

Delegated Decision Report

Decision below £250k



Subject:	Purchasing of Muga from IAE for Arundel Street Park
Decision maker: Senior Officer	Nasir Dad, Director of Environment
Decision maker: Cabinet Member	Chris Goodwin
Decision date:	21/8/2024
Report author:	Sean Mitchell
Ward (s):	Waterhead

Reason for decision

This report is to request a procurement exemption for Arundel Street Park to apply a direct award to IAE for the supply of Striker Goal End and sides at a cost of £33,035.17. The reason for the direct award is due to the fact that there is a Strike Goal End already installed on the site (manufactured by the same supplier, IAE). This will ensure standardisation of equipment on the site.

Recommendation(s)

1. To Approve an exemption from the Contract Procedure Rules and approve direct award to IAE to mirror the equipment already have installed on site.

Background

The purpose of the report is to allow the council to procure the appropriate equipment directly from the supplier. Currently, there is one piece of equipment on site that was procured previously from IAE, and the aim is have a complete four-sided MUGA onsite. The Council playground officer has advised that a direct award to the original supplier will ensure compatibility with the current equipment on site.

Alternative option(s) to be considered *(please give the reason(s) for recommendation(s))*

To go through the main RFQ process which would require quotes from suppliers who do not manufacture the items. Typically, manufacturer prices and timeframes are more efficient as you purchase direct from source. There is also the possibility that despite the specification identifying the items, differences in any supplier of the goods may result in slight differences with existing items which need to be connected, and therefore, cause potential H&S issues.

Consultation *(include any conflict of interest declared by relevant Cabinet Member consulted)*

Risks

All Oldham Councils Multiuser Games Areas are inspected & maintained to the EN Standard 15312, so they need to conform to these standards, the maintenance & inspection regimes are as follows-

Weekly Visual/Routine inspection & litter pick, Bi-monthly Operational inspection, Annual independent inspection (currently by Zurich insurance), the first 2 inspections carried out by trained RPII play inspectors.

Because there is no Revenue budget with this project, we would be able to carry out the inspections because we already carry out them on the Striker end wall, we would however need to source funds to carry out any repairs to the new structure.

The Striker end currently on site is manufactured by I A E, building on to this unit could lead to the structure being compromised if not done to the same design. If we put this out there are other cheaper less inferior products that could meet the standard but we know the gauge of the I A E metal mesh used on MUGAS has proved superior to other manufactures & the method of fixing the panels to the post is robust & keeps noise down which other systems have had problems with when used in populated areas, we also have spares on stock for I A E Muga's.

Implications

Financial	<p><u>Capital Implications</u></p> <p>The proposed works are capital and will be charged against the Playing Fields & Facilities capital programme.</p> <p>The proposed works form part of a larger project funding as follows:</p>
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	<p><i>Approved Capital Funding</i></p> <table border="0"> <tr> <td>Big Local Oldham Grant</td> <td style="text-align: right;">£60,000</td> </tr> <tr> <td>LIF Funding</td> <td style="text-align: right;">£26,000</td> </tr> </table> <p><i>Revenue Contributions</i></p> <table border="0"> <tr> <td>Council Leaders Priority Fund</td> <td style="text-align: right;">£ 7,000</td> </tr> <tr> <td>Ward Councillors funds</td> <td style="text-align: right;"><u>£ 4,710</u></td> </tr> <tr> <td>TOTAL Funding</td> <td style="text-align: right;">£97,710</td> </tr> </table> <p><i>The proposed works will be defrayed in 2023/24. (Jit Kara)</i></p>	Big Local Oldham Grant	£60,000	LIF Funding	£26,000	Council Leaders Priority Fund	£ 7,000	Ward Councillors funds	<u>£ 4,710</u>	TOTAL Funding	£97,710
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<p>Legal</p>	<p>The procurement, financial and legal risks are detailed separately in this report and cover the need for an exemption. There are health and safety risks if the Council does not use the same contractor to extend the sides of the MUGA at this location, this needs to be balanced against the current financial situation of the Council to ensure value for money and for the financial implications for ongoing maintenance. The service should ensure that the contractor should provide details of their insurances, which should be in line with the Contract Procedure Rules, and these should be retained by the service.</p> <p><i>Vicki Gallacher (Head of Insurance and Information Governance)</i></p>										
<p>Equality impact including implications for Children and Young People</p>											
<p>Procurement</p>	<p>Whilst there will be third party suppliers who can provide the required goods, there are two potential risks with this 1. The goods are from a different manufacturer and the specifics may not be completely and accurately met in terms of sizes and measurements, which would create potential H&S issues 2. Typically purchasing directly from source is more cost and time effective.</p> <p>It should be explored with third party suppliers if they can provide the goods and what guarantees they provide they can avoid any H&S risk.</p>										


	The PCR does not allow contracting authorities to name brands in procurements. However, this is below FTS threshold. Due to the value and the nature of the services, I do not expect this opportunity would be of interest cross border and so can be supported but with some risk of challenge, albeit low risk. Details of provision from third parties (cost and time) would better support the rationale for a direct award.
Co-operative implications	The recommended proposal set out in this report will allow for park facilities used by residents to be replaced. This is in line with our cooperative agenda.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

Appendix

1. Impact Assessment

Report author sign-off	Sean Mitchell
Role	Neighborhood Supervisor
Date of sign-off	21/08/24

Approval	
Officer approval sign-off	Nasir Dad 
Role	Director of Environment
Date of sign-off	27/08/24