

	<p style="text-align: center;"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p style="text-align: center;"><b>CABINET</b></p> <p style="text-align: center;"><b>13 MAY 2013</b></p>
<p><b>LINFORD CHRISTIE STADIUM : GENERAL INTERNAL AND EXTERNAL REFURBISHMENT OF CHANGING ROOM PUBLIC FACILITIES AND MAJOR UPGRADE OF COMMERCIAL KITCHEN.</b></p>	
<p><b>Report of the Leader of the Council – Councillor Nicholas Botterill – and the Deputy Leader (+ Residents Services) – Councillor Greg Smith</b></p>	
<p><b>Open Report</b> A separate report on the exempt part of the Cabinet agenda provides exempt information about this contract.</p>	
<p><b>For Decision :</b> Yes <b>Key Decision:</b> Yes</p>	
<p><b>Wards Affected:</b> College Park &amp; Old Oak</p>	
<p><b>Accountable Executive Director:</b> Nigel Pallace - Transport &amp; Technical Services</p>	
<p><b>Report Author:</b> Pat Nolan – Project Manager (ECH Framework Contract) Building Property Management Transport &amp; Technical Services</p>	<p><b>Contact Details:</b> Tel: 020 (8753 4516) E-mail: <a href="mailto:patrick.nolan@lbhf.go.uk">patrick.nolan@lbhf.go.uk</a></p>

## 1. EXECUTIVE SUMMARY

- 1.1 The proposed works are to be carried out at Linford Christie Stadium and consist of the upgrading of the clubhouse kitchen, general internal refurbishment of changing rooms, remedial works to the roof coverings, plus refurbishment and upgrade of toilets and washing areas to the male changing room. The facilities and catering equipment supporting the clubhouse kitchen, are in an extremely poor condition and are no longer fit for purpose. All of the proposed works are essential and need to be undertaken to improve the standards, avoid the loss of potential income and to safeguard the reputation of the facility. The works initially identified as part of the Planned Maintenance Programme have been amalgamated with the minor improvement works required by the client department to mitigate disruption to the centre users. Consequently these works are to be funded jointly from the 2012/2013 Corporate Planned Maintenance Programme and Section 106 contributions in the total sum of £304,117 (inc professional fees of £39,667). The works are to be procured via the Council's Measured Term Contract for Non Housing Projects 2011/2015 with Mulalley & Company Limited and they are the contractor that offers the maximum discount of the three framework contractors.

## **2. RECOMMENDATION**

- 2.1 That approval be given for an order to be placed under the Measured Term Contract for Non-Housing Projects 2011/2015 with Mulalley & Company Limited, based on a framework agreement with three contractors, at an estimated works cost of be £264,450 which includes a contingency sum of £22,470 to which fees of £ 39,667 will be added, making a total cost of £304,117.

## **3. REASONS FOR DECISION**

- 3.1 On the 30 January 2012 Cabinet (Key Decision) approved funding for the Corporate Planned Maintenance Programme 2012/2013. This report also included the preliminary schedule of works proposed for the coming year. The previously agreed works identified for Linford Christie Stadium have subsequently been reviewed, following a detailed site survey by the Council's consultant surveyors EC Harris LLP. The scope and extent of works required have now been fully established and in consultation with the client department (ELRS) the works as detailed within this report are now recommended by the Director of Building and Property Management. Due to the extent of the works required having an overall value in excess of £100k and the magnitude of the variations to the original programmed works, Cabinet approval to commit these works is required.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1 The proposed works are to be carried out at Linford Christie Stadium and consist of the upgrading of the clubhouse kitchen facilities, which are currently in an extremely poor condition and in need of essential works. The project will also deliver the general internal refurbishment of the male changing rooms, toilets/washing areas to the male changing rooms, plus urgent remedial works to the roof coverings.
- 4.2 The works will be funded jointly from the Corporate Planned Maintenance Programme and from Section 106 contributions (S106CATA01 and S106RENA01) allocated to support works at Linford Christie. It is recommended that these works are procured via the Measured Term Contract for Non-Housing Projects 2011/2015 and the contract be awarded to Mulalley & Company Limited.
- 4.3 The existing facilities at the Linford Christie Stadium and Wormwood Scrubs include provision for a wide range of sports activities including UK Athletics certified athletics, football, rugby and hockey. The facility has for many years been considered as the key West London outdoor Sports facility for club development and organised sport. The Football Foundation recognises the site as the second largest Football green field site in the London Region. The buildings that support this comprehensive list of sport facilities were built in the 1960's and have received minimal improvement development works other than responsive and planned maintenance works. In recent years the site has benefited from a number of external funding applications; two of which established a new Barclays Spaces for Sport floodlit football and hockey complex and a Community Athletics Refurbishment Programme grant

to upgrade the track and field facilities.

4.4 The facility currently has a footfall of circa 100,000 customers per annum and is regularly used by over 50 schools. In Financial Year 2011/12 the site supported 800 grass Football/Rugby matches and over 3,200 all weather pitch matches plus sports days, netball games, athletics events and other external sports activities. Income for 2011-12 was £160,760 supported by a contribution from Wormwood Scrubs Charitable Trust of £74,544 giving a total annual income of £235,304.

4.5 The Council's Property condition surveys of the site have identified a range of technical shortcomings to the structural fabric, welfare facilities, electrical and plumbing systems. The facilities to the clubhouse kitchen have been identified as posing potential H&S compliance risks. These works now need to be undertaken to maintain standards, mitigate potential loss of income and to safeguard the reputation of the centre. The individual works elements previously agreed as part of the CPMP have been amalgamated into one project to mitigate disruption to centre users and to ensure best overall value.

## 5. PROPOSALS

### 5.1 Proposed Works

5.1.1 Refurbishment and upgrade of the clubhouse kitchen.

5.1.2 Refurbishment and upgrade of toilets and washing areas to the male changing rooms.

5.1.3 The application of a liquid membrane to the existing asphalt roof covering to the changing rooms and the kitchen to the London Nigerians' clubhouse.

### 5.2 Funding, Cash flow and programme of works

5.2.1 The 2012/2013 Corporate Planned Maintenance Programme (CPMP) was approved at the Cabinet meeting of 30 January 2012. The programme includes various capital works at Linford Christies Stadium, the funding set aside for which is £232,300. There is also funding provision set aside for Linford Christie Stadium from Section 106 contributions (S106CATA01 and S106RENA01) in the sum of £138,000. Consequently the total available funding for this programme of works is £370,300.

5.2.2 The anticipated cash flow for these works is as follows;

	<b><u>2012/2013</u></b>	<b><u>2013/2014</u></b>	<b><u>Totals</u></b>
Works:	£40,690	£201,290	£241,980
Contingency	£3,592	£18,878	£22,470
Sum:			
Fees:	£6,642	£33,025	£39,667
<b>Total:</b>	<b><u>£50,924</u></b>	<b><u>£253,193</u></b>	<b><u>£304,117</u></b>

5.2.3 The resulting £66,183 underspend against the 2012/2013 CPMP will be reallocated in accordance with the agreed protocol for change and scheme substitution, by the Director of Building & Property Management and the Executive Director of Finance and Corporate Services in conjunction with the Corporate Asset Delivery Team (CADT).

5.2.4 Cost Code: 999207 / PLE001 / CAP005 / CENV00853  
Project Ref: ECH595366

### 5.3 Fees

5.3.1 The professional services previously provided by Building & Property Management (Transport and Technical Services) are now, following market testing, being provided by EC Harris LLP. Consequently fees are calculated on the basis of the tendered schedule of rates plus the cost of the Client Agent Team, which is funded via a percentage fee to the value of the commissions placed. Fees are charged on the basis of 15% with final account reconciliation at the end of each financial year. Therefore fees are applicable to the proposed works at a rate of 15% which is an amount of £39,667.

### 5.4 Programme of works

5.4.1 The anticipated programme of approval and work is as follows:-

Cabinet:	13 May	2013
Start on Site:	28 May	2013
Completion:	25 October	2013

## 6. OPTIONS AND ANALYSIS OF OPTIONS

6.1 The Leader's Urgent decision of the 22 December 2010 gave approval to the acceptance of the three most economically advantageous tenders to carry out Non-Housing works under a Measured Term Contract (MTC) from 1 February 2011 for a period of four years. The three contractors appointed were Mulalley & Company Limited, Kier Support Services Limited and Philiam Construction & Development Limited.

6.2 The tenders are to carry out works to non housing properties on an order by order basis using the National Schedule of Rates as the pricing mechanism. This MTC is appropriate to undertake the required work and its use will save the time required to invite and obtain approval of building tenders. This approach to procurement allows projects to be processed quickly without recourse to a separate tender, whilst at the same time maintaining value for money, as the completed works are paid for at competitively tendered rates. The inherent flexibility of this MTC is well suited for a project of this nature which requires some design development as the works progress.

6.3 The tender documents set out that the subsequent choice of contractor to be recommended for each individual project allocated to these Framework Agreements will be appraised by a panel of officers from Building & Property Management and Client department for each scheme. The

selection would be based on price, financial limits, available resources, performance and ability to meet the Council's requirements for the particular project including timescales.

- 6.4 Officers from Building & Property Management) have reviewed the project requirements and programme timescale and agree that the appointment of Mulalley & Company Limited is appropriate in this case. The contractor has been approached and agrees that they can meet the specific requirements of this project in accordance with the criteria for this MTC framework appointment.

## **7. CONSULTATION**

- 7.1 These works form part of the approved Corporate Planned Maintenance Programme which has been developed in conjunction with Local ELRS officers.
- 7.2 Energy Savings implications - There are no energy saving implications.
- 7.3 Landlord's Licence - The London Borough of Hammersmith and Fulham own the premises and it is not necessary to seek landlord's approval.
- 7.4. The comments of the Director of Planning are:

The Council currently holds the funds stated. The relevant obligations are:

28 North Pole Road 2005/00701/FUL Agreement states-£10k "towards the provision and/or improvement of public open space within the vicinity of the Property to compensate future occupiers of the Development for the lack of amenity space within the Development."

731 - 761 Harrow Road 2007/02889/FUL Agreement states "the improvement and/or provision of education, sport and open space in the area and/or crime reduction in the area."

The proposed use of the funds would appear to fall within the purpose of the agreements, because it would enhance a public recreation facility, enabling it to contribute more effectively as an amenity space for use by the community.

## **8. EQUALITY IMPLICATIONS**

- 8.1 An Equality Impact Assessment has been completed and accompanies this report.
- 8.2 There are no key/relevant equalities issues highlighted following the completion of the form.

## **9. LEGAL IMPLICATIONS**

- 9.1 This award of the works contract would be in compliance with the Council's Contract Standing Orders in this below EU public contracts threshold

procurement and the Director of Law endorses the recommendation in this report.

- 9.2 Implications verified/completed by: Cath Irvine Principal Contracts Lawyer  
020 8753 2774

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1 The total anticipated cost of the proposed scheme £304,117 (including contingency and fees) will be contained within the revised planned maintenance budget for 2012/13 and the Section 106 funding. The under spend against available funding of £66,183 will be reallocated to the 2012/2013 Corporate Planned Maintenance Programme.
- 10.2 Other comments are in the separate report on the exempt Cabinet agenda.
- 10.3 Implications verified/completed by: Jade Cheung: Finance Manager: 0208  
753 3374

## **11. RISK MANAGEMENT**

- 11.1 Risks relating to the project's pre-construction processes have been ascertained, and the project will not commence until the necessary actions identified on the register have been undertaken. A post-contract risk register will be developed jointly with the contractor once they have been appointed, in order that risks can be managed throughout the duration of the project
- 11.2 Implications verified/completed by: Pat Nolan: Project Manager (ECH Framework Contract) 020 8753 4516 Paul Chapple : Project Manager EC Harris 020 7812 2359

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1 There are no procurement related issues as the work is being awarded under an existing measured term contract. The Council's Contracts Standing Orders (CSOs) require this to be awarded as a Cabinet Decision as the estimated value of the proposed works agreed in the Capital Programme have been exceeded. Therefore the matter cannot be dealt with as a Cabinet Member Decision in accordance with paragraphs 9.4 and 9.4.1 of the CSOs.
- 12.2 Implications verified/completed by:  
Alan Parry : Corporate Procurement Team 020 8753 2581

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Tender documents ( exempt)	Pat Nolan – Project Manager (ECH Framework Contract) Tel. 020 8753 4516	Transport & Technical Services

*(Final : Rev 11 24.04.13*