



## DECISION RECORD

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| <b>Service Reference Number</b>  | <b>BDS/DR/0006</b> |
| <b>Decision Maker:</b> Ian Anderson, Director of Legal Services and Partnership  |                    |
| <b>Delegated Authority</b><br><br><i>Officer</i> exercising delegated powers pursuant to pursuant to Part B, Paragraph 18.1 of the Constitution and Pursuant to minute 22 of Cabinet Meeting held on the 24 <sup>th</sup> June 2024  |                    |
| <b>Decision:</b><br><br>To authorise entry into contract NEC 4 Short Contract with <b>Bernhards Sports Surfaces Limited</b> (03159991) for the replacement of the existing porous polymeric track system with a surface respray, including specialist deep clean of existing polymeric area, repairs to the existing polymeric as necessary and installation of new a surface overspray. at a tendered cost of <b>£172,448.00</b>  |                    |
| <b>Reasons for the Decision:</b><br><br><ol style="list-style-type: none"> <li>1. The Cabinet met on Monday, 24<sup>th</sup> June, 2024 to provide approval to procure a package of works for delivery of the refurbishment of the Costello Athletics track and associated porous polymeric track systems and delegated authority to the Managing Director of Building and Design Services in consultation with the Assistant Director (Legal and Governance), to undertake the procurement through the most appropriate procurement procedure and enter into the required construction contract/s.</li> <li>2. Costello supports the delivery of the objectives of the City's 'Toward an Active Hull' Strategy, particularly in relation to sports activities that may be attractive to young people. The investment in essential maintenance works to the sports track of which if not undertaken would eventually lead to closure of the athletics track facilities.</li> </ol> |                    |
| <b>Nature of Decision:</b><br><br><b>Key</b><br><br>If this is a <b>key</b> decision <b>0032/24</b>  |                    |
| <b>Exemptions</b><br>Is the accompanying formal report (or other documentation where applicable) exempt? <b>Yes</b><br>Reason the report (or other documentation) is exempt:   |                    |

The Tender evaluation report is an exempt appendix to this Decision Record.

**Background and Supporting Information:**

These works are part of the corporate planned maintenance programme which facilitates the repair and or replacement of building elements. Despite regular maintenance (which has extended the track life), it is, in general in a poor condition with extensive signs of surface deterioration ranging from what can be considered from minor to major. The degradation on the track is due to the high wearing of the existing track surface. The track would not minimum requirements to pass the 2025 track mark certification which is due for renewal in October 2025 and therefore would not be able to operate licensed athletics events affiliated to England Athletics.

In 2023 UKA England Athletics (UKAs Safety Advisor) recommended a full condition survey of the track surface at Costello considering the evident deterioration of the existing Athletics track. Track specialists Sports Labs Consult were commissioned by Hull Culture & Leisure to conduct a condition survey on the athletics track at Costello Stadium.

Sports Labs Consult have prepared a detailed design and specification for the replacement track which has been tendered with the support of the Council's Building and Design Department.

In accordance with the Council's Contract Procedure Rules and Public Contract Regulations 2015 tenders were invited via YORtender on Friday, 20 December 2024, and **Bernhards Sports Surfaces** (03159991) is being recommended as the successful contractor for appointment to undertake the works, as their submission was the most economically advantageous tender.

Tenders were invited via YORtender ref: 93324

The works will be funded utilising funds from the 2024 /2025 approved Council capital programme from the Corporate Building Maintenance (refurbs and upgrades) allocation

**Equalities Impact Information:**

**NO**

**Contact Officer:** Paul Chadwick – Building Design and Services

**Chief Officer Comments**

Comments of the Assistant Director of Legal Services and Governance (Monitoring Officer)

The open procurement process was carried out in full compliance with the Council's Contract Procedure Rules which are aligned with Public Contracts Regulations 2015.

The tender submitted by Bernhards Sports Surfaces Limited was evaluated as the most economically advantageous, which should enable the Council to achieve best value, as required by section 3 of the Local Government Act 1999. [BC]

Comments of the Director of Finance and Transformation (Section 151 Officer)

The S151 Officer supports the decision and confirms that funding is available within the approved Capital Programme. (MA)

Comments of the Assistant Director of Organisation Development & Human Resources and compliance with the equality act

There are no staffing or equalities issues arising from this decision. KH

Comments of the Deputy Leader

I support the decision for replacement and associated works of the Costello Track [JD]

Scrutiny Comments

This decision has not been subject to pre-decision scrutiny. Ref: Sc8656 [MK].

**Exceptional Circumstances**

Is the decision record currently exempt from publication at the point of decision?

**No**

If yes, what date can the decision record be made public?

Reason the decision record is exempt from publication at the point of decision:

**Signature of Decision Maker:**

Signed: Signature confirmed

Date signed: 19.03.2025

**FOR COMPLETION BY THE SCRUTINY OFFICE:**

Date published on CMIS:

**20/03/2025**

Can the decision be called in?

**No**

Date decision comes into force:

**20/03/2025**