



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>OVERVIEW AND SCRUTINY COMMITTEE – 4<sup>th</sup> October 2022</b>
Report Number	<b>Agenda Item 9</b>
Subject	<b>LEISURE AND CULTURE CONTRACTS PROCUREMENT UPDATE</b>
Wards affected	ALL
Accountable member	Cllr Jenny Forde Cabinet Member for Health & Wellbeing Email: <a href="mailto:jenny.forde@cotswold.gov.uk">jenny.forde@cotswold.gov.uk</a>
Accountable officer	Scott Williams Business Manager - Contracts Email: <a href="mailto:scott.williams@publicagroup.uk">scott.williams@publicagroup.uk</a>
Summary/Purpose	To provide the Overview and Scrutiny Committee with an update on the Leisure and Culture Contract Procurements.
Annexes	None
Recommendation(s)	That the Overview and Scrutiny Committee receives the update contained within this report.
Corporate priorities	These contract procurements support the following Council priorities: <ul style="list-style-type: none"><li>• Responding to the challenges presented by the climate crisis</li><li>• Delivering our services to the highest standards</li><li>• Helping residents and communities access the support they need for good health and wellbeing</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Cllr Jenny Forde Senior Officers – CDC/Publica



## **1. BACKGROUND**

- 1.1** In May 2022, the Council considered the outcomes of the Leisure and Culture Management Option Appraisal, and granted authority for the commencement of a procurement process for the appointment of Leisure and Culture Management Contractors, for the operation of the Council's Leisure and Culture facilities.
- 1.2** As part of the procurement exercise, a commitment was given to provide the Overview and Scrutiny Committee with key updates as the project progresses along the procurement timeline. This is the first of these updates and another is scheduled on the forward plan to be received in January 2023.

## **2. PROJECT UPDATE**

- 2.1** A Project Board made up of the Cabinet Member, Senior Officers from the Council, Publica, Legal and South West Audit Partnership (SWAP) and a Project Team made up of key specialist officers have been set-up to oversee the project and deliver the outputs associated with the Leisure and Culture contract procurements.
- 2.2** Max Associates, which provided valuable support with the Leisure and Culture Management Option Appraisal, has been commissioned to support the procurement process and are acting as project co-ordinators.
- 2.3** The procurements are following a Competitive procedure with negotiation process.
  - i. Stage one of this process comprises the Standard Selection Questionnaire (SSQ) designed as an initial assessment to identify and shortlist suitable potential candidates.
  - ii. Stage two will be the Invitation to Submit Initial Tenders (ISIT), involving those organisations identified and selected from stage one. The shortlist will be likely to include a minimum of three organisations. The Council reserves the right to award the Contract on the basis of initial tenders or reduce the shortlist at the ISIT stage and reserves the right not to negotiate.
  - iii. Stage three will be the Invitation to Submit Revised Tenders (ISRT) for those bidders successful at ISIT stage. If requested by the Council, ISRT stage shall comprise a negotiation meeting to explore with bidders their ISIT solution (or specific parts thereof) followed by the opportunity for bidders to submit Revised Tenders.
- 2.4** In order to score the tender submissions, the Project Board has considered the paired comparison exercise undertaken by the cross party working group and has agreed the following weightings for the two procurements:



## Leisure

Evaluation Criteria and Weightings	% weighting
<b>Price / commercial</b>	
1 Management Fee	25%
2 Capital investment proposals	15%
3 Viability of business plan	5%
4 Acceptance of commercial terms and conditions	5%
	<b>50.00%</b>
<b>Quality</b>	
1 Delivering Strategic Objectives	20%
2 Social and economic benefits	10%
3 Environmental Management	10%
4 Research, intelligence, and product development	10%
	<b>50.00%</b>
	<b>100.00%</b>

## Culture

Evaluation Criteria and Weightings	% weighting
<b>Price / commercial</b>	
1 Subsidy Payment	25%
2 Commercialisation and ability to reduce subsidy	15%
3 Grant funding	5%
4 Acceptance of commercial terms and conditions	5%
	<b>50.00%</b>
<b>Quality</b>	
1 Delivering Strategic Objectives	10%
2 Commercial approach to developing services and assets	10%
3 Staff and volunteering	10%
4 Retail and catering	10%
5 Research, intelligence, and product development	10%
	<b>50.00%</b>
	<b>100.00%</b>

## 3. PROJECT PLAN

3.1 The Procurements for the Leisure and Culture contracts are following the timeline shown below:

- End of August - Selection Questions (SQ's) / invitation documents / specifications
- 1st Sept – tenders advertised / SQs issued
- October – SQs evaluated
- 17th October – tenders / contracts issued
- 3rd January – tenders submitted
- January – tenders reviewed and clarified
- February – final tenders and final evaluation
- End February – preferred bidder



#### 4. RISKS

- 4.1 The procurements for the Leisure and Culture contracts have an aggressive timescale and so recognising the importance of these two contracts to the Council, in addition to Max Associates being commissioned to provide project co-ordination, Trowers & Hamlins LLP, which are specialists in this area, have been commissioned to support the Councils legal team in the associated legal aspects of the procurement.