

# Report to Cabinet

**20 July 2022**

<b>Subject:</b>	Appointment of contractor to deliver the 'Sandwell Urban Bike Park' project
<b>Cabinet Member:</b>	Cabinet Member for Leisure and Tourism Cllr. Laura Rollins
<b>Director:</b>	Director of Borough Economy Alice Davey
<b>Key Decision:</b>	Yes  The Council will incur expenditure in excess of £250,000 and the project will be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.
<b>Contact Officer:</b>	(Interim) Service Manager – Parks, Sandwell Valley & Events. Matthew Huggins <a href="mailto:Matthew.Huggins@sandwell.gov.uk">Matthew.Huggins@sandwell.gov.uk</a> Senior Lead Officer – Sport and leisure. Rob Marlow <a href="mailto:Robert.Marlow@sandwell.gov.uk">Robert.Marlow@sandwell.gov.uk</a>

## 1 Recommendations

- 1.1 That an exemption be made to the Council's Procurement and Contract Procedure rules in relation to the appointment of 'Back On Track Mountain Bike Solutions Ltd' to deliver the Design and Build Cycle trails within Sandwell Valley and Birmingham (The former Hill Top Golf Course).



1.2 That subject to 1.1 above, the Director of Borough Economy be authorised to award a contract to Back On Track Mountain Bike Solutions Ltd up to £530,000 to deliver the new Cycle trails.

## 2 Reasons for Recommendations

2.1 Tenders for the Design and Build Contract for the Sandwell Urban bike Park project were invited on 2 separate occasions via the Council's 'InTend' Portal. On the first occasion only one contractor submitted a Tender. This contractor failed to pass the standard questions and were therefore discounted from the process. On the second occasion two contractors submitted tenders, these were the contractor previously excluded and 'Back On Track Mountain Bike Solutions Ltd'.


2.2 Despite best attempts it has not been possible to obtain 3 tenders for the works. The most likely reasons are:

- The short timescales involved in delivering this project.
- Contractors already have full order books and do not have capacity to take on additional work at this time.





2.3 The project timeline for this development would not allow a third round of tendering. Sport England is the main funder and has stipulated that the project must be completed within the current financial year (by end of March 2023).

2.4 The Procurement Services Manager has been consulted and their advice is that in order for this tender to be accepted an exemption in accordance with Procurement and Contract Procedure Rules 8.11 and 15 is required.

## 3 How does this deliver objectives of the Corporate Plan?

	<p><b>The Best Start in Life for Children and Young People</b></p> <p>The new cycle trails will offer enhanced facilities for families, children and young people to access physical health and wellbeing opportunities together.</p>
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	Trails will be designed to offer opportunities for cyclists with different abilities so that they can progress steadily as they grow, learn, gain experience and become more confident.
	<p><b>People Live Well and Age Well</b></p> <p>The new cycle trails will provide an opportunity for people to exercise, keep fit and have fun within an open space. It is also believed that the trails will encourage more people to take up cycling and explore other cycle routes across the Borough of Sandwell.</p>
	<p><b>Strong Resilient Communities</b></p> <p>Cycling is widely acknowledged as being a social activity and it is hoped to see more ‘informal groups’ develop along with increased memberships of cycling clubs.</p>
	<p><b>A Strong and Inclusive Economy</b></p> <p>The project will deliver a cycling legacy for Sandwell, Birmingham and the Black Country supporting wider tourism-based growth and will further establish Sandwell Valley as a ‘gateway’ visitor destination.</p> <p>It is hoped that further developments will occur in the future including road cycling, triathlon events, outdoor water sports etc. This is likely to bring extra investment into the Borough.</p>
	<p><b>A Connected and Accessible Sandwell</b></p> <p>Sandwell Valley already has Cycle Network route 5 within it. By encouraging cycling, it is realistically expected that Sandwell Residents will become more aware of cycle routes across the Borough and hopefully use these for commuting / active travel purposes.</p>

## 4 Context and Key Issues

- 4.1 This project has been developed over a lengthy period and involved a number of agencies including Sport England, British Cycling, Birmingham City Council and specialist track designers.



The scope of the project has altered on several occasions due to the level of funding that could be made available.

4.2 A total funding package of £630,000 has recently been agreed. This is made up of:

£430,000 from Sport England  
£100,000 from Birmingham City Council  
£100,000 from Sandwell Council

It should be noted that the total funding package will also need to cover professional fees and charges.

4.3 As the main funder and to secure their investment, Sport England has insisted on a fast delivery of the project. Works on site to be completed by end of March 2023.

4.4 In order to keep within project timelines, Back On Track Mountain Bike Solutions Ltd has been appointed (Under delegated authority) to carry out the scheme design works to RIBA (Royal Institute of British Architects) Stages 3 and 4.

## 5 Alternative Options

5.1 The option to tender the works again (for a third time) was considered however this was discounted due to the timescales previously discussed.

## 6 Implications

<b>Resources:</b>	The contract sum will be approx. £530,000. This will be finalised with the Contractor prior to financial close
<b>Legal and Governance:</b>	The tender exercises have been conducted in accordance with Public Contract Regulations 2015.
<b>Risk:</b>	There is a risk that should the exemption report not be approved, Sport England would remove its financial backing leaving the project undeliverable.
<b>Equality:</b>	The cycle trails will be open access and can be enjoyed by everyone regardless of ethnicity, gender or any protected characteristic.



	An initial stage Equality Impact Assessment will be completed.
<b>Health and Wellbeing:</b>	The project will have a significant positive impact on the health and wellbeing of residents within the Borough.
<b>Social Value</b>	The project will be 'labelled' as a Legacy project from the 2022 Commonwealth games and help to celebrate Sandwell's involvement. This will help to engender a sense of pride in Sandwell.

**7. Appendices**

None

**8. Background Papers**

None

