

Report to Cabinet

Thursday, 23 November 2023

By the Cabinet Member for Local Economy & Place

DECISION REQUIRED



Partially Exempt

Appendix 1 exempt under Paragraph 3 of Part 1 of
Schedule 12A to the Local Government Act 1972

Swan Walk Car Park Works – contract award and budget allocation

Executive Summary

The resurfacing of the top deck of Swan Walk car park is required to maintain the integrity of the building.

A procurement exercise was completed in April 2023 in relation to these works.

The works contract was awarded to the winning bidder, however, the contractual relationship has now ended with the consent of both parties, following the removal of the membrane.

Accordingly, the Council's procurement officers have consequently sought new quotes from suppliers to ensure the proper and urgent completion of the works. The winning bidder has provided a price to repair areas of deterioration and to lay a new membrane.

With the removal of the existing membrane having been carried out, costing £99,000, and a contingency of 10% for the remaining works added, the approved budget of £350,000 for this project is now insufficient.

This report is therefore seeking Cabinet authority to recommend Council approve a further capital budget amount of £298,845 to award the contract to the winning bidder.

Recommendations

That the Cabinet is recommended:

- i) To approve the award of the contract to the winning bidder (in relation to the Swan Walk car park top deck works), subject to Council approving the allocation of funds for this award
- ii) To recommend to Council that a further capital budget amount of £298,845 is approved to enable the contract to be awarded to the winning bidder.
- i) To delegate authority to the Director of Resources in consultation with the Head of Legal & Democratic Services to finalise the terms and conditions of

and enter into the Contract on the terms contained in Appendix 1 (“the Contract”)

Reasons for Recommendations

- (i) To enable the award of the contract to the winning bidder which will facilitate the completion of the Works.
- (ii) It is expected that the total value of the project will be £648,845 and therefore, Council approval is required to award this contract.

Background Papers

Nil

Wards affected: Denne

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Background Information

1 Introduction and Background

- 1.1 The top deck of Swan Walk car park has a Triflex membrane coating which was installed in 2005. It had a warranted life span of 10 years and is now starting to deteriorate. To date the deterioration has been localised and patch repairs have been carried out over the past three years, pending full replacement.
- 1.2 The membrane on the top deck protects the lower floors and concrete structure of the car park from water ingress. Too much water ingress would cause the reinforcing steel within the concrete to rust and break up.
- 1.3 Applying a new membrane coating was considered the best option due to the alternative coating of asphalt being too heavy for the structure.
- 1.4 The membrane coating also integrates line marking and different colours for parking, driving lanes and pedestrian walkways making it clearer for the user and is what is expected in a modern carpark.
- 1.5 The existing membrane has now been removed by the original contractor and has exposed a greater area of substrate repair than anticipated.
- 1.6 This proposal was brought before Cabinet on 28 September 2023 and approval was sought to award the Contract to the winning bidder in advance of the completion of the requisite procurement exercise. The procurement exercise is now complete and the bids are in excess of not only the original amount budgeted for this project but also the amounts anticipated subsequently for the completion of the Works. Therefore, this proposal is returning to Cabinet, broadly, to (i) obtain authority to award the contract to the winning bidder for the revised contract sum, and, (ii) recommend that full council increases the capital budget by the amount required to enable the Works to be undertaken.

2 Relevant Council policy

- 2.1 This work contributes to Horsham District by ensuring that Swan Walk carpark is available and safe in the long term, supporting Horsham as an easy place to carry out business and shop.

3 Details

- 3.1 The quality of membrane is specified to be either Sika or Triflex and considered by the Council's specialist car park consultant engineer as the most suitable coating in this situation.

- 3.2 Four contractors with many years of experience in the industry, were requested to price the work while providing a manufacturer's warranty of 10 years.

4 Next Steps

- 4.1 Following the usual procurement checks, the winning bidder will be awarded the contract to carry out the required works.
- 4.2 A prestart meeting will be held with Parking Management.
- 4.3 Customers will be advised of the upcoming work and the applicable timing.

5 Outcome of Consultations

- 5.1 Stripe Consultants, who specialise in carpark maintenance, were consulted to specify the required work, and carry out a tender exercise to five contractors. Following the departure from site of the initial contractor, a second tender exercise took place for the repair of the exposed screed substrate and the application of the waterproof membrane.
- 5.2 Internal consultation with the Parking Services Manager has taken place to consider likely impact on the availability of parking at Swan Walk and agreement of appropriate mitigation measures. These include relocating season ticket holders on a temporary basis and creating additional Christmas carparking.
- 5.3 The project has been referred to the Director of Resources who has approved the procurement route and the Monitoring Officer confirms legal probity.

6 Other Courses of Action Considered but Rejected

- 6.1 An alternative resurfacing in Asphalt was considered but determined too heavy for the structure.

7 Resource Consequences

- 7.1 The winning tender bid with an added contingency of £49,985 and combined with phase 1 of the work at £99,000 brings in the total cost for the project to £648,845.
- 7.2 This exceeds the approved capital budget of £350,000.
- 7.3 A further amount of £298,845 of capital budget in 2023/24 is required for completion of the project.

8 Legal Considerations and Implications

- 8.1 The Cabinet has the authority to award the contract and the decision to do so sits within the Council's Budget and Policy Framework.
- 8.2 The Council has the authority to increase the capital budget by the amount required to facilitate the completion of the Works.
- 8.3 The Council's legal team will oversee the award of the contract to the winning bidder and the completion of the required works contract.

9 Risk Assessment

- 9.1 The tendered price is inclusive of all substrate repair work so the risk for further costs is minimal.
- 9.2 There is a risk relating to the timing of the work extending into a time when the temperatures reduce to a level lower than is required for the resin to set.

10 Procurement implications

- 10.1 Due to the membrane work requiring specialist contractors a dispensation under the Council's Procurement Code was approved by the Director of Resources to carry out a tender with four certified contractors.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 The work has no impact on any of the groups named in the equality legislation and Equalities Impact Assessment is not required.

12 Environmental Implications

- 12.1 The environmental impact principally revolves around the disposal of the existing 18 year-old membrane as it is sent to a general waste landfill. Empty tins used in the process will be recycled and any concrete that is broken out will also be recycled.

13 Other Considerations

- 13.1 None