

REPORT TO: Executive Board Sub Committee

DATE: 20 March 2008

REPORTING OFFICER: Strategic Director Environment

SUBJECT: Victoria Park Restoration-Contract for Memorial Restoration, Entrances & Drainage Works

WARDS: Appleton

1.0 PURPOSE OF THE REPORT

1.1 To seek a retrospective waiver of Procurement Standing Order 3.1

2.0 RECOMMENDATION: That

- (1) the report is noted; and**
- (2) a retrospective waiver of Standing Order 3.1 relating to tendering be given.**

3.0 SUPPORTING INFORMATION

This Contract was for the repair and restoration of some of the Park's oldest features. The original tender cost for this work was £75k. The exact condition of some of the items, such as the drainage system and railings around entrances, were not fully known until a contractor was appointed and works commenced. It became clear that the extent to which these items had deteriorated was much greater than hoped, requiring additional works to restore them. To avoid a possible conflict with liabilities between different contractors the painting of all the perimeter railings of the park was also added to this contract. The total costs of these additional items was £81k. and was covered by the contingency sum and by other cost heads in the overall project budget. This enabled the works to continue on schedule and meet HLF agreed expenditure profiles.

At the same time it became apparent that the existing tennis/ball court surface and fencing to courts (not part of the HLF funded restoration works) would not be to the same standard as the rest of the completed park scheme, adversely affecting the overall finished product. There were considerable political benefits to investigate upgrading this facility to the same standard.

Due to the nature of the work required to upgrade the tennis/ball courts, (particularly the drainage and fencing elements) work needed to take place immediately to avoid a conflict with the remaining programmed restoration

work. Extending the existing contract also kept the number of contractors and contractors' cabins to minimum on site, reducing conflict with park users.

The existing contractor was therefore asked to carry out this work, (This contractor was also the sole supplier of the required fencing system). This additional work was covered by funding from Area Forum and Culture and Leisure Services budgets.

4.0 POLICY IMPLICATIONS

None

5.0 OTHER IMPLICATIONS

There were considerable political benefits to refurbish the tennis and ball courts before the school summer holidays and Wimbledon.

Not carrying out the fencing and surfacing works to the tennis courts at the right time would have resulted in having to re excavate newly laid surfaces and features and incur greater costs. The Council would also have faced criticism for 'digging up' recently constructed works.

6.0 RISK ANALYSIS

All cost associated with the additional works were covered by existing budgets.

The contractor, based on past performance and financial checks, was capable of undertaking and completing the works to the required standard and on time.

7.0 EQUALITY AND DIVERSITY ISSUES

None

8.0 REASON(S) FOR DECISION

NA

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

NA

10.0 IMPLEMENTATION DATE

NA

(NB 8.0, 9.0 AND 10.0 ONLY IF KEY DECISION)

**11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE
LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Internal Audit report- 2007/8 Victoria Park (Memorial, Drainage & Entrances Works) Jan 2008 Ref 01/62	Picow Farm Depot	Nick Martin