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Contract

## **Link Centre Ice Rink and Radiant Low Emissivity Ceiling**

Swindon Borough Council

F03: Contract award notice

Notice identifier: 2023/S 000-030908

Procurement identifier (OCID): ocds-h6vhtk-040d66

Published 19 October 2023, 2:20pm

### **Section I: Contracting authority**

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

Swindon Borough Council

Civic Offices, Euclid Street

Swindon

SN1 2JH

#### **Contact**

Rob Richards

#### **Email**

[rrichards@swindon.gov.uk](mailto:rrichards@swindon.gov.uk)

#### **Telephone**

+44 07740037316

**Country**

United Kingdom

**Region code**

UKK14 - Swindon

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.swindon.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**

Link Centre Ice Rink and Radiant Low Emissivity Ceiling

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

- 37480000 - Machinery or apparatus for leisure equipment

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

Supplies

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

Swindon Borough Council (the Authority) own a number of Leisure buildings within the local area that are operated under a lease agreement by Greenwich Leisure Limited (GLL).

On Sunday 17th September 2023 and into Monday 18th September 2023, the Link Leisure Centre in Swindon suffered significant damage as a result of an unforeseeable and extreme

weather event through significant storm flooding. The consequence of the storm damage was a total loss of power to the Link Leisure Centre and also that access to the building,

specifically the ice rink area, was prevented for a period of two weeks due to health and safety requirements from a utilities provider.

As a result, the Authority and GLL, could not assess the extent of the damage to the ice-skating plant and equipment. As soon as safe access to the building was permitted and the full extent of the damage was known, the Authority and GLL acted with extreme urgency to identify suitable replacement equipment that would enable the Ice rink provision to reopen

for 17th December 2023.

After careful consideration, on the 17th of October 2023, the Authority made the decision to make a direct contract award to Ice Tech UK to supply and install a new highly energy

efficient IceGrid system and Radiant Low Emissivity ceiling at the Link Centre for a contract period of approximately 9 weeks. The total value of the contract is £373,700.

The use of the negotiated procedure without prior publication under Regulation 32 of the Public Contracts Regulation 2015 has been relied on.

### **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: £373,700

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 37416000 - Leisure equipment
- 45212211 - Ice rink construction work

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

NUTS codes

- UKK14 - Swindon

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

Swindon Borough Council (the Authority) own a number of Leisure buildings within the local area that are operated under a lease agreement by Greenwich Leisure Limited (GLL).

On Sunday 17th September 2023 and into Monday 18th September 2023, the Link Leisure Centre in Swindon suffered significant damage as a result of an unforeseeable and extreme

weather event through significant storm flooding. The consequence of the storm damage was a total loss of power to the Centre and also that access to the Link Leisure Centre building, specifically the ice rink area, was prevented for a period of two weeks due to health and safety requirements from a utilities provider.

As a result, the Authority and GLL, could not assess the extent of the damage to the ice-skating plant and equipment. As soon as safe access to the building was permitted and the full extent of the damage was known, the Authority and GLL acted with extreme urgency to identify suitable replacement equipment that would enable the Ice rink provision to reopen for 17th December 2023. It is expected that any delay in making a contract award decision

would significantly impact on the ongoing viability of this local leisure provision and therefore result in a substantial impact to the local economy and wider community health and well-being.

After careful consideration, on the 17th of October 2023, the Authority made the decision to make a direct contract award to Ice Tech UK to supply and install a new highly energy efficient IceGrid system and Radiant Low Emissivity ceiling at the Link Centre for a contract period of approximately 9 weeks. The total value of the contract is £373,700.

The use of the negotiated procedure without prior publication under Regulation 32 of the Public Contracts Regulation 2015 has been relied on due to reasons of extreme urgency brought

about by events unforeseeable by the Authority, competition being absent for technical reasons and the proprietary nature of the solution.

## **II.2.5) Award criteria**

Price

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

Options: No

## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition 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
- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

Use of the Negotiated Procedure without a call for competition

The works, supplies or services can be provided only by a particular economic operator for the following reasons:

- \* absence of competition for technical reasons
- \* the protection of exclusive rights, including intellectual property rights
- \* Extreme urgency brought about by events unforeseeable for the contracting authority

Swindon Borough Council (the Authority) own a number of Leisure buildings within the local area that are operated under a lease agreement by Greenwich Leisure Limited (GLL).

On Sunday 17th September 2023 and into Monday 18th September 2023, the Link Leisure Centre in Swindon suffered significant damage as a result of an unforeseeable and extreme

weather event through significant storm flooding. The consequence of the storm damage was a total loss of power to the Centre and also that access to the Link Leisure Centre building, specifically the ice rink area, was prevented for a period of two weeks due to health and safety requirements from a utilities provider.

As a result, the Authority and GLL could not assess the extent of the damage to the ice-skating plant and equipment. As soon as safe access to the building was permitted and the

full extent of the damage was known, the Authority and GLL acted with extreme urgency to identify suitable replacement equipment that would enable the Ice rink provision to reopen for 17th December 2023. It is expected that any delay in making a contract award decision would significantly impact on the ongoing viability of this local leisure provision and therefore result in a substantial impact to the local economy and wider community health and well-being.

After careful consideration, on the 17th of October 2023, the Authority made the decision to make a direct contract award to Ice Tech UK to supply and install a new highly energy

efficient and trademarked IceGrid system and Radiant Low Emissivity ceiling at the Link Centre for a contract period of approximately 9 weeks. The proposed technical solution is

understood to be the only system that provides the level of energy savings required by the Authority and has been assessed as being available to the Authority by a single manufacturer and installer. The total value of the contract is £373,700.

For the reasons set out above, the Authority have relied on Regulations;

32(2)(b)(ii),

32(2)(b)(iii),

32 (2) (c) of the Public Contracts Regulations 2015.

#### **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**

A contract/lot is awarded: Yes

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

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

17 October 2023

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

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received by electronic means: 1

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

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

Ice Tech UK

The Ice House, Willow Lane

Southwell

NG25 0FZ

Country

United Kingdom

NUTS code

- UKF15 - North Nottinghamshire

Justification for not providing organisation identifier

Partnership

The contractor is an SME

Yes

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

Initial estimated total value of the contract/lot: £373,700

Total value of the contract/lot: £373,700



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## **Section VI. Complementary information**

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

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

High Court - Royal Courts of Justice

Holborn, London

WC2A 2LL

Country

United Kingdom