



Warminster Town Council

Replacement of Paddling Pool,
Lake Pleasure Grounds,
Warminster

Tender Report

Contract Reference: 19/135

June 2020

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1. Executive Summary

This Tender Report provides an analysis of the tenders returned in response to enquiries sent for the procurement of a Contractor for the design and installation of a replacement of the Paddling Pool at the Lake Pleasure Grounds.

Within this report the playability of the equipment has been assessed together with a technical assessment of the submissions from the contractors, this assessment is a vital part of the selection of the contractor for the new design and will aid the Town Council during the contractor selection process.

Two tenders have been submitted one in accordance with the tender instructions and one with an increased budget at the direction of the Town Council. Both of the tenders received have been assessed within the report.

Both of these contractors have submitted a proposal that are technically good, and while the proposals do not meet the full requirements of the Town Council they form a good basis for the Town Council to select a contractor to partner with to develop and deliver the replacement for the paddling pool.

2. Introduction

This Tender Report provides an analysis of the tenders returned in response to enquiries sent for the procurement of a Contractor for the design and installation of a replacement of the Paddling Pool at the Lake Pleasure Grounds.

The report considers the submissions in terms of the compliance of the Contractors submission with the Town Councils tender instructions, the financial assessment of the tenders and a technical assessment of the submissions. As the contract is design and build there is a wide variety of options and the final decisions will come down to which design offers the best value for money and most widely meets the user's criteria.

It is the intention of the Town Council to assess the fee bids through the use of a quality matrix weighted, 70% to the written submission and 30% to the interview. It is intended that this will allow the quality of the submissions to form part of the successful bid. The maximum score that can be achieved under the assessment process will be 100. This report covers the assessment process.

Due to the current travel and associated restrictions introduced to fight the spread of Covid 19 the interview process may be delayed or omitted.

3. General Comments

This Tender Report provides an analysis of the tenders returned in response to enquiries sent out by Warminster Town Council to five companies who had expressed an interest in the project following the advert placed by the Town Council, and met the Town Councils financial and health & safety criteria, these companies were:-

1. Nautilus Attraction Developments Ltd, Unit 14a, Cambridge Road, Weymouth, Dorset, DT4 9TJ
2. Ustigate Ltd, 11 Masthead, Capstan Court, Crossways Business Park, Dartford, DA2 6QG
3. Elements Swimming Pools and Landscapes LTD, Peacocks, Ewshot Road, Farnham, GU10 5BB
4. KIngcombe Stonbury, Unit 2, The Cropmead Estate, Crewkerne, Somerset, TA18 7HQ
5. J Weston Landscaping and Swimming Pools Limited, 94 Arundel Drive, Fareham, PO16 7NU

One company formally advised the Town Council, during the tender period that they were not going to tender, this was:--

1. Nautilus Attraction Developments Ltd, Unit 14a, Cambridge Road, Weymouth, Dorset, DT4 9TJ

A Tender was received at the offices of Warminster Town Council, in accordance with the tender instructions by 12.00 noon on Friday 13 March 2020 from the following company:-

2. Ustigate Ltd, 11 Masthead, Capstan Court, Crossways Business Park, Dartford, DA2 6QG

A second Tender was received at the offices of Warminster Town Council, in accordance with a revised tender instruction, following the issuing of guidance on remote working by the Government allowing time for the companies to set up remote working and social distancing policies, from the following company:-

4. KIngcombe Stonbury, Unit 2, The Cropmead Estate, Crewkerne, Somerset, TA18 7HQ

The tenders were delivered to the offices of Warminster Town Council. The tenders were collated and review by officers of the Town Council and SJ Surveyors for assessment.

The tenders were submitted by:-

2. Ustigate Ltd, 11 Masthead, Capstan Court, Crossways Business Park, Dartford, DA2 6QG
4. KIngcombe Stonbury, Unit 2, The Cropmead Estate, Crewkerne, Somerset, TA18 7HQ

Tenders were not received from three companies who expressed an initial interest and then did not respond, these were:-

1. Nautilus Attraction Developments Ltd, Unit 14a, Cambridge Road, Weymouth, Dorset, DT4 9TJ
3. Elements Swimming Pools and Landscapes LTD, Peacocks, Ewshot Road, Farnham, GU10 5BB
5. J Weston Landscaping and Swimming Pools Limited, 94 Arundel Drive, Fareham, PO16 7NU

The Tenders have been analysed and checked, in accordance with the criteria of the Town Council. This report will assess the quality of the submissions and present the information prior to the interview stage to aid the Town Council to make a final decision and appoint a design & build contractor to work with to design, construct and complete the replacement of the Paddling Pool at the Lake Pleasure Grounds.

4. Tender Assessment

The tender was sent out to procure a Design & Build contractor for the replacement of the Paddling Pool at the Lake Pleasure Grounds. The contractor is to operate within a fixed price to reflect the funding provided by the Town Council, the budget for the project given to the Design & Build Contractors initially within the Tender was £150,000.00 plus VAT, the Ustigate Ltd submissions is within this budget.

Kingcombe Stonbury advised they could not deliver a scheme within this budget and the Town Council increased the budget to £175,000.00 plus VAT for the tender submission from this company. This means that the two submission are not identical for assessment and that Kingcombe Stonbury should be significantly better with a additional £25,000.00 plus VAT of budget to use.

The instructions to tender issued to the contractors gave a detailed list of requirements both as a design brief and also with regard to the information requested to be provided with the tender submission.

While the majority of this information has been requested to enable the technical submission to be assessed, the instruction to complete and return the formal Form of Tender is to ensure the tender process and submission comply with the Town Council's financial regulations and the form of tender contains several statements relating to Health & Safety, Collusion and Validity of the Tender.

Tender Returns

| | Tender Figure | Form of Tender Included | Budget breakdown Included | Companies own Terms & Conditions Imposed | Information Requested Supplied |
|---------------------------|----------------------|--------------------------------|----------------------------------|---|---------------------------------------|
| Ustigate Ltd | £148,484.00 | Yes | Yes | Yes | Yes |
| Kingcombe Stonbury | £174,391.38 | Yes | Yes | Yes | Yes |

The Ustigate tender includes several exclusions that will have cost implications to the Town Council, these are set out below:-

Offer Exclusions:

- *Client to provide water, electrical and foul drain service connections for the Splashpad to our plantroom:*
 - *- Electricity - 240V 50Hz Neutral and Earth rated 63 Amps*
 - *- Water - best supply possible (2L per second upwards)*
 - *- Foul drain*
- *We will hand over the project as fully operational. Should the client wish to postpone the official opening of the Splashpad a separate dedicated visit would be needed to re-sterilize and summarize the feature at a later date which will incur extra charges.*
- *We require good access to the construction area in order to get our heavy machinery into the vicinity*
- *All excavated spoil will be left on site and shaped to create mounds*
- *The EPDM will use our standard aromatic resin. For further UV protection we are able to provide an Aliphatic resin at an extra over cost*

The exclusions listed above have cost implications, these are potentially expensive. The upgrading of the power supply is something that is programmed in. However, there are no foul drains available and there will be a significant additional cost to install these.

The tender sum does not include the full design shown in the illustrations, the splash pad is included however there is an additional element that forms part of the design:-

Surround Walkway

Due to budget restrictions we are unable to replace the 320 sqm surround walkway EPDM surfacing within the £150,000.00 price. We therefore present this as an extra over cost for you to consider.

Extra over cost for the removal of 320 sqm of surround walkway EPDM safety surfacing and supply and installation of new 50mm thick EPDM safety surfacing in a simple design

Price: £32,081.50 + vat

This means that the scheme is not deliverable for the tender sum.

The Kingcombe Stonbury tender contains several qualifications. The tender included a requirement to undertake the works under a standard JCT form of construction contract, this sets out payment terms and schedules that protect the Town Council. The Kingcombe Stonbury submission includes their own payment terms which are more onerous on the Town Council than the JCT terms and require advance payments. The Town Council would need a dispensation from the relevant Committee/Full Council to agree this variation to its operating procedures.

The company are also imposing their own terms 7 Conditions of contract, these will have cost obligations and additional liabilities.

Both contractors have raised concerns and requirements around plant use and site access.

The details of the documents to be provided with the tender and issued to the contractors is set out below, both printed and electronic copies of this information was requested:-

1.8.1 Schedule of Documents

The documents listed below will be required as part of the submission for assessment.

A. Programme

Please submit a programme, outlining the key project dates, milestones and stages.

B. Financial cost Statement

Please submit a Financial Cost Statement detailing how the project will be achieved within the Town Council's budget of £90,000, the submitted budget will include a elemental breakdown of all costs.

C. Design Approach

The tenderer must demonstrate within their submission how the proposed design promotes inclusivity for all potential users and how the design provides children's play for all users that have the ability to challenge within an acceptable level of risk.

D. Design Information

Please submit an initial design this should include:

- A. a briefing document / design summary that explains how the design meets the requirements of the consultation undertaken by the Town Council.*
- B. a summary of any retained element*
- C. a summary of refurbished elements*
- D. a detailed summary of new equipment*
- E. Detail and summary of ancillary elements ie Bins, Seating, Fencing and safety surfaces.*

- F. Detailed plan of equipment layout, position of equipment and ancillary elements along with circulation routes*
- G. Details of handover and certification procedure (to include post installation inspection report)*

E. Experience

Please submit details of three previous similar projects that you have undertaken, please provide contact details for the clients and all relevant information such as value of works, contract duration and client liaison

F. Company Information

- a) Please provide full information of whether the works will be undertaken in house or if any sub contractors will be used on any elements of the projects, If sub contractors are to be used please provide relevant information for the sub contractors as section 5 above.*
- b) Please provide details of your companies environmental approach to waste and recycling.*
- c) Outline Method statement for the project to detail your approach to Health and Safety when working in a residential area should also be submitted with the tender.*

G. Additional Information

Please submit any additional information that would be beneficial to the assessment of the tender.

All of the tender submissions in addition to the information above included drawings and sketches to illustrate the scheme proposed.

5. Assessment of Written Design Submission

The specification issued to the contractors for the refurbishment of Canberra Road Play Park facility gave a detailed list of requirements both as a design brief and also with regard to the information requested to be provided with the tender submission.

A review of the designs and technical information included within the tender has been undertaken by SJ Surveyors. The comments and scoring matrix are detailed below. The quality matrix used for the assessment of the tenders is weighted, 70% to the assessment of the written submission and 30% to the interview.

The assessment of the written submission has been broken down into several key elements which have been scored, these elements are:-

- Details of designer's team, including qualifications and experience of key members.
- Service provision details, will the manufacturing and installing be one company or partnership between two.
- Outline programme of works with key dates to achieve completion within timescale outlined.
- Details of experience with local Councils and consultation groups
- Environmental consideration
- Health & Safety management
- Project finalization
- Design Innovation: Assessment of technical design and delivery of community desires which were outlined through consultation.

Both of the contractors have scored very closely and are in consideration.

Written Submission Score

| <u>Technical Assessment</u> | <u>Points</u> | <u>Technical Position</u> |
|-----------------------------|---------------|---------------------------|
| Ustigate Ltd | 53.5 | 1st |
| Kingscombe Stonbury | 52 | 2nd |

A review of the designs and technical information included within the tender has been undertaken by SJ Surveyors. The comments and scoring matrix are detailed below. The quality matrix used for the assessment of the tenders is weighted, 70% to the assessment of the written submission and 30% to the interview. The detailed evaluation of the submissions, with the scoring matrix used is set out below:-

Ustigate Ltd

Designers Team details: -

- Full detailed information on design team and qualifications.

Service Provision detail: -

- Installation work would be by partnering contracts with long established relationships.

Programme of work: -

- Detail with comprehensive program and dates provided. No mention of snagging in program.

Detail of experience with local councils: -

- Experience listed 3+ projects with local councils. Good example projects and experience demonstrated

Environmental: -

- Information on practical environmental management actions provided
- Details of recycling and waste policy provided

H&S: -

- Outline information provided which identifies documents that will be provided (with examples of recent project) includes Construction Phase Plan, RA'S, CDM procedures and method statements

Project finalisation: -

- Proposals for handover included within program (Gantt Chart). Proposals not fully detailed.
- No mention of how subsequent snagging will be managed.
- Post installation report included in program but not detailed
- Details of TC operative training detailed fully

Design and Innovation: -

- Good / comprehensive attention regarding consultation responses, however, not covering several aspects such as protection from cycle damage
- Quite good, focus on accessibility / inclusivity
- Provision of good detail regarding play items
- Clear and effective design info provided within tender documents
- Design has a limited range of equipment proposed this may be due to budgetary constraints. Quite a lot of unutilised space
- Lifespan / guarantees – relatively good periods identified, however Ongoing maintenance / replacement of items is completely tied to the company because of the bespoke nature of the equipment
- Surfacing identified is EDPM (wet pour)

Kingscombe Stonbury

Designers Team details: -

- Detailed information on design team and qualifications, no real technical design qualifications evident.

Service Provision detail: -

- No information on who would be undertaking installation works

Programme of work: -

- Detail with comprehensive program and dates provided. No mention of ROSPA inspection in program

Detail of experience with local councils: -

- Examples of previous projects provided

Environmental: -

- No information provided

H&S: -

- Outline information provided which identifies documents that will be provided (with examples of recent project) includes Construction Phase Plan, RA'S, CDM procedures and method statements

Project finalisation: -

- Proposals for handover included within program (Gantt Chart). Proposals not fully detailed.
- No mention of how subsequent snagging will be managed.
- Post installation report not included in program
- Details of TC operative training detailed fully

Design and Innovation: -

- Reasonable attention regarding consultation responses, however, not covering several aspects such as protection from cycle damage
- Quite good, focus on accessibility / inclusivity
- Provision of good detail regarding play items.
- Clear and effective design info provided within tender documents.
- Design has a limited range of equipment proposed this may be due to budgetary constraints. Quite a lot of unutilised space
- Lifespan / guarantees – relatively good periods identified, however Ongoing maintenance / replacement of items is completely tied to the company because of the bespoke nature of the equipment
- Surfacing identified is EDPM (wet pour)

6. Interview

The quality matrix used for the assessment of the tenders is weighted, 70% to the assessment of the written submission and 30% to the interview. The interviews were undertaken by a panel of three Councilors and two officers on behalf of the Town Council. All contractors who submitted a tender were invited to interview.

The interviews were held on the morning of Thursday June at the Town Council offices.

Both of the contractors have scored very closely.

Interview Score

| <u>Technical Assessment</u> | <u>Points</u> | <u>Technical Position</u> |
|-----------------------------|---------------|---------------------------|
| Kingscombe Stonbury | 19 | 1st |
| Ustigate Ltd | 17 | 2nd |

7. Summary

Generally, it is felt that the tenders received are suitable for assessment, several of the tenders have areas that require clarification, once a preferred contractor is chosen further clarification will need to be obtained to ensure the project can be delivered on budget.

Approval that the late tender and the additional budget can be assessed and considered will need to be put formally recorded by the Town Council.

Several of the submissions have small areas of incomplete information, in one case the company are putting forward their own terms & conditions, any decision should be subject to obtaining firm details and agreement of a binding contract.

The technical assessment has raised several small concerns with some of the submission around sub-contractors and post installation inspections, these will need to be addressed prior to entering into a contract for the works.

Both tenderers made good presentations at interview, additional information was supplied during the interviews that provided some clarification for some of the points outlined above.

The summary table below shows the total points, out of 100, achieved by each of the tenders together with confirmation of how they performed within the technical assessment and interviews.

| <u>Ranking</u> | <u>Overall</u> | <u>Points</u> | <u>Technical Position</u> | <u>Interview Position</u> |
|-----------------------|--------------------------------|----------------------|--------------------------------------|--------------------------------------|
| 1st | Kingscombe Stonbury | 71 | 2nd | 1st |
| 2nd | Ustigate Ltd | 70.5 | 1st | 2nd |

8. Recommendation

Realistically both of the submitting companies would offer a replacement for the paddling pool that represents the requirements of the consultation and Town Council as is reflected by the very close scores from the selection process.

We would recommendations are entered into with the lowest tenderer, Kingcombe Stonbury, for the design and installation of the new water feature. An amended & revised design collaborated on that meets the Town Councils requirements fully.