

Leeds Parklife Tender Acceptance Report seeking approval to enter into Early Works Agreements for the Pitch Works at Green Park and Woodhall Sports Hubs.

Date: 8th December 2023

Report of: Senior Technical Manager, Projects and Programmes

Report to: Chief Officer, Active Leeds and Operations, City Development

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Appendix 1a CONFIDENTIAL Parklife Green Park Sports Pitches Tender Report under Access to Information rule 10.4 (3)

Appendix 1b CONFIDENTIAL Parklife Woodhall Sports Pitches Tender Report under Access to Information rule 10.4 (3)

Appendix 2 CONFIDENTIAL Parklife Pitch Tender Assessment under Access to Information rule 10.4 (3)

Brief summary

This report seeks authorisation to enter into two Early Works Agreements with Lano Sport NV with Cleveland Land Services (Guisborough) Ltd, following a successful tender process using the Football Foundation Framework Alliance to deliver pitch design works to Woodhall and Green Park. The Early Works Agreements will enable the contractor to develop Woodhall and Green Park Sports Hubs pitch works to RIBA Stage 4, including final development of the construction contract with a value estimated at £4.6m. The main pitch contract works will be the subject matter of a separate Design and Cost Report that will be submitted in due course for consideration. Pitch Construction works will be delivered using JCT Design and Build 2016 contracts upon completion of RIBA Stage 4.

The costs incurred for the development of the design through RIBA Stage 4 associated with the Early Works are detailed within Appendix 1.

Recommendations

The Director City Development is requested to

- a) Approve the award of two Early Works Agreements (EWA's) to the successful contractor (Lano Sports NV (Lano) with Cleveland Land Services (Guisborough) Ltd (CLS)) under a JCT Design and Build 2016 Contract following a detailed qualitative assessment (Appendix 2) and

pricing assessment (Appendix 1). The agreement shall commence on 10th December 2023 and shall terminate on 19th January 2024

- b) Incur expenditure of £10,000 for Green Park and £9,999 for Woodhall associated with the Early Works Agreement for the development of Woodhall and Green Park Sports Hubs Pitch Works.
- c) Note that a separate Design and Cost Report requesting Authority to Spend and to seek approval to award the main pitch contracts will be submitted in due course (Anticipated December 2023).

What is this report about?

- 1 To provide the Chief Officer, Active Leeds and Operations, City Development with details of the competitive tender process and evaluation result, that was undertaken for the pitch works to develop the Parklife Sports Hubs at Woodhall Sports Fields and Green Park.
- 2 To provide details of the next steps as well as highlighting any key risks that the Council may have to address that may impact on the deliverability of the schemes.

What impact will this proposal have?

- 3 The developments will have significant positive impact on the ability to provide high quality training and match play provision at all times throughout a calendar year regardless of the seasons and any weather conditions.
- 4 Greatly reduce the number of training and match sessions that are cancelled through unusable pitches or waterlogged areas (approx. 9000 per year), improving the quality of the junior teams and providing regular consistent access to sport, improving resident's health and lifestyle.
- 5 Provide subsidised access to sports facilities for junior/partner clubs allowing all clubs to access quality provision, particularly targeting socio-economic deprived communities, women and girls' sports, ethnically diverse groups and ensuring that the facilities have full accessibility for all ages and abilities.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 6 The proposed scheme directly contributes to the Best Council Plan 2020-25 by providing facilities that are fully accessible to the whole community allowing all residents to lead more active, healthy lifestyles.
- 7 Investment in sports facilities that are designed to target some of the most vulnerable members of the community or those who do not have access to affordable sporting facilities.
- 8 Providing safe and accessible spaces for those who have limited access to sports facilities, targeting women and girls, those from ethnically diverse backgrounds of all ages and abilities.
- 9 Provide ancillary community facilities such as café and meeting spaces to support the health and wellbeing of the community.
- 10 Providing employment opportunities within East and West Leeds in both construction and operational phases.
- 11 Promoting local spending within the communities to distribute wealth more evenly around the city but targeting deprived communities the most.
- 12 The design of the facilities has been developed to BREEAM Excellent standards, to minimise the use of resources and energy and will incorporate a significant number of green technologies to reduce fossil fuel consumption, reducing CO² emissions.

- 13 Social Value Themes, Outcomes and Measures were submitted and evaluated during the procurement process. These will be monitored throughout the project and will contribute towards Inclusive Growth and Zero Carbon priorities.

What consultation and engagement has taken place?

Wards affected: Calverley and Farsley & Temple Newsam

Have ward members been consulted? Yes No

- 14 Face to face and written briefings have been provided to the Ward and Executive Members of the council, who fully support and promote the development.
- 15 Members in Cross Gates and Whinmoor ward have also been consulted, as the Green Park site has a boundary within that ward, whilst being located in the Temple Newsam ward.
- 16 Public consultation took place on both developments to allow local residents the ability to shape and influence some aspects of the project prior to planning approval to ensure that concerns were addressed where possible.
- 17 As the Football Foundation supported the panel during the evaluation process and were represented by MGAC for the consensus scoring meeting, they are fully aware of the contents of this report and support the appointment of the contractor noted above.
- 18 Procurement and Commercial Services (PACS) and PACS Legal have been consulted and engaged consistently throughout the process.

What are the resource implications?

- 19 The financial implications for the Council in RIBA Stage 4 are as noted in Appendix 1. These costs will need to be met fully by the Council at this stage, until a full grant application has been approved by the Football Foundation. At that point, the Council will be able to claim all development costs up to approx. 60% of their value from the Football Foundation.
- 20 The proposals for Woodhall and Green Park Sports Hubs has an overall estimated construction value of £20.8m of which £4.6m is associated with the main pitch works, and the remaining £16.2m being construction works and the Council's costs, currently being developed by BAM Construction under a Pre-Construction Services Agreement.
- 21 It is currently anticipated that the Council will have a financial liability of £8.8m which is partially covered within the Capital Programme 2023/24 with the shortfall to be made from efficiency savings where possible. Additional funding from the Capital Programme may be required if these savings cannot be fully realised.
- 22 The remaining funding needed for the development (£12.0m) will be funded by the Football Foundation as part of the Parklife Hubs Programme. The formal application for the funding has been submitted on the basis that the maximum grant allocation from the Football Foundation for the two hubs could not exceed £12m.
- 23 It is anticipated that the grant approval will be made by the Football Foundation Board for the funding in late October 2023. The Design and Cost Report will be completed and is proposed to be submitted to the Council's Executive Board in December 2023.
- 24 Any cost increases in the programme due to unknown conditions or client instructed change will need to be met by the Council, and a contingency commensurate with the scale of the scheme has been allocated to deal with risk. Any costs associated with change instigated by the Football

Foundation will be subject to additional funding being made available. All changes outside of the project tolerances will be presented to board prior to approval.

What are the key risks and how are they being managed?

- 25 The project is being delivered by City Development's Projects and Programmes team in partnership with NPS Leeds Ltd and the Football Foundation using a structured project management approach. This involves the use of a risk register as a tool for managing identified risks and opportunities, in terms of their proximity and impact. All key risks are monitored and reported through the Programme Board.
- 26 The most significant risk to the council is that it will effectively be procuring two different contractors who will need to work alongside one another to achieve a successful outcome. This involves the main contractor who will be completing the ground works and civil engineering and construction of the pavilion building and car park, including landscaping whilst the pitch contractor will install the 3G pitches, fencing and floodlighting for the scheme. Both contractors will be directly appointed by the Council as noted earlier in this report. An interface protocol has been developed to ensure that both contractors work effectively together under back-to-back arrangements, minimising the risks as far as possible for the Council. There will also be co-ordinated meetings on a weekly and monthly basis to ensure progress is achieved successfully.
- 27 The main building contractor will act as Principal Designer for the project ensuring that the Construction (Design and Management) Regulations 2015 are correctly administered.
- 28 Construction costs are now showing more signs of having stabilised following the recent turbulent period and the value of the pitch tenders are lower than the pre-tender estimate, and it is anticipated that these will further reduce with better co-ordination with the main contractor through the latter part of RIBA Stage 4.
- 29 Currently the scheme estimate is higher than the RIBA Stage 3 estimates that the Council funding contribution was based on, therefore financial risks remain higher than anticipated.
- 30 As noted above any financial overspends will be met by the Council therefore a suitable contingency has been allocated to cover this risk.

What are the legal implications?

- 31 This report is a Significant Operational Decision and not subject to call in. A Key Decision will follow and will be subject to call in.
- 32 The competitive selection of a contractor through the Football Foundation Framework Alliance, is an above threshold compliant procurement and is in line with the Council's Contract Procedure Rules and Public Contract Regulations 2015.
- 33 The appointment of the successful contractor is in line with the approved Procurement Strategy.
- 34 Tenders were issued to six contractors via YORTender, with three tenders being returned by the due deadline for assessment. One tender submitted failed to meet the quality score threshold that was set.
- 35 Colleagues within PACS were in attendance for the evaluation process and are fully aware of the contents of this report and support the recommendations to the decision maker.
- 36 The assessment of the tenders detailed in Appendix 1 and Appendix 2 are commercially sensitive and would compromise the contractor's market and commercial position. These are therefore exempt from publication under the access to information rule 10.4 (3).

37 Lano are a Belgian company and a specialist synthetic turf manufacturer on the Artificial Pitch Framework. Most of the suppliers on the framework have a contracting partner to deliver the construction works. Lano's contracting partner are CLS and they will be carrying out the sub-contracted work. Therefore, the Council, Lano and CLS shall enter into a collateral warranty (in favour of the Council) for the design, supply, and installation of the artificial grass pitches.

Options, timescales and measuring success

What other options were considered?

38 As the appointment of the main contractor is in line with the Procurement Strategy approved by the Director City Development on 9th February 2023, including evaluation methodology, no other options were considered.

39 The Council's Executive Board endorsed that the partnership arrangement working with the Football Foundation was the only viable solution available at this time, to reduce the significant shortfall of 3G Artificial Grass Pitches across the city.

40 Parklife offers an opportunity for Leeds to have top class facilities for football and other sports right through from junior mini soccer at the grassroots level through to elite player development. It links into plans for development work by West Riding County Football Association and the Leeds United Foundation to further develop football in Leeds and provides an opportunity to work with partners such as the universities and National Governing Bodies from other sports such as the Rugby Football League. Parklife will also address issues with the state of the city's pitches by not only directly providing new facilities through the hubs, but by reinvesting surpluses from the football trust into the remaining stock of grass pitches.

How will success be measured?

41 The scheme will be considered a success by providing quality sports spaces that can be used all year round regardless of weather conditions. There were over 9,000 cancelled matches in 2019, due to waterlogged worn out pitches, which greatly affects the health and wellbeing of the players as well as the quality and development of the junior teams.

42 The scheme will improve access to safe sports spaces for women and girls, disabled users, and those from challenging or disadvantaged backgrounds as well as providing the local community with quality spaces in which they can lead happier healthier lifestyles.

43 Success will be achieved by delivering the project within the agreed affordability threshold, on time and to all agreed standards set out in partnership with the Football Foundation.

What is the timetable and who will be responsible for implementation?

44 It is expected the (EWA's) will commence in January 2024 with the Detailed Design phase (RIBA 4). This will allow a final fixed cost to be developed for the project in advance of the submission of the Design and Cost Report to the Executive Board in beginning of February 2024.

45 The project is being led by the Projects and Programmes team in City Development, and the procurement process will be overseen by PACS within Communities, Housing and Environment.

46 The Director, City Development will be responsible for the successful delivery of the programme of works.

Appendices

- Appendix 1 NPS Stage 1 Tender Report. Confidential under Access to information rule 10.4(3).

- Appendix 2 LCC Qualitative Assessment. Confidential under Access to information rule 10.4(3).

Background papers

- None.