

Delegated Decision Report

Decision below £250k



NOT FOR PUBLICATION by virtue of Paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and it is not in the public interest to disclose the information because it contains information relating to the financial or business affairs of any particular person including the Council.

Subject:	Oldham Library Refurbishment Contract Award
Decision maker: Senior Officer	Emma Barton, Deputy Chief Executive, Place
Decision maker: Cabinet Member	Cllr Peter Dean, Portfolio lead for Thriving Communities and Culture
Decision date:	3 rd April 2025
Report author:	Subnum Hariff-Khan, Head of Heritage, Libraires and Arts
Ward (s):	Coldhurst, All

Reason for decision

This report seeks approval to award a contract to Opening the Book Limited to undertake refurbishment works at Oldham Library.

Recommendation(s)

1. Approve a contract award under the Staffordshire County Council Framework Agreement for Furniture, Lot 3, and for the Council to enter into a call-off contract with Opening the Book Limited to undertake refurbished works at Oldham Library. This is funded through grant monies from the Arts Council Library Improvement Fund, Round 3. The value of the contract is up to £205,000.

Background

Following the acceptance of Arts Council Library Improvement Round 3 funding of £277,000 to refurbish Oldham Library, procurement activity for the Library interior fit out was undertaken using Lot 3 of the Staffordshire County Council Framework Agreement. Tenders have been received, evaluated against price and quality criteria and the bids have been moderated. The preferred contractor is Opening the Book Limited.

The costs quoted in respect of the published scope of works include design, delivery and installation of:

- Modern, open-access merchandising units
- Versatile wall-mounted display
- Mobile shop units that can be optimally located for events

- Oldham merchandising graphics and/or design features
- Tourist information units and welcome desk
- new mobile shelving and revamped perimeter shelving for comprehensively modernised look and feel.
- 32 study/ bring your own-device digital access terminals
- Comfy seating

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

Option 1 – Approve a contract award and for the Council to enter into a Call-Off Contract with Opening the Book Limited under Lot 3 of the Staffordshire County Council Framework Agreement for Furniture to undertake library fit-out works at Oldham Library

Option 2 is do nothing / defer the works. This is not considered a viable option as we would risk losing the funding to ACE and reputational damage to the council.

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

Cllr Dean consulted and is supportive of the scheme.

Risks

- Works not completed by the end of June. A detailed Gantt chart provided. In the event of any unforeseen delays, we can negotiate extension with ACE in relation to the grant.
- Costs exceed the contract sum (including contingency) – detailed cost breakdown has been provided and any changes to the contract sum will be agreed with regular meetings to manage cost control. It is not envisaged that the cost will change.

Implications

Financial	<p>The proposed scheme represents capital expenditure and will be a charge against the Heritage capital programme.</p> <p>The estimate cost of the scheme is £205,000 and expected to be defrayed wholly in 2025/26.</p> <p>Provision exists within the capital programme against which this scheme will be a charge</p> <p>The scheme will be financed by the Arts Council Library Improvement Fund grant.</p> <p>Jit Kara (Senior Accountant)</p>
Legal	<p>Rule 4 of the Council's Contract Procedure Rules governs the procurement procedures which need to be followed depending on the value of the proposed contract.</p>

	<p>One of the options under rule 4 of the CPRs is to buy the Council's requirements under a procurement compliant Framework Agreement.</p> <p>In this matter the Commercial Procurement Unit (CPU) has identified a Staffordshire County Council Framework Agreement for Furniture, which began on 1 July 2023, and which will continue until 30 June 2027. There are numerous lots under the Framework Agreement, but the CPU has identified lot 3 (the Provision of Supply, Delivery and Installation of Office, Educational and Library Furniture) as being most relevant.</p> <p>In accordance with the terms and conditions of the Framework Agreement, a mini competition has been undertaken under Lot 3. All providers appointed to that lot had the right to submit a bid. As detailed in the procurement comments below, on completion of the compliant evaluation process, the submission from Opening the Book Limited was identified as the most economically advantageous bid.</p> <p>Therefore, providing the mini competition has been compliantly undertaken in accordance with the Framework Agreement and there is objective evidence that the submission from Opening the Book Limited best meets the Council's advertised requirements, any legal implications in respect of the recommendations will have been mitigated to the lowest point.</p> <p>The Framework Agreement will remain subject to the Public Contracts Regulations 2015 (PCR 2015) because it was advertised and put in place in accordance with that legislation. As such, a complainant could make attempts to challenge the mini competition activity using the remedies available under PCR 2015; however, as above, if the Council has completed the mini competition compliantly, the chances of any success in challenging the award would be limited.</p> <p>The form of Call-Off Contract shall be as prescribed by the Framework Agreement and advice from Legal Services shall be taken, as needed, to put the Call-Off Contract in place.</p> <p>Sarah Orrell – Commercial & Procurement Solicitor</p>
Procurement	<p>Further Competition (Mini-competition) was conducted against the Staffordshire County Council's IA2933 Framework Agreement (for the Provision of Supply, Delivery and Installation of Office, Educational and Library Furniture) Lot 3 in accordance with Framework terms and conditions and Oldham Council regulations.</p> <p>Mini-Competition was issued on 19th December 2024 and closed on 14th February, 2025.</p>

	<p>All bidders (3) on the Framework were invited to the mini competition, however, only two bidders submitted the bid.</p> <p>Upon moderation, Opening the Book bid was perceived as preferred bid. Opening the Book bid was strong under Resources, Methodology and Mobilisation, and Shop Outfitting Experience.</p> <p>Open the Book supplier is recommended as preferred supplier.</p> <p>Sandeep Kapoor</p>
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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


Background Papers under Section 100D of the Local Government Act 1972


1. Delegated Member Key Decision Report: Arts Council Library Improvement Fund Round 3 Grant Acceptance



Oldham Library
Delegated Cabinet

Report author sign-off	Subnum Hariff-Khan
Role	Head of Heritage, Libraires and Arts
Date of sign-off	25 th February 2025

Approval	
Officer approval sign-off	Emma Barton 
Role	Deputy Chief Executive, Place
Date of sign-off	03.04. 2025

Approval	
Member(s) approval sign-off	
Role	Cabinet Member for Thriving Communities & Culture
Date of sign-off	14.04.25