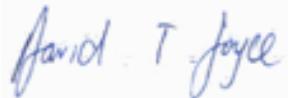


Haringey Council

Written Statement/Record of a decision made by an officer under delegated authority

Decision Maker (Post Title)	Director, Placemaking and Housing
Subject of the decision	Request to approve contract award under Contract Standing Order (CSO) 9.07.1(c) with Timberplay Ltd for the supply and install of play equipment for Phases 2b and 3 of the Down Lane Park Improvement Programme.
Date of decision	16 August 2024
Decision	<p>For the Director, Placemaking and Housing to:</p> <ol style="list-style-type: none"> 1. Approve contract award under Contract Standing Order (CSO) 9.07.1(c) 2. Approve appointment of Timberplay Ltd to supply and install play equipment for Phases 2b and 3 of the Down Lane Park Improvement Programme.
Reasons for the decision	<p>Following a CSO compliant competitive tender exercise Timberplay Ltd have been evaluated by an officer panel as the winning tenderer to supply and install play equipment, as part of Phase 2b and Phase 3 of the Down Lane Park Improvement Programme.</p> <p>The contract value is £352,595.65.</p>
Details of any alternative options considered and rejected by the officer when making the decision	<p>The following options were considered:</p> <p>Option 1 – Placing an order for site play equipment via the council's Term Contractor (Marlborough Highways), who are delivering Phase 2b of the park landscaping improvements. This was rejected as under the terms of their current contract this would attract a 12.5% management fee and Marlborough Highways are not contracted to deliver phase 3 of the park improvements.</p> <p>Option 2 – Approve contract with Timberplay Ltd that will deliver value for money following a competitive bidding process. This contract will deliver phases 2b and phase 3 of the park improvement programme.</p>

<u>Conflicts of interest – Executive decisions</u>	N/A
<u>Conflicts of interest – Non executive decisions</u>	N/A
Title of any document(s), including reports, considered by the officer and relevant to the above decision or where only part of the report is relevant to the above decision, that part	Appendix 1: Final Evaluation Scores 5.8.24 (exempt from publication) Appendix 2: Price Document 5.8.24 (exempt from publication)
Reasons for exemption with reference to categories of exemption specified overleaf, or Reason why decision is confidential (see overleaf) Note: decisions containing exempt or confidential information falling within the categories specified overleaf are not required to be published.	N/A
Signature of Decision Maker	
Name of Decision Maker	David Joyce, Director, Placemaking and Housing
Does the decision need to be published? Yes <input type="checkbox"/> Y No <input type="checkbox"/>	

DECISION MAKING REPORT

Not for Publication by virtue of paragraph 3 of the Local Government Act 1972 and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

This report is not for publication as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Report for: Director, Placemaking and Housing

Title: Down Lane Park Improvement: Play Equipment (Phases 2b and 3)

Lead Officers: Jacob Sturdy, Regeneration Officer, Tottenham Hale

Ward(s) affected: Tottenham Hale

Report for Key/

Non Key Decision: Non key

1. Describe the issue under consideration

1.1 As part of the Down Lane Park Improvement Programme the council is investing up to £9.1m in the park improvement project. This involves delivery of a transformational landscape masterplan and a new Community Hub building, café and Community garden, which have been co-designed with the community.

1.2 The masterplan includes:

- a new energy efficient Community Hub building, café, and community garden
- new free to use (unfenced) basketball and netball courts
- **new accessible and inclusive childrens' play**
- improved access routes and entrances
- infrastructure improvements, including lighting and inclusive seating
- soft landscaping, including SuDS basins, and tree and bulb planting
- hard landscaping, including wider footpaths and cycle routes

1.3 This paper requests approval to award a contract to *Timberplay Ltd* for the supply and install of play equipment for a **value up to £352,595.65 (including delivery and install)** for Phases 2b and 3 of the Down Lane Park Improvement Programme.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That the Director, Placemaking and Housing, approve the award of a contract under Contract Standing Order (CSO) 9.07.1(c) to Timberplay Ltd for the supply and install of play equipment for Phases 2b and 3 of the Down Lane Park Improvement Programme. The contract period is 01.09.24 – 31.1.26. The contract value is up to the value of £352,595.65.

4. Reasons for decision

- 4.1 Part of the improvements to Down Lane Park include a significant investment in play spaces, to respond to the demand for play in Tottenham Hale, an area of the borough with the largest relative percentage of young residents and a deficit in play spaces.
- 4.2 As a co-design project to better understand residents' needs we delivered an extensive engagement programme. A [Summary of the Public Engagement Feedback](#) was published on Commonplace. This included convening a dedicated 'inclusive play' workshop on play with school and other children and their families. The key findings were that play equipment:
- is a high priority and should be of a high quality
 - should be selected to provide a degree of challenge
 - made from natural materials, which were strongly favoured
 - needs to appeal to mixed ages and abilities
 - should cater for physical, sensory, and social experiences
- 4.3 The design team drew on these findings to identify a mix of play equipment that best responded to this user feedback. The Council's Parks Service were also consulted to better understand their requirements in terms of safety, quality, maintenance, etc. They expressed a strong preference for a single supplier.
- 4.4 Based on resident and user feedback and the knowledge and experience of the design and Parks team an Invitation to Tender (ITT) was produced.
- 4.5 In accordance with advice from LBH procurement and CSO 09.01, the ITT to supply and install play equipment was advertised via Open Tender on Contracts Finder and Open Tender. The quality, social value, price split was as follows:
- Price: 50%
 - Quality: 40%
 - Social Value: 10%
- 4.6 The ITT was published on 28th June with a deadline for submissions of 29th July (30 days). Clarification responses were provided to tenderers promptly throughout the tender period.
- 4.7 One tenderer submitted a bid proposal by the submission deadline: *Timberplay Ltd*.
- 4.8 In accordance with the Procurement Code of Practice, price and quality was evaluated separately, as follows:
- **Price:** Shashi Sharma, Procurement Officer
 - **Social Value & Quality:** Owain Jones, Regeneration; Jacob Sturdy, Regeneration; Kristie Wilson, Parks Project Management
- 4.9 Tenderers were also required to achieve a Delphi (credit rating) score of 51 or higher for their tender to be considered. This assessment was undertaken by LBH procurement. *Timberplay Ltd* passed the minimum threshold.
- 4.10 The tender process, quality moderation, and final combined price and quality and social value scores were managed and calculated by LBH procurement. The moderated and weighted quality scores for the four tenders are as follows:

	Timberplay
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Quality	32
Social Value	8
Price	50
Combined Score	90

Timberplay Ltd. are therefore the winning tenderer.

- 4.11 Play Equipment is being procured for Phases 2b and Phase 3, of the Down Lane Park Improvement Programme. Phases 2b of the landscaping improvements is being delivered by the Council's Term Contractor, Marlborough Highways. A competitive tender exercise will be run to appoint a landscape contractor to deliver Phases 3 and 4 of the landscaping works.
- 4.12 In the price schedule bidders were asked to include any discounts they are offering. *Timberplay Ltd* have offered the Council a 6% discount (equating to a circa £22,000 saving). This enables the Council to capture best value as this discount is not available if the order is placed via the main contractor.
- 4.13 Had the order for play equipment been placed via the Council's Term Contractor a competitive tender would not have been required. However, under the terms of Marlborough Highway's contract with the Council a 12.5% Management Fee would have applied, equating to £44,000. The total saving to the project from this procurement is therefore circa £66,000.

5. Alternative options considered

5.1 Option 1: Include Play Equipment Supply + Install in main works contract.

Placing an order for the site furniture required via the Council's Term Contractor (Marlborough Highways), who are delivering Phase 1 of the park improvements. This was rejected as under the terms of their contract this would attract a 12.5% management fee of £44,000 on the full value of the order and increase costs. It would also prevent the Council from taking advantage of a supplier discount and the ability to fix prices with Timberplay Ltd now and avoid scheduled annual price increases for Phase 3 starting in 2025. Marlborough Highways are not contracted to deliver Phase 3 of the park improvements.

5.2 Option 2: Procure supply and install of play equipment for phases 2b and phase 3 of the park improvement programme, directly through a CSO compliant open tender.

- 5.1 Procuring directly from a play provider through a competitive tender process, capturing best value for the council; circumventing the 12.5% management fee on the full value of the order and fixing prices for future phases starting in 2025. This option forms the basis of the recommendation in this report.

6. Background information

- 6.1 The park improvement project has been progressed as a flagship co-design project with the Down Lane Park Community Design Group (CDG). Designs for the park have been shaped through 20 co-design meetings with the CDG over two years, two rounds of public engagement, and two rounds of independent design review. Throughout, accessibility and inclusivity have been leitmotifs for CDG members, residents, and park users, and fully supported by the council client and design team.

6.2 At present, the Council's Parks Service routinely deploy play equipment from established play suppliers across the Borough's green spaces that are affordable, durable, and cost effective to maintain and/or replace. However, through resident engagement respondents indicated positive experiences with alternate products that champion sustainability, inclusivity, and playability. There is high demand for play in the area which is more inclusive, diverse and challenging in equal parts. Through extensive design development and market testing a detailed specification was developed which outlined the key project requirements, for which *Timberplay Ltd* were able to fully accommodate in their bid.

7. Contribution to strategic outcomes

7.1 This proposal will help to support the following strategic priority areas of the Corporate Delivery Plan:

7.1.1 Resident experience, participation and collaboration:

- High level outcome 2: inclusive public participation
- High level outcome 3: enabling community collaboration
- High level outcome 4: developing young voice

7.1.2 Responding to the climate emergency

- High level outcome 1: a greener and climate resilient Haringey

7.1.3 Adults, health and welfare

- High level outcome 1: healthy and fulfilling lives

7.1.4 Place and economy

- High level outcome 4: leveraging social value
- High level outcome 5: placemaking

8. Statutory Officers comments

N/A

8.1 Finance

This report seeks the approval to place an order with Timberplay Ltd for the supply of play equipment for a value up of £353k (including delivery and install) for Phases 2 and 3 of the Down Lane Park Improvement Programme.

Of the total budget earmarked for the Down Lane Park Improvement Programme, approximately £2,320,512 have been spent to date leaving a remaining budget balance of circa £7,416,000. The cost of this proposal will be fully met from the earmarked capital budget within scheme 408 - Down Lane Park Improvement, which is incorporated within the current LBH capital programme plan.

8.2 Strategic Procurement

This procurement (Open Tender) was led by Strategic Procurement (Corporate supplies & Services) in accordance with CSO 9.01.2 (a), and is therefore supportive of the recommendations made in this report. (SS).

8.3 Legal

The Assistant Director for Legal and Governance (Monitoring Officer) was consulted in the preparation of this report.

The Assistant Director for Legal and Governance (Monitoring Officer) notes the comments made by Strategic Procurement that the open tender procurement was led in accordance with CSO 9.01.2.a.

CSO 9.07.1.C states that a Director may award, assign, or novate contracts valued less than £500,000.

The Assistant Director of Legal and Governance (Monitoring Officer) is not aware of any reasons preventing the Director for Placemaking and Housing from approving the recommendations made in this report.

9. Use of Appendices

The following appendices are included with the report:

Appendix 1: Final Evaluation Scores 5.8.24

Appendix 2: Price Document 5.8.24

These documents are exempt from publication as they are commercially sensitive, as the content relates to the financial or business affairs of particular entity (including the authority).

Categories of Exemption

Exempt information means information falling within the following categories:

Part 1

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed upon a person; or (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Part 2

Qualifications to the above exempt information:

(a) Information falling within paragraph 3 above is not exempt information under that paragraph if it is required under – (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 – 1978 (e) the Building Societies Act 1986
(f) The Charities Act 1993.

(b) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

(c) Information which – (i) falls within any of paragraphs 1-7 above; and (ii) is not prevented from being exempt under (a) or (b) above is exempt information if and so long as, in the opinion of the Monitoring Officer, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.