

FALKIRK COUNCIL

Subject: THE HELIX : VISITOR CENTRE
Meeting: EXECUTIVE
Date: 25 FEBRUARY 2014
Author: DIRECTOR OF DEVELOPMENT SERVICES

1.0 INTRODUCTION

- 1.1 Members will recall that the Helix project provided, amongst other things, for limited visitor facilities to be sited near the Kelpies as part of the original project brief. The original proposal envisaged a very modest facility comprising public conveniences and a small office.
- 1.2 As a consequence of attracting significant additional external funding, a complete visitor centre can now be provided comprising of a visitor reception area, retail space, a restaurant area and kitchen catering for 100 seated internally and 40 externally, a visitor interpretation area and staff offices. When completed this will be an invaluable resource in supporting the success of the Helix project and will help ensure overall sustainability of The Kelpies and The Helix as a visitor attraction, as well as a key community asset.
- 1.3 Delivery of the new visitor centre as soon as possible after the 'Kelpies Experience' goes live, ie following the international launch of the Kelpies on April 17 & 18, is critical. However, due to the timescales attached to the availability of the external funding referred to, it has not been possible to finalise the design of the building until relatively recently.

2.0 PROCEDURE

- 2.1 As a consequence of the configuration of the Helix work packages, three contractors are working concurrently in or around the area where the visitor centre is to be constructed. This has proved challenging at times particularly in relation to the strict requirements of health and safety in a project of this size and complexity. Advice has been received to the effect that the introduction of a further contractor would be so problematic to prejudice the successful and timely completion of all works.
- 2.2 Accordingly, our professional advisors recommended approaching the three relevant contractors to tender for the construction of the visitor centre. One of these contractors was not in a position to bid, however, prices were sought from the remaining two. The sum tendered by one of the contractors was considered by the advisors to represent a competitive quote and, given the circumstances described above, this has been recommended for acceptance.
- 2.3 The Public Contracts (Scotland) regulations require that a contracting authority ensure a degree of advertising, even where the proposed award is below the relevant threshold, and follow a procurement process that is transparent. With the international competition for the visitor building and the very high profile of the project in all forms of the media, it is considered that the proposed replacement of the revised building for the original has been well publicised. Further, paragraph 2.2 describes the competitive nature of the procurement process that was followed.

- 2.4 In order to ensure the Council is not been put unnecessarily at risk, external specialist procurement advice has been sought which has confirmed that the intended course of action is sound and is not likely to result in a challenge. In the event of a challenge being received the advice is that it would be highly unlikely to succeed.
- 2.5 Contract Standing Order 6.2(iii) allows relevant Chief Officers to award a contract of this value following inclusion in the contract award list. In this instance, time constraints are such that this process cannot be completed timeously and a referral to this Committee is, therefore, necessary.

3.0 LEGAL IMPLICATIONS

- 3.1 The legal position is summarised at paragraph 2.4..

4.0 FINANCIAL IMPLICATIONS

- 4.1 The construction cost of the visitor building can be met from the original Helix budget and additional external funding.

5.0 PERSONNEL IMPLICATIONS

- 5.1 None.

6. POLICY IMPLICATIONS

- 6.1 None.

5. CONCLUSION

- 5.1 Having regard to the relevant circumstances and the external project management advice, it is considered appropriate to proceed as described above.

6.0 RECOMMENDATION

It is recommended that Members :

- 6.1 Approve acceptance of the tender submitted by Balfour Beatty Civil Engineering Limited for the sum of £1,069,000.00 in respect of the Helix visitor building.**

.....
Director of Development Services

14th February 2014

Contact Officer: Robert McMaster, Ext 4953

LIST OF BACKGROUND PAPERS

1. Tender documents – not for publication