



ADUR & WORTHING
COUNCILS

Executive Members for Regeneration
13 July 2022
Decision Ref No: JAW/003/22-23
Decision to be taken on or after 21 July
2022

Key Decision [Yes]

Ward(s) Affected: N/A

Award of The Pier and Lido substructure term maintenance contract

Report by the Director for Economy

Executive Summary

1. Purpose

- The Cabinet Member is requested to authorise the award of a NEC Term Service Contract to JT Mackleys & Co Ltd, for the inspection and repair of the Pier and Lido sub-structures and reactive maintenance works, following a compliant tender process in accordance with the Council's Contract Standing Orders.
- To note the value of the NEC contract which is estimated to be in the region of £200,000 per annum which can be funded from existing budgets

2. Recommendations

2.1 Recommendation One

- The Cabinet Member authorises the award of the NEC Term Service Contract to JT Mackleys & Co Ltd

3. Background

- 3.1 The Pier and Lido substructures are located in a harsh tidal environment continuously eroded by wave and shingle action and damaged by floxum and jetsam. The reactive maintenance is essential in ensuring both structures remain in a suitable and viable condition.
- 3.2 The maintenance of the Pier substructure and landing stage has been carried out under a number of different forms of term contract since 1993. In 2002 the Lido substructure was included in the contract as the sub-structure is of a similar construction to the Pier.
- 3.3 The term contract consists of regular inspections and subsequent reactive repairs to maintain the condition of the substructures. Condition observation made during the inspections also allows for planning for future larger scale maintenance works through the Capital budget process, if required.
- 3.4 The previous contract commenced in 2019 for a minimum period of three years, extendable to five and was awarded to South Coast Incorporated Ltd. Unfortunately, South Coast Incorporated Ltd informed the council in August 2021 that they were no longer able to resource the contract due to a lack of labour resources following the Pandemic.
- 3.5 Following the notification from South Coast Incorporated Ltd, local companies were approached to assist with the maintenance works until a new tender was written and tendered. Due to the working environment and nature of the works required in the post pandemic period this was unsuccessful and in December 2021 an emergency works contract was entered with J.T. Mackleys and Co. Ltd to carry our emergency works to the Landing Stage following storm damage.

4. Proposal

- 4.1 The proposal is to award the term service contract to J.T. Mackleys and Co. Ltd for an initial period of 21 Months , extendable yearly up to a further 3 years based on satisfactory performance.
- 4.2 The tender exercise and evaluation was undertaken which demonstrated that this option provided the best value for the Council taking into account both the price and quality assessment.

5. Engagement and Communication

- 5.1 The Procurement Team confirmed the tendering procedure meets the Joint Council's Contract Standing Orders and provides best value.

6. Financial Implications

- 6.1 The existing revenue budgets for the structures are currently set at £183,120 for the Pier substructure and landing stage and £11,090 for the Lido substructure.
- 6.2 A recent tendering exercise has led to the recommendation of Technical Services Engineering Team Officers in the awarding of a contract. There is no set value to the contract as works are ordered on a 'call off' needs only basis, although historically the majority of the budget has been utilised annually for maintenance works.
- 6.3 The contract evaluation assessed that prices secured under the contract for up to a period of 5 years are in line with current costs to those paid to local contractors.

7. Legal Implications

- 7.1 s1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.
- 7.2 Section 19 Local Government (Miscellaneous Provisions) Act 1976 enables the Council to provide recreational facilities as it thinks fit and that includes the power to provide buildings, facilities, equipment, supplies and assistance of any kind, either without charge or on such payment as the authority thinks fit.
- 7.3 s1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available of assets or services for the purposes of, or in connection with, the discharge of the function by the local authority, all contracts must be entered into following the procedures set out in the Contract Standing Orders.

Background Papers

- JAW/021/18-19 Pier and Lido Substructure Term Maintenance Contract Award
- Technical Services – Tender documentation

Officer Contact Details:-

Martyn Payne

Senior Engineer

01903 221375

martyn.payne@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

- The Pier and Lido provide valuable destination and entertainment venues on the structures and act as an attraction to the town centre area.

2. Social

2.1 Social Value

- The upkeep of the Pier and Lido maintains a valuable resource for the community, both for leisure in accessing the beach environment and entertainment venues on the structures.

2.2 Equality Issues

- Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

- Matter considered and no issues identified.

2.4 Human Rights Issues

- Matter considered and no issues identified.

3. Environmental

- The term service contract requires the contractor to prevent any adverse effects on the natural environment in the delivery of the service.

4. Governance

- Closure of the Pier or Lido due to poor structural maintenance would negatively affect the Council's reputation.