

Delegated authority officer decision notice

Decision made by	Andrew Busby, Head of Development and Corporate Landlord
Lead officer contact details	Adrian Lear, Technical Projects Team Leader
Decision (Keep this succinct)	For the Head of Development and Corporate Landlord to approve entering a Joint Contracts Tribunal (JCT) Design and Build refurbishment contract with Danfo (UK) Ltd for the refurbishment works at the public toilets in Portway car park (Wantage) and the disabled toilet at the Charter car park (Abingdon).
Key decision? (see notes below)	Yes, the contract is for more than £75,000 expenditure.
If key decision, has call-in been waived by the Scrutiny Committee chair(s)?	No
Confidential decision, and if so under which exempt category?	N/A
Delegated authority reference from the constitution	Procurement Rules (page 241) within the constitution states that as the spend is over £75,000 the acceptance of the tender is by the head of service in consultation with the cabinet member and the contract can be signed by the head of service.
Risks	<p>Officers have worked with the same contractor on a similar public toilet renovation project which was successful so therefore consider the risk of poor quality and workmanship low.</p> <p>A financial risk assessment has been carried out to establish if a bond is required and it is not considered to be a requirement for this contract. The risk assessment will be submitted for approval by the Head of Finance and Head of Legal and Democratic in accordance with Contract Procurement regulations para 3.47.</p>
Reasons for decision	<p>Officers have followed the procurement process to identify a suitable supplier to undertake the refurbishment of the public toilets in the Portway car park Wantage and the refurbishment works to the disabled toilet in the Charter car park, Abingdon.</p> <p>In conjunction with the Procurement officer, it was determined that the most appropriate contract for the refurbishment works at both Portway and Charter toilets was a single 'JCT design and build contract', to allow for the best value for money to be achieved.</p> <p><u>Tender and Evaluation</u></p> <p>The contract procurement was an open tender on the southeast</p>

	<p>business portal. Unfortunately following the tender period and interest from a number of contractors, only one contractor submitted a bid to undertake the works.</p> <p>Officers have evaluated and approved the one tender submitted for each of the projects.</p> <p>The quality return was extremely good and individual evaluation scores were amalgamated which resulted in a quality score of 94 percent. The prices received from Danfo are broken down in the financial implications section of this notice.</p> <p>The recommendation is to award the contract to Danfo (UK) Ltd.</p> <p>This company recently completed works to refurbish the toilets at Grey's Road car park in Henley for South Oxfordshire District Council and undertook the work in a professional manner. Officers consider that the price supplied to undertake the works on both facilities is value for money for the council and will meet the requirements of the specification.</p> <p>The proposed layout design for the finished building at Portway is included as Appendix A to this report. We are taking the opportunity to provide cubicles that are directly accessed from the outside instead of communal areas to improve the safety of the toilets.</p> <p>The proposed layout design for the Charter public toilet is identified later in this report.</p>								
<p>Alternative options rejected</p>	<p>Both toilet facilities are in busy towns with a significant usage of the facilities. The condition of the toilets no longer provides the standard of facility expected. The alternative of do nothing is therefore not recommended.</p> <p>As only one bid was received, officers did consider retendering the works, but the delay could lead to the loss of the grant from the Department for Levelling Up, Housing & Communities and as Danfo is a recognised supplier of Changing Places (CP) facilities it was not considered that better value for money would be achieved.</p>								
<p>Climate and ecological implications</p>	<p>Within the specifications for the Portway toilet, contractors were asked to provide ideas and costs for additional equipment that could be installed to reduce the carbon usage in operating the toilets in the future. Further discussion with the contractor and the corporate energy officer will take place following the award of the contract as to which of these options would provide the best cost benefit.</p> <p>The options and costs that will be discussed further within the Portway contract are shown below</p> <table border="1" data-bbox="499 1845 1370 2069"> <thead> <tr> <th data-bbox="499 1845 1209 1883">Options</th> <th data-bbox="1209 1845 1370 1883">Cost</th> </tr> </thead> <tbody> <tr> <td data-bbox="499 1883 1209 1957">Installation of rainwater harvesting system to feed the flushing capacity of the toilets</td> <td data-bbox="1209 1883 1370 1957">£8,937</td> </tr> <tr> <td data-bbox="499 1957 1209 2031">Installation of solar panels to roof and battery for storing power</td> <td data-bbox="1209 1957 1370 2031">£10,886</td> </tr> <tr> <td data-bbox="499 2031 1209 2069">Installation of electric feed to enable bike</td> <td data-bbox="1209 2031 1370 2069">£630</td> </tr> </tbody> </table>	Options	Cost	Installation of rainwater harvesting system to feed the flushing capacity of the toilets	£8,937	Installation of solar panels to roof and battery for storing power	£10,886	Installation of electric feed to enable bike	£630
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<p data-bbox="121 338 400 367">Legal implications</p>	<p data-bbox="499 349 1458 456">The proposed contract value is not above the UK threshold relating to contract procurement rules however the value does exceed £75,000.</p> <p data-bbox="499 479 1458 618">One standard JCT Design and Build Contract with Quantities covering the works at both locations, will be amended by legal, to be signed by both parties following authorisation to award the contract to Danfo Ltd.</p> <p data-bbox="499 640 927 672">Commencement of contract</p> <p data-bbox="499 694 1458 833">As per the council's CPR (para 29) No works, services or supplies shall be commenced until a contract has been completed or an order has been issued to the contractor unless the head of service approves otherwise.</p> <p data-bbox="499 855 1458 927">Officers have built this approval into the timetable for construction as below:</p> <table border="1" data-bbox="499 943 1458 1279"> <tr> <td data-bbox="499 943 1002 1014">Agreement that the design meets the CP criteria</td> <td data-bbox="1002 943 1458 1014">End April 2023</td> </tr> <tr> <td data-bbox="499 1014 1002 1052">Award</td> <td data-bbox="1002 1014 1458 1052">May 2023</td> </tr> <tr> <td data-bbox="499 1052 1002 1090">Start-up meeting</td> <td data-bbox="1002 1052 1458 1090">by end June 2023</td> </tr> <tr> <td data-bbox="499 1090 1002 1128">Start of Site</td> <td data-bbox="1002 1090 1458 1128">by end July 2023</td> </tr> <tr> <td data-bbox="499 1128 1002 1240">Complete</td> <td data-bbox="1002 1128 1458 1240">(10-week programme) Work should be completed by October 2023</td> </tr> <tr> <td data-bbox="499 1240 1002 1279">Sign off and open</td> <td data-bbox="1002 1240 1458 1279">by end October 2023</td> </tr> </table>	Agreement that the design meets the CP criteria	End April 2023	Award	May 2023	Start-up meeting	by end June 2023	Start of Site	by end July 2023	Complete	(10-week programme) Work should be completed by October 2023	Sign off and open	by end October 2023				
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<p data-bbox="121 1285 456 1317">Financial implications</p>	<p data-bbox="499 1301 1059 1332">Expenditure Portway Toilet Wantage</p> <p data-bbox="499 1355 1458 1462">The refurbishment works to install three cubicles, one ladies only and one men only, a unisex toilet and the installation of a Changing Places toilet is £193,154.</p> <p data-bbox="499 1485 1458 1624">However, there are still some options to be agreed when the contract is signed, and more information provided. If it is decided to undertake all the options, the contract costs would be as set out below.</p> <table border="1" data-bbox="499 1639 1398 2083"> <thead> <tr> <th data-bbox="499 1639 1209 1677">Portway Toilet Refurbishment</th> <th data-bbox="1209 1639 1398 1677">Costs</th> </tr> </thead> <tbody> <tr> <td data-bbox="499 1677 1209 1749">Contract Price for the specified refurbishment (including the installation of a CP facility)</td> <td data-bbox="1209 1677 1398 1749">£193,154</td> </tr> <tr> <td colspan="2" data-bbox="499 1749 1398 1792">Options (still to be agreed once the contract is signed)</td> </tr> <tr> <td data-bbox="499 1792 1209 1863">Installation of rainwater harvesting system to feed the flushing capacity of the toilets</td> <td data-bbox="1209 1792 1398 1863">£8,937</td> </tr> <tr> <td data-bbox="499 1863 1209 1901">Installation of solar panels to roof (and battery)</td> <td data-bbox="1209 1863 1398 1901">£10,886</td> </tr> <tr> <td data-bbox="499 1901 1209 1973">Installation of electric feed to enable bike charger point to be fitted</td> <td data-bbox="1209 1901 1398 1973">£630</td> </tr> <tr> <td data-bbox="499 1973 1209 2011">Council authorised Contingency 5%</td> <td data-bbox="1209 1973 1398 2011">£9,658</td> </tr> <tr> <td data-bbox="499 2011 1209 2083">Total Cost of project with all options</td> <td data-bbox="1209 2011 1398 2083">£223,265</td> </tr> </tbody> </table>	Portway Toilet Refurbishment	Costs	Contract Price for the specified refurbishment (including the installation of a CP facility)	£193,154	Options (still to be agreed once the contract is signed)		Installation of rainwater harvesting system to feed the flushing capacity of the toilets	£8,937	Installation of solar panels to roof (and battery)	£10,886	Installation of electric feed to enable bike charger point to be fitted	£630	Council authorised Contingency 5%	£9,658	Total Cost of project with all options	£223,265
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	<p>undertaken</p> <p>Budget provision, Portway Refurbishment</p> <table border="1" data-bbox="501 241 1369 510"> <tr> <td>A grant from the Department for Levelling Up, Housing & Communities for the installation of the CP facility.</td> <td>£100,000</td> </tr> <tr> <td>Wantage Town Council</td> <td>£12,000</td> </tr> <tr> <td>Vale CIL funding</td> <td>£45,000</td> </tr> <tr> <td>Capital funding from YA50</td> <td>£66,265</td> </tr> <tr> <td>Total budget</td> <td>£223,265</td> </tr> </table> <p>Note the grant from the Department for Levelling Up, Housing & Communities will not be paid until the facility is open and the location is on Changing Places website, which means that the council will have to provide the forward funding for the works to be undertaken and then repay the grant into the capital code.</p> <p>Expenditure Charter Car Park Disabled Toilet</p> <p>The refurbishment works to the disabled toilet in the Charter Car Park, Abingdon totals £37,718, with no optional extras. The facility would then be open to all users.</p> <p>Budget provision</p> <p>Charter Car Park disabled toilet refurbishment will be funded from YA50 at a tendered cost of £37,718.</p> <p>(YA50 currently balance is £147,000, this will be reduced to £43,017 if all the above works are undertaken).</p> <p>It is proposed to make a 20p charge for the use of the toilets, which will be through a swipe card. Disabled users will still have free access to the toilets using a radar key. This charge is the same as already chargers to use the toilets in Hales Meadows (Abingdon and Grove). This income is estimated to be around £200 per annum.</p>	A grant from the Department for Levelling Up, Housing & Communities for the installation of the CP facility.	£100,000	Wantage Town Council	£12,000	Vale CIL funding	£45,000	Capital funding from YA50	£66,265	Total budget	£223,265
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<p>Other implications</p>	<p>Portway Toilet, Wantage</p> <p>Consideration has been given to the allocation of the toilets between male / female and unisex to ensure we meet current legislation. Within the likely design there will be one male toilet, one female toilet, one unisex toilet, a unisex ambulant toilet with baby changing facility and the unisex CP toilet.</p> <p>Externally, the toilet block will retain its existing finish although the soffits and gutters will be replaced in plastic. External doors will be made from metal and be green in colour.</p> <p>Internally, the appearance of the Danfo in-built modules are clean and hygienic as shown in example below.</p>										



Toilet pans are wall-mounted to aid cleaning of the floors and removing silicone that can harbour germs and dirt and are manufactured out of stainless steel for strength and ease of cleaning.

Handwash unit is integrated into the wall and manufactured out of stainless steel. We provide stainless steel mirrors and easy-clean neutral-coloured walls with tiled floors.

All internal fittings such as ventilation, hand washing, and lighting will only operate when the toilets are occupied, and the toilet flush will automatically operate again when the toilet door is opened for the customer to exit.

The toilets will have a time lock mechanism installed to allow the toilet to be closed overnight if required in the future.


The works will require building control approval which is included within the contract as the contractor's responsibility.

Charter Disabled Toilet, Abingdon

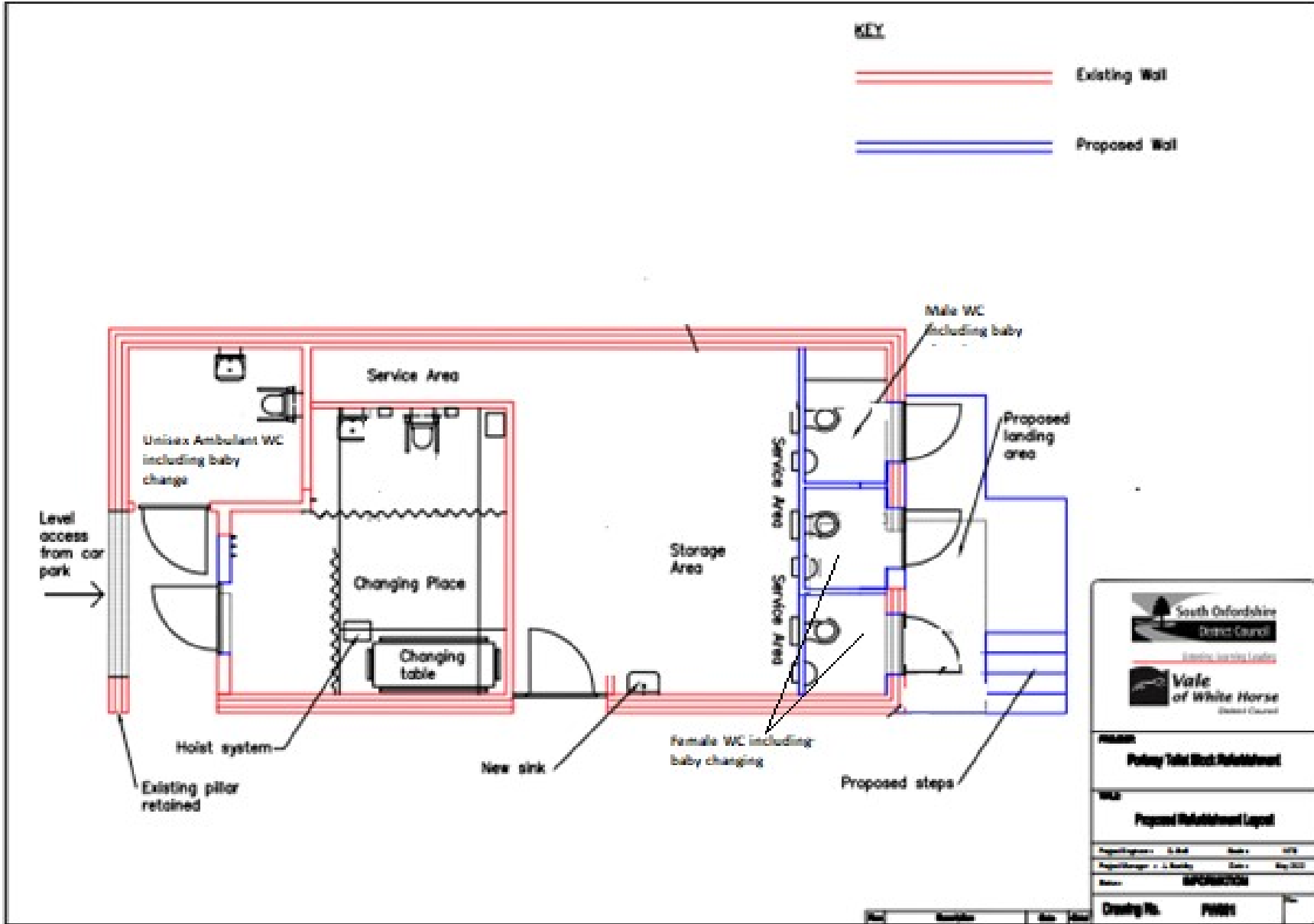
The refurbishment will include the following works and the toilet will then be open to all users:-

- Wallgate accessible handwash unit
- Wallgate floor standing composite toilet bowl Disable Discrimination Act (DDA) compliant
- "Wave-on" flush system with cistern in the service area
- Steel door powder coated in Green
- RADAR & Contactless access system with built in timer for opening & closing
- White rock walls
- Tiled floors
- LED lighting including emergency via microwave sensor
- Mechanical extraction via PIR with over-run
- Stainless steel paper dispenser
- Full Length stainless steel polished mirror
- 2 X Coat hooks
- Baby changing table

	<ul style="list-style-type: none"> • Doc M pack (standard equipment for use by disabled) <p>Access</p> <p>Access to the toilet would be via contactless card payment or RADAR key. Currently there is no cost to use the toilets but they have been continuously vandalised so it is considered that a small charge will make them less of a target for future vandalism. The system has a built-in programmer to open and shut the toilets at predetermined times.</p> <p>The contactless card reader takes payment from debit, credit, Apple pay, Android and Monyx cards.</p> <p>All payments received would be paid directly to Vale Council from NAYAX, a supplier and account handling company who works with Danfo.</p> <p>Contactless unit will be installed by Danfo and then operated direct by Council. Charges will be approximately £10 per month for each unit plus 2.95 percent of charges for transactions.</p> <p>The works will require building control approval which is included within the contract as the contractor's responsibility.</p>			
Background papers considered	<p>GW1 Refurbishment of Portway public toilets August 2022 GW2 Refurbishment of Portway public toilets November 2022</p>			
Declarations/ conflict of interest?	None			
Consultees		Name	Outcome	Date
	Legal	Patrick Arran	This is a decision made by an officer in consultation with the Cabinet member, not the member making the decision, so it is not an ICMD, please transfer the content onto a DA template.	13/04/2023
	Finance	Kathy Merritt	Agreed	25/04/2023
	Procurement	Angela Cox	Agreed	03.05.2023
	Diversity and equality	Lynne Mitchell	We need to ensure that we provide both male and female toilets to ensure that they cater for all	13/04/2023
	Strategic Property	Chris Mobbs	No comments to make	13/04/2023
	Property Facilities	Mark Foster	Supportive	9/5/23
	Climate and biodiversity	Kim Hall	We support this decision to award the contract including additional options to reduce the climate implications of the project as identified	13/04/2023

			in the report	
	Communications	Andrea Busiko	Nil comments, please keep comms updated on the project status so we can action any comms required.	21/4/23
	Risk Management and Insurance	Yvonne Cutler Greaves	Support the project especially the anti vandalism actions making it contactless payment to use.	10 May 2023
	Planning	Stuart Walker	The work in my view would be permitted development so no comment	08/04/2023
	Technical Services Manager	John Backley	Agreed	9 May 2023
	Cabinet member for Leisure Centres and Community Buildings	Cllr. Dr. Debra Dewhurst	Agreed	27 May 2023
	Cabinet member for Environmental Services and Waste	Cllr. Mark Coleman	Agreed	25 May 2023
Decision maker's signature To confirm the decision as set out in this notice.	<p>Signature: </p> <p>Date: 30.05.2023</p>			

Appendix A Proposed layout design for refurbishment, Portway public toilet, Wantage



IMPORTANT NOTES TO OFFICERS:

1. You need to ask your head of service (or above) to determine whether this is a key decision. The constitution specifies a key decision as a decision of Cabinet, an individual Cabinet member or an officer acting under delegated powers, which is likely to:
 - (a) incur expenditure, make savings or to receive income (except government grant) of more than £75,000; or
 - (b) award a revenue or capital grant of over £25,000; or
 - (c) agree an action that, in the view of the chief executive or the relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.
2. If this is a key decision (as defined in paragraph 1 above), immediately after it is signed off, send it to democratic.services@southandvale.gov.uk to allow the councillors' scrutiny call-in procedure to commence. You cannot implement a key decision until the scrutiny call-in procedure has been completed. You will receive a copy of the email to councillors. Check with Democratic Services after the close of the call-in period to see if the decision has been called-in.
3. If this is a key decision but the Scrutiny Committee Chair(s) has waived call-in, immediately after it is signed off send it to democratic.services@southandvale.gov.uk to allow councillors to be informed that a key decision has been made and scrutiny call-in waived. You may then implement the decision without further delay.
4. If this is a non-key decision, save this decision notice to your network drive for audit purposes (Democratic Services do not need a copy). You may implement the decision immediately.