

Authority to procure a contractor to carry out cyclical maintenance and repairs to swimming pool plant equipment.

Date: 31st January 2024

Report of: Chief Officer Climate, Energy and Green Spaces

Report to: Director of Communities Housing and Environment

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report seeks to gain authority from the Director of Communities, Housing and Environment to procure a contractor after a competitive process to deliver the cyclical maintenance and repairs of swimming pool plant equipment.

The report will outline the proposed procurement route and the details of the service required.

Recommendations

- a) The Director of Communities, Housing and Environment is asked to give authority to procure a contractor via a competitive process to carry out cyclical maintenance and repairs to swimming pool plant equipment to the value of £400,000 per annum over a period of 2 years with the option to extend the contract for a further 3 x 12 months. The estimated total spend over the full term of the contract including extensions is estimated to be £2 million.

What is this report about?

- 1 This report seeks to gain approval in line with CPR 3.1.7 to carry out a procurement for cyclical maintenance and repairs to swimming pool plant across the Leeds City area.
- 2 This report will outline the proposed procurement strategy and works to be carried out by the contractor.

What impact will this proposal have?

- 3 This proposal will provide a contractor to carry out the cyclical maintenance works required to ensure the safe and clean conditions of swimming pools across the Leeds City area, covering 11 pools spread across Leeds with details of sites outlined below, ensuring swimming pools remain at a high standard for the residents of Leeds.
 - Aireborough Leisure Centre

- Chippendale Pool (Prince Henry Academy, Otley)
 - Fearnville Leisure Centre
 - John Charles Centre for Sport – Aquatics
 - John Smeaton Leisure Centre
 - Kippax Leisure Centre
 - Kirkstall Leisure Centre
 - Pudsey Leisure Centre
 - Rothwell Leisure Centre
 - Scott Hall Leisure Centre
 - Wetherby Leisure Centre
- 4 This contract will ensure the following plant equipment is checked and serviced and where required repairs are carried out in a safe and efficient manner. The works involved in this contract will include:
- Filters and pool water quality tested and cleaned as required.
 - Valves cleared and repaired as and when required.
 - Pump and control systems repaired and replaced.
 - Air scour and blower systems ensure to be in good working order.
 - Work carried out on pool heating calorifier and heat exchanger.
 - Pool circulation pipework and chemical dosing plant repaired, and work carried out on them.
 - Work on plant rooms and water testing in plant room carried out.
- 5 The proposal is to award the contract to one contractor with assurances on the financial standing from recent accounts and staff levels of an adequate nature to carry out the volume and value of the works required. The evidence of such assurances would be obtained by using a PAS91, which requires contractors to self-certify and provide sufficient evidence of their financial standing, insurances, health and safety policies and references for recent similar contracts carried out. A market sounding has been carried out outlining the works required above and contractors have confirmed that they can carry out all works outlined in section 4 above. The market sounding has resulted in 8 contractors being interested.
- 6 The tender will be carried out using the price quality split approach with contractors asked a number of quality questions with an overall minimum quality threshold, in line with CPR 15.2 (a) If contractors pass the quality element of the evaluation criteria, then they will be assessed on the price submitted with the lowest feasible price being offered the contract. In line with CPR15.1 the tender evaluation methodology will be approved by the Chief Officer. The tender will be published on YORtender as an open opportunity to encourage a favourable tender return. This will ensure the council is obtaining competition and therefore achieving value for money.

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

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 7 The contract will promote Health and Wellbeing by providing safe and clean swimming pools for users across the Leeds City region allowing them to carry out exercise and activities thereby improving their health and wellbeing.
- 8 The procurement will require contractors to submit proposals for delivering social value themes, outcomes and measures, which will be actively monitored throughout the contract to support inclusive growth.
- 9 The contract will support the zero-carbon policy through ensuring the plant equipment is fully functional and efficient therefore not wasting energy and increasing carbon emissions. The contractors will also be required to provide social value commitments to reducing their carbon emissions as part of this contract.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted? Yes No

- 10 Consultation has taken place with Procurement and Commercial services to ensure the procurement strategy is compliant.
- 11 Consultation has taken place between Active Leeds, Corporate Property Management and the Lead Ward member responsible for Active Leeds.

What are the resource implications?

- 12 The service is estimated to cost £400,000 per annum and will run for 2 years with the option to extend up to a further 3 x 12 month periods. The overall estimated spend of the contract over the full 5 years would be £2 million.
- 13 It is proposed an open tender be carried out through YORtender. Contractors will be required to complete a PAS91, to demonstrate their insurance, financial standing, health and safety, safeguarding and references of similar works completed as part of the selection process.

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

- 14 Risk of procurement challenge are present in any procurement that is undertaken. To minimise this, a fully compliant and transparent tender process will be carried out.
- 15 There is a risk that insufficient tenders are received for the opportunity. To mitigate this risk an expression of interest to engage the market and obtain interest for the opportunity has been undertaken. This has resulted in eight Contractors being interested in tendering for these works required and understand the price quality split to be used in this tender and the scope of the works required. In addition, during the tender period the Council will engage with tenderers so as to ensure they are able to submit the required documents as part of their tender submission by the tender deadline.
- 16 Risks of contractor issues during the lifetime of the contract will be managed by having a robust contract plan in place and this will be overseen by the contract manager which in this case will be the Operations Manager for Active Leeds.

What are the legal implications?

- 17 This procurement will be undertaken in line with Council Contracts Procedure Rules to ensure fairness, transparency and the achievement of value for money.

18 This is a key decision and as such is eligible for call in. There are no grounds for keeping the contents of this report confidential under Access to Information rules. This procurement was added to the list of forthcoming key decisions on 4th September 2023.

Options, timescales and measuring success

What other options were considered?

- 19 Leeds Building Services have been approached in line with the CPR's and the Head of Leeds Building Services has confirmed that due to the expertise of the works required they are unable to carry out the works.
- 20 Several framework agreements were explored to see if these could support the contract required. However, there were no specific single trade framework agreements that could deliver the requirements needed for this contract as this is a very specialised area of work
- 21 Therefore, the only option available is to carry out an open tender via the open market on YORtender.

How will success be measured?

- 22 KPI's will be in place which will contribute to the measuring of success in this contract.
- 23 The contract will be delivered with a robust contract management plan in place.

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

- 24 Tender Published – February 2024
- 25 Contract Award – April 2024
- 26 Contract Start – May / June 2024

Appendices

- N/A

Background papers

- [Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk)