

# Vale of White Horse

District Council

**Local Government Act 2000 and the Local Authorities  
(Executive Arrangements) (Access to Information) (England)  
Regulations 2000**

RECORD OF DECISION OF CABINET MEMBER OR KEY DECISION OF OFFICER			
1	<b>Name of Decision maker</b>	Councillor Elaine Ware	
2	<b>Type of Decision (Please <input type="checkbox"/> as appropriate)</b>	<b>Key</b>  Yes	<b>Other</b>
3	<b>Date of Decision</b> (This should be the same as the date form signed)		
4	<b>The Decision</b>	That tenderer B, Healthmatic, be awarded the contract to replace the public conveniences in Hales Meadow car park, Abingdon, and School Lane, Grove.	
5	<b>Reasons for Decision</b>	<p>This decision is proposed in accordance with the contract procedure rules, acceptance of tenders between £75,001 and EU threshold, under contract procedure rule 121; where the contract value calculated over the lifetime or term of the contract including any provision for extension of the term specified in the contract documents) exceeds £75,000 but does not exceed EU threshold the tender shall be referred to the cabinet member or a committee for acceptance with details of the evaluation procedure, unless acceptance in an alternative manner is authorised in advance.</p> <p><b>Background</b></p> <ol style="list-style-type: none"><li>1. The current provision of public conveniences at Hales Meadow car park in Abingdon and School Lane in Grove is provided by a lease and maintenance agreement with JCDecaux. This agreement finished on 31 January 2014 and officers are in negotiation with JCDecaux to agree an extension under the existing terms, until the new contract is awarded.</li><li>2. Officers have re-tendered for the provision of new public conveniences at each site.</li><li>3. The tender was divided into three lots:<ul style="list-style-type: none"><li>• lot 1, the provision of a public convenience in Hales Meadow, Abingdon</li></ul></li></ol>	

- lot 2, the provision of a public convenience in School Lane, Grove
- lot 3, to improve the public conveniences in Faringdon within the existing structure.

4. This report only considers lots 1 and 2. Lot 3 will be considered under a separate report, as the final design is still to be confirmed.


#### **Analysis of tenders**

5. The tendering process was organised and managed using the South East Business Portal website. Initially 24 companies expressed an interest in the initiation to tender (ITT), which was published on the website on 21 October 2013. The closing date for the return of the tender was 15 November 2013. Five companies provided responses to the ITT within the deadline. Three companies provided prices for lots 1 and 2 and two companies replied to lot 3.
6. In considering lots 1 and 2 only, the three companies were initially scored against a set of eligibility and selection criteria. Tenderers that met a minimum threshold of 70 per cent were scored further on the award criteria. All three tenderers achieved this minimum level.
7. The contract is to be awarded on the basis of the most economically advantageous tender, which includes a combination of the following factors:
- technical proposal (40 per cent)
  - financial proposal (60 per cent).
8. In terms of the technical design proposal, all three tenderers provided very good information, which met all of the specification requirements. For both lots, tenderer A included electrical energy saving and monitoring devices. Officers liked the design incorporating natural light at high level, although there was a risk of vandalism to these windows. The proposed wall interior is high pressure laminate allowing panels to be replaced.
9. Tenderer B proposes a traditional tiled wall finish, which it prefers as it says 'it looks smarter and is easy to clean and maintain'. There is natural light via a portal in the door. The company proposes a power-operated door, which can also be set on a time switch. The hand wash is operated via a separate Wallgate unit, which would be serviced by Wallgate. The toilet block is 'powered down' when not 'engaged' and only turns on the systems when someone enters the toilet.
10. Tenderer C proposes a fully automatic unit painted in a colour to complement the natural surroundings. However, there was not the option to provide a variety of exterior cladding in either a brick or timber effect that tenderers A and B can offer. Neither was there the possibility of providing any natural light that the other two tenderers propose. However, tenderer C did offer a guarantee for the duration of the contract (either ten or 15 years).
11. All tenderers have many years experience overseeing all aspects of the project, including ISO quality standards, good health and safety records and similar means to rectify any component or service. Tenderer B offers a one year warranty on all parts and labour.
12. Tenderers A and B confirmed that they are able to provide a unit

		<p>that meets the BS 8300, which requires an enlarged unisex wc for use by the disabled, measuring 2m x 2.2m. Tenderer C proposed a unit measuring 3.3m x 1.68m</p> <p>13. The financial proposals are as follows:</p> <p>Lot 1 Hales Meadow car park, Abingdon</p> <p>Tenderer A £58,960 (plus estimated maintenance and cleaning costs of £5,500 per year) = £64,460</p> <p>Tenderer B £54,100 (plus estimated maintenance and cleaning costs of £5,500 per year) = £59,600</p> <p>* Tenderer C £61,385 (including maintenance and cleaning cost of £14,000 per year) = £61,385</p> <p>Lot 2 School Lane, Grove</p> <p>Tenderer A £58,960 (plus estimated cleaning and maintenance costs of £5,500 = £64,460)</p> <p>Tenderer B £52,600 (plus estimated cleaning and maintenance costs of £5,500 = £58,100)</p> <p>* Tenderer C £58,385 (including maintenance and cleaning costs of £14,000)</p> <p>* the contract price for tenderer C includes cleaning and maintenance costs within the first year followed by similar costs over a fixed period as part of a fixed term contract.</p> <p>14. The ITT was for the replacement of the existing public conveniences. However, if there are specific maintenance requirements, then the contractors were asked to include for these. As the price provided by tenderer C includes the cleaning and maintenance in the form of a contract over a fixed period (ten or 15 years), in order to evaluate the three tenders equally, the financial evaluation has included the estimated cleaning and maintenance cost in year one for each tenderer.</p> <p>15. For the preferred bidder, the Vale Council is not looking to include cleaning and maintenance costs. The maintenance and cleaning costs will default to our current arrangement (in house facilities for most repairs and a contractor for cleaning). In addition, the size of the unit proposed by tenderer C does not exactly match the BS 8300 requirements for an enlarged unit.</p> <p>16. Based on the evaluation process, officers consider that tenderer B, Healthmatic, should be the preferred tenderer for both lots 1 and 2. Officers have visited public conveniences that Healthmatic has installed in Wokingham. Officers are satisfied that Healthmatic can provide suitable public conveniences for both lots.</p> <p>17. As part of the tender submissions, Healthmatic has indicated that the time from award to completion for both lots is four months. This includes for obtaining the planning permissions required.</p>
6	<p><b>Alternative Options Rejected</b></p>	<p>An alternative option is not to provide any public conveniences at all. However, the unit in Hales Meadow is located close to the River Thames and, therefore, serves both people on the river and also those people visiting the area. As there are no other public conveniences in the vicinity, apart from those in the public house, officers have rejected this option</p> <p>There are also no alternative public conveniences situated in Grove</p>



		and the unit is placed near shops and on a road leading to a school. Therefore, officers have rejected the option to not provide any public conveniences at all.
7	<b>Resource Implications</b>	Officers are able to manage the project using existing resources.
8	<b>Legal implications</b>	The procurement has followed an 'open' process, whereby the specification and costs are obtained at the outset, but this does not commit the Vale Council to enter into any contracts.  The Vale Council's legal team will complete the final contracts.
9	<b>Financial implications</b>	In terms of the financial proposal, tenderer B scored highest.  The cost of providing the new toilet facilities at Abingdon and Grove can be met from the existing capital budget of £200,000,
10	<b>List of Consultees</b> (See guidance below)	Legal – Sarah Sundhu, comments included, ref. email 24 January 2014 and 19 February 2014 Procurement – Gary Hayes – no comments received Sustainability – Heather Saunders, comments included ref. email 20 January 2014 Equalities – Cheryl Reeves, comments included ref. email 20 January 2014, in particular the request to clarify with the tenders that they are able to meet the BS8300 for an enlarged wc for use by the disabled. Finance – Rhona Bellis, comments received ref. emails 30 January 2014 and 19 February 2014 Strategic Director, Matt Prosser – in support (emails 12 February and 5 March 2014)
11	<b>Reports and Background Papers Considered</b>	None
12	<b>Date of receipt of Reports</b>	
13	<b>Declarations of Interests</b>	None
14	<b>Dispensations</b>	None
15	<b>Is this decision confidential and if so, under which Exempt category?</b>	No, but the evaluation spreadsheet is confidential
16	<b>“Call in” Waived?</b>	No

17	<b>Signature and Date</b>	Councillor Elaine Ware Decision maker  Dated: 5 March 2014
18	<b>This form must be physically handed to a member of the Democratic Services Team</b>	<p>Note: The date and time at which this form is received will be recorded by the Head of Democratic Services. The decision will then be published and is subject to "call in".</p> <p> ..... Date <u>5-3-14</u> Time <u>10:00</u>  Head of Democratic Services Date and Time Form Received</p> <p><i>BY</i></p>
19	<b>Details of Publication on the Web and date of expiry of "Call In"</b> Note: This part of the Form will be completed by Democratic Services	Date of Expiry of "Call In" ... <u>12-3-14</u> ..... Date Published ... <u>5-3-14</u> ..... Date <del>hand delivered</del> <sup>emailed</sup> to Chair of Scrutiny ... <u>5-3-14</u> .....