td>Saddleworth Round Table</td>
<td>£5,000</td>
<td>£5,000</td>
<td>£10,000.00</td>
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<tr>
<td>Football Foundation</td>
<td>£0</td>
<td>£180,000</td>
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</tr>
<tr>
<td>Rugby Football League</td>
<td>£50,000</td>
<td>0</td>
<td>£50,000.00</td>
</tr>
<tr>
<td>Fundraising by local clubs</td>
<td>£16,000</td>
<td>0</td>
<td>£12,000</td>
</tr>
<tr>
<td><strong>TOTAL (£)</strong></td>
<td><strong>£71,000</strong></td>
<td><strong>£340,591</strong></td>
<td><strong>£411,591</strong></td>
</tr>
</tbody>
</table>

9.1.3 The spend profile above takes account of the need to carry out the drainage and pitch improvement works during Spring/Summer 2012, in order to minimise the risk from inclement weather and ensure effective implementation. It also takes account of the need for the Rugby Football League funding to be drawn down during the current financial year, as failure to do so could result in the loss of this funding.

9.2 Revenue Implications

9.2.1 It is expected that there will be no additional revenue costs following completion of the works.

9.3 Expenditure Implications

9.3.1 Should funding be withdrawn once the project commences, delivery of the capital works would be halted as soon as practical so a review of the remaining funding, spend to date and costs remaining could be carried out. Further work would then only continue once the specification/scope of the project had been revised in-line with the remaining funding and agreed with all relevant parties (e.g. contractors, funding bodies).
9.3.2 Some of the funding identified for the improvements to Churchill Playing Fields is restricted and/or subject to specific grant conditions. Specifically, the Section 106 funding is ring fenced capital funding, as it has been allocated specifically for this purpose and must be spent in line with the legal agreement that forms part of the relevant Section 106 order (for details see http://decisionrecording.oldham.gov.uk/ieDecisionDetails.aspx?ID=370). In addition, the external funding received from the Football Foundation and Rugby Football League is subject to specific grant conditions which will need to be met in order to draw it down. Therefore a caveat will be added to the award to the contractor so that it is subject to the execution of the grant agreements.

9.3.3 Quarterly claims and monitoring reports will need to be submitted to the Football Foundation and Rugby Football League.

9.3.4 Failure to comply with the grant conditions, or to submit claims/reports by the relevant deadline, could result in the withdrawal or claw back of the external funding. However, in the event this might occur, discussions would be held with the funding bodies at the earliest opportunity to minimise the likelihood of this taking place. In particular where this relates to problems meeting specified timeframes and/or output levels, where permission could be sought to re-profiling project spend, or move funding between different elements of the project, in order to avoid breach of grant conditions.

9.3.5 All Capital and Revenue implications of this scheme have been covered in paragraphs 9.1 to 9.3.4 above (Matthew Kearns / Sadrul Alam/Mel Creighton)

10 **Legal Services Comments**

10.1 The report demonstrates that the contract has been procured in accordance with the Contract Procedure Rules.

10.2 Given the values involved, it will be necessary to observe the 10 day standstill period as required by Contract Procedure Rule 13.3 and for the contract to be prepared and executed by the Borough Solicitors representative

10.3 Prior to final Contract award, the Contractor shall provide evidence of adequate insurance to cover both public and employers’ liability and professional indemnity (where appropriate). [Daniel Howard]

11 **Human Resources Comments**

11.1 None

12 **Risk Assessments**

12.1 None
13 IT Implications

13.1 None

14 Property Implications

14.1 The proposed capital works will result in an improvement to the council owned land and buildings known as Churchill Playing Fields and Changing Rooms (Asset number 1135) identified on the plan below:

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Asset Management Comments

14.2 Churchill Playing Fields and the adjacent Changing Rooms are owned Freehold by the Council. There are a number of easements to utility companies across this asset (number 1135).

14.3 The works identified will improve the condition of the playing fields. [Tracey Elliott]

15 Procurement Implications

15.1 The procurement implications of the contract are covered in in the exempt item which is to be discussed at this meeting
16 **Environmental and Health & Safety Implications**

16.1 Health and Safety documentary evidence was submitted by Souters Sports Limited in compliance with that requested via the Invitation to Tender process. There are no prosecutions or enforcement actions recorded on the HSE enforcement website in respect of Souters Sports Limited.

The implementation of the drainage works will support an improved standard of Health and Safety at this site.

(James Fortune-Clubb)

16.2 Environmental - The implementation of the drainage works will result in a considerable improvement to the local environment meaning that the site will be able to be enjoyed for formal and informal sport and recreation activity.

[Justine Collins]

16.3 The Environment Agency has given their approval to the works.

17 **Community Cohesion Implications [including Crime & Disorder Implications in accordance with Section 17 of the Act] and Equalities Implications**

17.1 Churchill Playing Fields is an area of public open space which is publicly accessible all year round and is well used by the local community for sporting activities and community events, when the site is not affected by flooding issues. The proposed scheme will limit the number of events cancelled due to flooding and make the site more useable for the whole community.

17.2 An Equality Impact Assessment has been carried out on the planned pitch and drainage works. As a result the Churchill Playing Fields project group are satisfied that planned changes to the site will not impact negatively on any of the equality groups.

18 **Forward Plan Reference**

18.1 EPS-56-11

19 **Key Decision**

19.1 Yes
20 Background Papers

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref : OMBC Churchill playing Fields Drainage & Pitch Works
Name of File : Churchill playing Fields Drainage & Pitch Works
Records held in Corporate Procurement Department, Room 420b, Civic Centre, West Street, Oldham, OL1 1UJ
Officer Name : Darren Judge
Contact No : 3816