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Contract

Extension to contract for the provision of Leisure Services to the Vale of Glamorgan Council

Vale of Glamorgan Council

F25: Concession award notice

Notice identifier: 2022/S 000-019529

Procurement identifier (OCID): ocids-h6vhtk-0352f1

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Section I: Contracting authority/entity

I.1) Name and addresses

Vale of Glamorgan Council

Civic Offices, Holton Road

BARRY

CF63 4RU

Contact

Yvette Campbell, Procurement Officer

Email

procurement@valeofglamorgan.gov.uk

Telephone

+44 1446700111

Country

United Kingdom

NUTS code

UKL22 - Cardiff and Vale of Glamorgan

Internet address(es)

Main address

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

Buyer's address

https://www.sell2wales.gov.wales/search/Search_AuthProfile.aspx?ID=AA0275

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Extension to contract for the provision of Leisure Services to the Vale of Glamorgan Council

II.1.2) Main CPV code

- 92000000 - Recreational, cultural and sporting services

II.1.3) Type of contract

Services

II.1.4) Short description

Extension to contract for the provision of Leisure Services to the Vale of Glamorgan Council

II.1.5) Estimated total value

Value excluding VAT: £41,000,000

Method used for calculating the estimated value of the concession

Original value as stated is VAT exclusive which was the legal requirement at that time.

II.1.6) Information about lots

This concession is divided into lots: No

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

Value excluding VAT: £40,500,000

II.2) Description

II.2.2) Additional CPV code(s)

- 92000000 - Recreational, cultural and sporting services

II.2.3) Place of performance

NUTS codes

- UKL22 - Cardiff and Vale of Glamorgan

Main site or place of performance

The Vale of Glamorgan

II.2.4) Description of the procurement

Extension and modification to contract for the provision of Leisure Services to the Vale of Glamorgan Council

II.2.5) Award criteria

Concession is awarded on the basis of the criteria described below:

- Criterion: Current contract extension

II.2.7) Duration of the concession

Duration in months

89

II.2.13) Information about European Union Funds

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

II.2.14) Additional information

The concession is a 10 year with provision for an extension of 5 years at the Vale of Glamorgan's leisure centres from 1st August 2012. The contract includes wide modification provisions including specifically the opportunity for a 5 year extension together with modification to the terms or scope of the

contract.

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Award procedure without prior publication of a concession notice in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:

- absence of competition for technical reasons

Explanation:

Concession is 10 years at Vale centres from 1.8.12. Contract includes wide modifications, specifically opportunity for 5 year extension together with modification to terms or scope of contract. Extension and other terms agreed in principle and negotiations to implement within contractual provisions progressing but ceased due to Covid recommencing in June 2021. This plus significant recent increase in energy prices, neither of which contracting authority could have foreseen meant that the negotiated terms are outside the provisions for modification in the concession contract (see regulation 43 (1) c) of the CCR).

Provisions outside scope:

Negotiations completed outside the timetable in contract.

Extension for additional 29 months (until 31.12.29).

Limited land swap at Colcot Leisure Centre to remove 5-a-side land and add ATP and associated changes to service specification.

Rebasing of base cost for utilities from concession from 1.1.22 to concession end to average unit cost for each Utility at each Premises from 1.1.19 to 31.12.19 multiplied by total base usage ("Base Usage") for each Utility at each Premises for 1.6.21 to 31.5.22 (with 4.22 consumption as proxy for 5.22) calculated using consumption and unit cost figures in contract adjusted in accordance with Contract.

Removal of water and sewerage from definition of utilities.

Agreement for energy savings provisions at Cowbridge Leisure Centre on basis of capital investment by the contracting authority and responsibility for energy split with 95% the responsibility of the concessionaire and its sub-contractor.

Approximately GBP 600,000 to be spent by Concessionaire on fitness and other equipment plus associated capital works at the leisure centres.

Agreement in principle for a surrender of part of Penarth Leisure Centre together with associated contractual variations.

Revised revenue payment arrangements from contracting authority to concessionaire to take account of additional 60 months and 29 months.

Minor modifications together not substantial within the meaning of the CCR 2016.

IV.1.11) Main features of the award procedure

See under the answer above

Section V. Award of concession

A concession/lot is awarded: Yes

V.2) Award of concession

V.2.1) Date of concession award decision

14 July 2022

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 0

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

V.2.3) Name and address of the concessionaire

Parkwood Leisure Ltd

Attwood House, Perdiswell Park

Worcester

WR37NS

Telephone

+44 1905388516

Country

United Kingdom

NUTS code

- UK - United Kingdom

The concessionaire is an SME

No

V.2.4) Information on value of concession and main financing terms (excluding VAT)

Initial estimated total value of the contract/lot/concession: £41,000,000

Total value of the concession/lot: £49,500,000

Any other details relevant to the value of the concession

An additional GBP 600,000 to be spent by the Concessionaire on new fitness and other equipment together with associated capital works. Total Final value of concession including VAT GBP 49800000

Section VI. Complementary information

VI.3) Additional information

Please see the previous explanation for further details.

Where applicable, modification of value of the concession, including increase in prices or fees caused by the modification:

The value of the original contract was approximately GBP 40,500,000.00.

The modification value for the 2 year 5 month extension: approximately GBP 9,000,000.00

Please note in response to the 2022 requirement to include VAT, the modification costs are GBP 9.3 millions for the 2 years 5 months

(WA Ref:123169)

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Telephone

+44 2079477501

Country

United Kingdom