

Finance and Resources Committee

10.00am, Tuesday 5 September 2017

Adoption of the Scotland Excel Framework Agreement for Outdoor Play Equipment and Artificial Surfaces 02-15

Item number	8.6
Report number	
Executive/routine	
Wards	All

Executive Summary

This report seeks approval of the Finance and Resources Committee to adopt and implement the Scotland Excel Framework Agreement for Outdoor Play Equipment and Artificial Surfaces 02-15.

The Framework provides the Council with access to a range of external Register of Play Inspector International (RPiI) qualified contractors and suppliers to support the delivery of works, services and supply arrangements for outdoor play environments including natural playgrounds, outdoor gym equipment, multi-use games areas, wheeled sports areas, safer surfaces and artificial areas.

The Framework will be active from 1 May 2017 to 12 March 2019, with the option to extend for up to 24 months, at 12 month intervals, until 12 March 2021. Over the four year term the value of the Framework has been estimated between £800,000 to £1,500,000.

Adoption of the Scotland Excel Framework Agreement for Outdoor Play Equipment and Artificial Surfaces 02-15

1. Recommendations

- 1.1 It is recommended that Committee approves the adoption and implementation of the Scotland Excel Framework for Outdoor Play equipment and Artificial Surfaces 02-15.

2. Background

- 2.1 School play areas are normally funded via grants, school fund raising or Parent Teaching Association (PTA). It is recognised that it can therefore be problematic to ascertain a value of these works out with the Play Area Action Plan.
- 2.2 There are 13 natural playgrounds which present challenges for maintenance, operational and annual inspection purposes within Edinburgh. The playgrounds are of varying themes and exhibit differing play components offering the use of undulating topography.
- 2.3 Similarly, Housing Services seek to deliver play areas, but generally do so through the Parks and Greenspaces department to ensure the maintenance, inspection and insurance aspects are accounted for.
- 2.4 In regards to sports pitches, there are no funds directly available via the capital programme – it is dependent on local neighbourhood and grant funding. Without an on-going provision, school funding alone could prove insufficient to allow the required maintenance and inspection.
- 2.5 Neighbourhoods and schools' themes and requirements for play areas differ depending on the characteristics of the play environment desired. Consequently, the proposed works associated with this Framework will be subject to public consultation through various forums. The works must be designed and installed by specialist contractors and as the Council lacks in-house resource to undertake such works the Framework provides the means by which to do so.

3. Main report

- 3.1 The Framework provides the Council with a compliant mechanism with which to procure a broad scope of works, services and supply arrangements for outdoor play

environments, natural playgrounds, safer surfaces, outdoor gym equipment, multi-use games areas (MUGAs), artificial surfaces and wheeled sports areas.

3.2 The following table illustrates the lotting structure: -

Lot No.	Description
1	Design, Supply and Installation of Outdoor Play Equipment
2	Design, Supply and Installation of Outdoor Gym Equipment
3	Design, Supply and Installation of Multi-Use Games Areas
4	Design, Supply and Installation of Wheeled Sports Areas
5	Design, Supply and Installation of Artificial Surfaces
6	Installation
7	Design
8	Maintenance and Inspection
9	Annual Inspection
10	Supply and Delivery

- 3.3 The lotting structure was agreed to align with the various specialisms within the supply base and to ensure participating bodies could still bid for external funding. Similarly, the lotting design aims to encourage the participation of small enterprises.
- 3.4 The Council will be able to award service and supply contracts directly from the Framework, with large projects awarded via mini-competitions. Health and Safety requirements, seasonality, and inclusive play are all critical elements of this Framework. The utilisation of mini-competitions will ensure these elements are appropriately considered for each individual contract.
- 3.5 The development, strategy and structure of the Framework supports the play Strategy for Scotland – stating that play enhances children and young people’s lives and is essential to the social, economic and environmental wellbeing of the country. In addition, the Framework has ensured that there are opportunities for appropriate consultation with the community and encourages a design led approach.
- 3.6 Scotland Excel published the procurement opportunity through the Public Contract Scotland -Tender portal on 7 October 2016 under an Open Procedure with a deadline of 28 November 2016. The procurement procedure followed a two-stage tendering procedure. Stage one, Qualification, was conducted using the European

Single Procurement Document (ESPD). At the second stage of the process, the offers were evaluated against the following criteria and weightings:

Lot No	Description	Technical weighting	Commercial weighting
1	Design, Supply and Installation of Outdoor Play Equipment	90%	10%
2	Design, Supply and Installation of Outdoor Gym Equipment	90%	10%
3	Design, Supply and Installation of Multi-Use Games Areas	90%	10%
4	Design, Supply and Installation of Wheeled Sports Areas	90%	10%
5	Design, Supply and Installation of Artificial Surfaces	90%	10%
6	Installation	45%	55%
7	Design	90%	10%
8	Maintenance and Inspection	50%	50%
9	Annual Inspection	30%	70%
10	Supply and Delivery	25%	75%

- 3.7 Given that the works packages under Lots 1-5 will be determined via mini-competitions, these lots were commercially evaluated using scenario assessments to provide an indication of commercial competitiveness. For the remaining lots bidders were invited to offer a range of rates for the delivery of goods and services.
- 3.8 In total, 70 organisations accessed the tender documents, with 36 offers received before the closing date and time.
- 3.9 Based on the criteria and scoring methodology set out in the tender document 31 compliant offers were received.
- 3.10 Based on the evaluation undertaken and to secure best value, capacity and coverage, a multi supplier framework was awarded to 28 suppliers across the 10 lots outlined. These suppliers, identified in Appendix B, offer complete coverage under the framework and represent a mix of small, medium and large organisations

are represented within the Framework, with two thirds (20) being classed as small enterprises.

- 3.11 This is the first national framework for Outdoor Play Equipment and Artificial Surfaces that incorporates works, services and supply; it is built upon several standard forms of Contracts, which are recognised in the industry for procurement of construction works and services.

4. Measures of success

- 4.1 The use of industry standard forms of contract affords many benefits; standard documentation for the award of work packages and consistency of mutually agreed terms and conditions between the Council and Framework suppliers. The Framework will provide access to a range of pre-assessed, capable suppliers, on pre-arranged terms and specifications, who can meet current and future needs of the various stakeholders.
- 4.2 Similarly, through the provision of pre-assessed and capable suppliers on pre-arranged terms and conditions and specifications a substantive process and resource saving should be realised through utilisation of the Framework.
- 4.3 Utilisation of the Framework provides the Council with access to suppliers qualified to the Register of Play Inspector International (RPiI) with the relevant experience to maintain, operationally inspect (on a quarterly basis) and conduct a separate, independent annual inspection of the current 13 natural playgrounds in Edinburgh.
- 4.4 An enhanced level of price transparency will be achieved through utilisation of the Framework. Terms and Conditions mandate that all pricing under Lots 6-10 will remain fixed for a minimum of 12 months and that future price increases shall be no greater than rate of inflation. In respect to Lot 10, the six recommended suppliers have offered fixed pricing for up to 24 months. Scotland Excel will monitor and report on pricing obtained through out the lifetime of the Framework.

5. Financial impact

- 5.1 The potential value of this contract, including extensions, can range from £800,000 to £1,500,000 depending on whether a new sport or play facility is required out with any planned upgrade to the school estate.
- 5.2 Tenders will be regarded as fixed price offers for the first 12 months of the contract for lots 6-10 and future price increases will be no greater than the rate of inflation. The six recommended suppliers in lot 10 have offered fixed pricing for up to 24 months.
- 5.3 The level of spend on the wide range of works, services, and goods is difficult to forecast as it is highly dependent on the availability of external funds; consequently, it is not possible to accurately forecast the level of savings for this contract. It is

anticipated savings will be delivered through the utilisation of mini competition, these will be captured and monitored throughout the duration of the Framework.

- 5.4 It is anticipated that improved rates and a reduction in the cost of play area construction will be delivered through this contract achieved by economies of scale. Future call offs from the Framework will be resource efficient - delivering a better outcome for service area users regarding both the consultation period and the construction on site.
- 5.5 The costs associated with procuring this contract are estimated at up to £10,000.

6. Risk, policy, compliance and governance impact

- 6.1 While Communities and Families are responsible for the governance and budget for this procurement the contract management function will be undertaken by the Technical Operations Manager, Property and Facilities Management, Resources. The Playground Development Support Group will scrutinise and approve any new development or major upgrades and regularly review the impact of the contract in the schools and local communities.

7. Equalities impact

- 7.1 There is no relationship to the public sector general equality duty to the matters described in this report and no direct equalities impact arising from this report.

8. Sustainability impact

- 8.1 Sustainable Procurement Scotland worked closely with Scotland Excel to ensure the Framework delivers meaningful economic, social and environmental value. The Framework offers opportunities relating to the Circular Economy, the incorporation of training skills requirements and the further development of the diverse supplier base.
- 8.2 This Framework brings a wide range of benefits which support Scotland's National Outcomes and delivers long term benefits to the local community. Notably suppliers have made strong commitments to involve community and school groups at all stages of projects, which will enhance community cohesion.
- 8.3 Suppliers undertook to provide Community Benefits which will be monitored as Key Performance Indicators throughout the lifetime of the project. Commitments to modern apprentices, full time employment, work experience placements, training opportunities, provision of labour, plant and materials for community projects are some examples of the benefits offered.
- 8.4 On workforce matters 27 of the 28 recommended suppliers pay the Scottish Living Wage and the remaining supplier has committed to do the same within the first two

years of the Framework. Eight of the recommended suppliers are accredited to the Living Wage Foundation and a further three commit to gaining accreditation over the initial two years of the Framework.

9. Consultation and engagement

- 9.1 A User Intelligence Group (U.I.G) consisting of procurement and technical representatives from the participating Councils was established to support the development of the procurement strategy and specification. The City of Edinburgh Council was represented by officers from Technical Operations and Health and Safety.
- 9.2 Following publication of the Prior Information Notice (P.I.N) Scotland Excel undertook market engagement via 30 Supplier meetings which resulted in the sharing of valuable information on market trends, innovation and cost drivers.
- 9.3 Furthermore, Scotland Excel worked in partnership with other stakeholders to develop the Framework; these included Sustainable Procurement Scotland Ltd, Sports Scotland, the Sports and Play Construction Association (SAPCA), The Scottish Government, Royal Society for the Prevention of Accidents (RoSPA) and Play Scotland.

10. Background reading/external references

- 10.1 National Performance Framework: Outcomes for Children and Young People, Section 96 (2) Children and Young People Act 2014.
- 10.2 Play Strategy for Scotland: www.gov.scot/publications/2013/5675/0

Alistair Gaw

Executive Director for Communities and Families

Contact: Andy Gray Head of Schools and Lifelong Learning

E-mail: Andy.Gray@edinburgh.gov.uk | Tel: 0131 529 2217

11. Appendices

Appendix A - Summary of Tendering and Tender Evaluation Process

Appendix B - Scoring and Recommendations

Appendix A - Summary of Tendering and Tender Evaluation Processes

Contract	CT2129 Outdoor Play Equipment and Artificial Surfaces Scotland Excel Framework 02-15
Contract period (including any extensions)	Four years
Estimated contract value	£800,000-£1,500,0000 (Total)
Standing Orders observed	2.4, 3.2, 4.1, 4.2, 5.1, 5.3, 6.1, 8.1
Portal used to advertise	Public Contracts Scotland-Tender
EU Procedure chosen	Open
Notes of interest received	70
Tenders returned	33
Compliant tenders	28
Primary criterion	Most Economically Advantageous Offer
Evaluation criteria and weightings	See 3.6

Appendix B – Scoring and Recommendations – Lots 1 – 5

Lot 1 Design, Supply and Installation of Outdoor Play Equipment			
Tenderer	Technical Score	Commercial Score	Total Score
KOMPAN Scotland Limited	84.5	9.2	93.7
Jupiter Play & Leisure Ltd	81.0	9.2	90.2
Scotplay & Sports Limited	72.3	10.0	82.3
Hawthorn Heights Ltd	71.5	9.3	80.8
Russell Leisure (trading as Russell Play)	67.3	9.1	76.4
Sutcliffe Play (Scotland) Ltd	74.8	0.0	74.8
HAGS SMP Limited	74.3	0.0	74.3
All Play (Ireland) Ltd	64.5	7.4	71.9
Wicksteed Leisure Limited	56.3	0.0	56.3
Proludic Ltd	56.0	0.0	56.0
Eibeplay Ltd	55.0	0.0	55.0

Lot 2 Design, Supply and Installation of Outdoor Gym Equipment			
Tenderer	Technical Score	Commercial Score	Total Score
Jupiter Play & Leisure Ltd	85.0	10.0	95.0
KOMPAN Scotland Limited	82.8	7.2	90.0
Hawthorn Heights Ltd	77.3	9.0	86.3
Scotplay & Sports Limited	83.8	0.0	83.8
HAGS SMP Limited	80.0	0.0	80.0
Proludic Ltd	67.5	0.0	67.5
Sutcliffe Play (Scotland) Ltd	67.3	0.0	67.3
Wicksteed Leisure Limited	62.0	0.0	62.0
All Play (Ireland) Ltd	53.0	8.6	61.6
Eibeplay Ltd	51.0	0.0	51.0
Hugh Harris Limited (trading as Fresh-Air Fitness)	46.0	0.0	46.0

Lot 3 Design, Supply and Installation of Multi-Use Games Areas (MUGAs)			
Tenderer	Technical Score	Commercial Score	Total Score
Jupiter Play & Leisure Ltd	71.0	7.7	78.7
KOMPAN Scotland Limited	66.5	8.2	74.7
Allsports Construction & Maintenance Ltd	65.5	7.7	73.2
Ecosse Sports Ltd	55.3	10.0	65.3
Hawthorn Heights Ltd	57.0	8.0	65.0
HAGS SMP Limited	60.8	0.0	60.8
Sutcliffe Play (Scotland) Ltd	55.5	0.0	55.5
Sportsmasters UK Ltd	54.5	0.0	54.5
Proludic Ltd	53.0	0.0	53.0
Hunter Construction (Aberdeen) Limited	52.8	0.0	52.8

Wicksteed Leisure Limited	44.5	0.0	44.5
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Lot 4 – Design, Supply and Installation of Wheeled Sports Areas

Tenderer	Technical Score	Commercial Score	Total Score
Wheelscape Ltd	61.5	0.0	61.5
Bendcrete Leisure Ltd	58.5	0.0	58.5

Lot 5 – Design, Supply and Installation of Artificial Surfaces

Tenderer	Technical Score	Commercial Score	Total Score
Allsports Construction & Maintenance Ltd	78.0	6.1	84.1
Hawthorn Heights Ltd	72.5	9.9	82.4
Ecosse Sports Ltd	68.3	10.0	78.3
Hunter Construction (Aberdeen) Limited	69.8	5.0	74.8
Doe Sport (North) Ltd	59.5	6.0	65.5
Sportsmasters UK Ltd	61.3	2.6	63.9

Appendix B – Scoring and Recommendations – Lots 6 and 7

Lot 6 – Installation SOUTH EAST			
Tenderer	Technical Score	Commercial Score	Total Score
Hawthorn Heights Ltd	37.0	54.6	91.6
Ecosse Sports Ltd	36.3	55.0	91.3
Allsports Construction & Maintenance Ltd	42.5	31.2	73.7
Hunter Construction (Aberdeen) Limited	40.3	26.2	66.5
Ken Edgar (Play Area Specialist) Ltd	27.5	32.8	60.3
Landcare Solutions (Scotland) Ltd	37.8	17.2	54.9
T & N Gilmartin (Contractors) Ltd	26.3	22.2	48.5

Lot 7 – Design			
Tenderer	Technical Score	Commercial Score	Total Score
Hawthorn Heights Ltd	68.8	9.40	78.1
All Play (Ireland) Ltd	66.0	10.0	76.0
SAC Commercial Ltd	68.0	5.60	73.6
MAC Consulting (Scotland) Limited	64.3	6.50	70.7
Eibeplay Ltd	52.3	3.70	55.9
Sports Labs Limited	45.3	3.80	49.0
STRI Ltd	41.3	6.80	48.1

Appendix B – Scoring and Recommendations – Lots 8 and 9

Lot 8 – Maintenance and Inspection SOUTH EAST			
Tenderer	Technical Score	Commercial Score	Total Score
Ecosse Sports Ltd	28.3	50.0	78.3
Allsports Construction & Maintenance Ltd	38.3	19.3	57.5
HAGS SMP Limited	26.8	11.1	37.9

Lot 9 – Annual Inspection – SOUTH EAST			
Tenderer	Technical Score	Commercial Score	Total Score
Play Services Ireland	11.0	70.0	81.0
HAGS SMP Limited	18.0	34.4	52.4

Appendix B – Scoring and Recommendations – Lots 10

Lot 10 – Supply and Delivery – Multi-Use Games Areas			
Tenderer	Technical Score	Commercial Score	Total Score
Ecosse Sports Ltd	10.8	71.3	82.0
HAGS SMP Limited	16.8	55.7	72.5
Jupiter Play & Leisure Ltd	21.3	39.8	61.0
Wicksteed Leisure Limited	18.8	39.2	57.9
Sutcliffe Play (Scotland) Ltd	17.5	39.7	57.2

Lot 10 – Supply and Delivery – Outdoor Gym Equipment			
Tenderer	Technical Score	Commercial Score	Total Score
Jupiter Play & Leisure Ltd	21.3	71.7	92.9
HAGS SMP Limited	16.8	67.3	84.1
All Play (Ireland) Ltd	17.5	62.4	79.9
Hugh Harris Limited (trading as Fresh-Air Fitness)	11.0	62.1	73.1
Eibeplay Ltd	13.8	52.9	66.6
KOMPAN Scotland Limited	19.3	46.1	65.3
Proludic Ltd	13.3	51.6	64.8
Russell Leisure Ltd (trading as Russell Play)	21.5	41.2	62.7
Wicksteed Leisure Limited	18.8	43.0	61.8
Scotplay & Sports Limited	19.8	40.3	60.0

Lot 10 – Supply and Delivery – Safer Surfaces			
Tenderer	Technical Score	Commercial Score	Total Score
Scotplay & Sports Limited	19.8	68.4	88.2
Ecosse Sports Ltd	10.8	72.5	83.3
Wicksteed Leisure Limited	18.8	63.3	82.1

Lot 10 – Supply and Delivery – Outdoor Play Equipment			
Tenderer	Technical Score	Commercial Score	Total Score
Jupiter Play & Leisure Ltd	21.3	71.7	92.9
KOMPAN Scotland Limited	19.3	67.7	87.0
Scotplay & Sports Limited	19.8	65.1	84.8
All Play (Ireland) Ltd	17.5	67.2	84.7
HAGS SMP Limited	16.8	67.1	83.8
Wicksteed Leisure Limited	18.8	64.1	82.9
Russell Leisure Ltd (trading as Russell Play)	21.5	61.2	82.7
Proludic Ltd	13.3	64.1	77.3
Sutcliffe Play (Scotland) Ltd	17.5	55.2	72.7