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Award

## **Direct Award of Contract to Design and Deliver Energy Project at Torbay Leisure Centre**

Torbay Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-009569

Procurement identifier (OCID): ocids-h6vhtk-02acd2

Published 4 May 2021, 2:22pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Torbay Council

Torbay Council Town Hall, Castle Circus

Torquay

TQ1 3DR

#### **Contact**

Mrs Joanna Pascoe

#### **Email**

[joanna.pascoe@torbay.gov.uk](mailto:joanna.pascoe@torbay.gov.uk)

#### **Telephone**

+44 1803208517

#### **Country**

United Kingdom

**NUTS code**

UKK42 - Torbay

**Internet address(es)**

Main address

<http://www.torbay.gov.uk/>

Buyer's address

<http://www.torbay.gov.uk/>

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Direct Award of Contract to Design and Deliver Energy Project at Torbay Leisure Centre

Reference number

DN540487

#### **II.1.2) Main CPV code**

- 71240000 - Architectural, engineering and planning services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Leisure Energy, as instructed by Torbay Leisure Centre operators Parkwood Leisure, have been reviewing options to improve energy efficiency at Torbay Leisure Centre for more than 12 months, and in light of the new Public Sector Decarbonisation Scheme (PSDS) have widened the scope and designed a holistic energy project to accelerate carbon reductions, which will be 100% grant funded. If successful, this project will accelerate Torbay Council's progress to achieving Net Zero Carbon by the 2030 target.

Leisure Energy is to be directly awarded by Torbay Council, via Parkwood Leisure, as Principal Designer and Principal Contractor for the delivery of the full project.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £313,850.83

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKK42 - Torbay

#### **II.2.4) Description of the procurement**

Leisure Energy, as instructed by Torbay Leisure Centre operators Parkwood Leisure, have been reviewing options to improve energy efficiency at Torbay Leisure Centre for more than 12 months, and in light of the new Public Sector Decarbonisation Scheme (PSDS) have widened the scope and designed a holistic energy project to accelerate carbon reductions, which will be 100% grant funded. If successful, this project will accelerate Torbay Council's progress to achieving Net Zero Carbon by the 2030 target.

Leisure Energy is to be directly awarded by Torbay Council, via Parkwood Leisure, as Principal Designer and Principal Contractor for the delivery of the full project.

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - protection of exclusive rights, including intellectual property rights
- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

Parkwood Leisure, the operator of Torbay Leisure Centre under a lease, had engaged Leisure Energy before they were aware that the SALIX grant funding bid had to be submitted by Torbay Council, because Leisure Energy had already undertaken the scoping work in respect of the original planned boiler replacement. The grant funding bid and subsequent award to the Council were based on the Specification prepared by Leisure Energy and therefore the IP therein belonged to them. The Council have provided the funding to Parkwood Leisure, the leisure centre operator, and Leisure Energy will be paid by Parkwood. Were the Council to go out to tender it could not use the Specification Leisure Energy produced (on which the grant award is based) and neither the council nor Parkwood Leisure had the technical skill to produce a new specification within the tight timescales imposed by the grant conditions. The Council has therefore agreed to directly award a contract to Leisure Energy for the Design and Project Delivery on the basis of exclusive right, in accordance with the Council's Contract Procedures. However the Council intends to tender for the supplies and contractors through our e-tendering portal.

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

29 March 2021

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Leisure Energy

Oxford

OX2 7JQ

Country

United Kingdom

NUTS code

- UKJ14 - Oxfordshire

The contractor/concessionaire is an SME

Yes

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £313,850.83

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Legal Services, Torbay Council

Torquay

Country

United Kingdom