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Contract

Major Event Ground Reinstatement Framework 2019-2023 (Extended to June 2024)

THE ROYAL PARKS LIMITED

F20: Modification notice

Notice identifier: 2023/S 000-028073

Procurement identifier (OCID): ocds-h6vhtk-040316

Published 22 September 2023, 3:16pm

Section I: Contracting authority/entity

I.1) Name and addresses

THE ROYAL PARKS LIMITED

The Old Police House, Hyde Park

LONDON

W22UH

Contact

Chris Eaglen

Email

ceaglen@royalparks.org.uk

Telephone

+44 7711310442

Country

United Kingdom

Region code

UKI32 - Westminster

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.royalparks.org.uk

Buyer's address

www.royalparks.org.uk/procurement

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Major Event Ground Reinstatement Framework 2019-2023 (Extended to June 2024)

Reference number

2019/S 155-381341 (TED) Followed by Find a Tender F20 Jan 2023

II.1.2) Main CPV code

- 45112711 - Landscaping work for parks

II.1.3) Type of contract

Works

II.2) Description

II.2.2) Additional CPV code(s)

- 77314100 - Grassing services

- 77315000 - Seeding services

II.2.3) Place of performance

NUTS codes

- UKI - London

Main site or place of performance

The Royal Parks and adjacent areas impacted

II.2.4) Description of the procurement at the time of conclusion of the contract:

The Royal Parks (TRP) invited tenders to carry out ground (turfing and seeding) reinstatement works for major events, ceremonials, and other projects across the Royal Parks. Events take place on an annual basis, range in size and have variable impacts on the ground. The contract is primarily focused on the annual reinstatement of the Hyde Park Parade Ground although ground reinstatement works in the other parks may be required over the duration of the contract. There is the requirement to reinstate Hyde Park after the Winter Wonderland event of 2023/2024 that requires continuity in capacity and capability.

II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

54

In the case of framework agreements, provide justification for any duration exceeding 4 years

As detailed below.

The 48 months is extended to 54 months to enable the 2023/2024 Winter Wonderland impacts on Hyde Park to be addressed with any other reinstatement works prior to the award of a successor contract for reinstatements during 2024.

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2019/S 155-381341](#)

Section V. Award of contract/concession

Contract No

416165786

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract/concession award decision:

17 December 2019

V.2.2) Information about tenders

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

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

Talbot Farm Landscapes Ltd

75 Derby Road

Derby

DE65 5FP

Country

United Kingdom

NUTS code

- UKF - East Midlands (England)

Justification for not providing organisation identifier

Not on any register

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £4,500,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The Royal Parks London

London

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 45112711 - Landscaping work for parks

VII.1.2) Additional CPV code(s)

- 45112711 - Landscaping work for parks
- 77314100 - Grassing services
- 77315000 - Seeding services

VII.1.3) Place of performance

NUTS code

- UKI - London

Main site or place of performance

The Royal Parks and any adjacent areas impacted

VII.1.4) Description of the procurement:

Ground (turfing and seeding) reinstatement works for major events, ceremonies, and other projects across the Royal Parks. Events take place on an annual basis, range in size and have variable impacts on the ground. The contract is primarily focused on the annual reinstatement of the Hyde Park Parade Ground although ground reinstatement works in the other parks may be required.

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

54

In the case of framework agreements, provide justification for any duration exceeding 4 years:

Refer to VII.2.1 and VII.2.2 and is required to avoid mobilising a different contractor and turfing supplier for the Winter Wonderland reinstatement works starting in February 2024 following the 2023/2024 Winter Wonderland Event.

VII.1.6) Information on value of the contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession:

£6,750,000

VII.1.7) Name and address of the contractor/concessionaire

Talbot Farm Landscapes Ltd

75 Derby Road

Derby

DE65 5FP

Country

United Kingdom

NUTS code

- UKH - East of England

Justification for not providing organisation identifier

Not on any register

The contractor/concessionaire is an SME

Yes

VII.2) Information about modifications

VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

The Royal Parks ("TRP") publishes this notice to record its intention to modify the framework for Major Event Ground Reinstatement works by extending its expiry date by a further six months only from the January 2023 modification notice. The modification also includes for the novation of the control of the works from TRP to TRP's trading subsidiary,

TRP Trading Company Limited.

The estimated maximum value of the modifications from the original value of £4,500,000 is up to £2,250,000 not to exceed a maximum of £6,750,000.

TRP is formalising the Framework extension in September 2023 and this includes confirmation of the novation of the Contract to TradeCo). TradeCo is a company registered in England and Wales (registered number 10555909) and its registered office is at The Old Police House, Hyde Park, London, United Kingdom, W2 2UH.

TRP intends to re-procure a similar ground reinstatement works Framework from during 2023/2024, for its commencement from 1st July 2024.

VII.2.2) Reasons for modification

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

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Description of the circumstances which rendered the modifications necessary and explanation of the unforeseen nature of these circumstances:

The modification is required due to the delaying impact of Covid-19 (considered a Force Majeure Event under relevant contracts) on the events delivered by TradeCo and/or its partners. TRP and TradeCo believe these circumstances created a need for modification which a diligent contracting authority could not have foreseen as the works delivered under the Event Reinstatement Framework are directly linked to TradeCo's and/or its partners' events.

This modification and the previous modification are further required in order to align with TRP's and TradeCo's operational requirements and to allow a smooth transition and mobilisation period between this existing Framework and the next one starting from July 2024.

Furthermore, the modification is not considered substantial under paragraph 8 of Regulation 72 of the Public Contract Regulations, for the following reasons:

a) The framework is not rendered materially different in character through the extension; it will deliver the same works. The Framework started in December 2019 with the intention

of providing the ground reinstatement works resulting from that Winter Wonderland Event through to the December 2023/2024 Winter Wonderland Event and its ground reinstatement works.

b) While the modification extends the contract to the 30th June 2024; TRP requires this six-month extension from 48 to 56 months to permit the 2023/24 Winter/Spring works to be undertaken economically with the known performance of the current contractor within the original procurement procedure; particularly as under the Framework, there is no guarantee of a volume or value of works, or the situational circumstances that have occurred from 2019. This extension will permit a new Framework to be tendered and awarded for the orderly follow-on work during the Summer of 2024 to Summer 2026 with the Winter events and the resulting reinstatements managed effectively.

c) The modification does not change the economic balance of the framework agreement in favour of the contractor; as the contractor will continue to provide works for the rates agreed under the framework.

d) The modification does extend the term of the framework agreement; the Works scope will remain the same. The timescale is extended by a further 6 months from the 1 January 2024 to enable the Winter Wonderland 2023/2024 and other reinstatements to be undertaken up to the 30th June 2024.

e) No new contractor replaces the existing contractor.

f) TRP has proposed that the services to be supplied under the Contract will be provided to TradeCo, a wholly owned subsidiary, which carries on business as a general commercial company, including managing event activity across the Royal Parks. As a result, TRP will transfer the rights and obligations under the Framework and Call-Off Contracts to TradeCo. TradeCo is a company registered in England and Wales (registered number 10555909) and its registered office is at The Old Police House, Hyde Park, London, United Kingdom, W2 2UH.

VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £4,500,000

Total contract value after the modifications

Value excluding VAT: £6,750,000