

## **INVITATION TO TENDER**

**FOR** 

TODMORDEN WHEELSPARK AT CENTRE VALE PARK BURNLEY ROAD TODMORDEN OL14 7DE

DATE OF ISSUE 5<sup>TH</sup> November 2020

CLIENT - TODMORDEN TOWN COUNCIL
TECHNICAL CONSULTANT – GROUNDWORK

## CENTRE VALE WHEELSPARK, TODMORDEN

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#### 1 Introduction

Todmorden Town Council (Todmorden TC), Groundwork Leeds and the local user group have been working together with the aim of providing a new high-quality wheeled sports provision in Todmorden suitable for skateboards, scooters and bikes.

The Wheelspark will be situated in Centre Vale Park on Burnley Road, Todmorden where there is an existing Wheelspark facility requiring restoration and improvement to provide a new concrete structure.

The Wheelspark sports facility (skatepark) is aimed at children of all ages and abilities and should provide for several varied activities.

We are looking for the supplier to provide a detailed design and specification for the facility complete with costings and a programme for delivery.

Funding has been secured with a fixed sum of £141,000 being available for all design-build, inclusive of a 5% contingency. We need the tenderer to design a skatepark to this figure, using elements as described in the design brief.

Following selection of the skatepark provider they will be expected (if necessary) to refine the design in conjunction with the User Group and then construct the facility to the finished design.

Please see detailed design brief provided in Appendix A for details.

## 2 Project Timescales

Indicative Project Timetable:

Action Purpose	Tender Period to seek costed design	5 <sup>th</sup> November – 3 <sup>rd</sup>
Timeline	proposals.	December 2020
First Stage of the	Technical Assessment: Todmorden	4 <sup>th</sup> & 7 <sup>th</sup> December
Tender Appraisal	TC Officers, Groundwork and Calderdale MBC officers to assess to what extent the tenders submitted comply with specification and are deliverable.  An opportunity for Todmorden TC Officers and Groundwork to query the tender submissions and receive further information/clarification from tenderers. Selection of 4 final submissions for consideration.	2020 2020
Second Stage of the	Tender Evaluation: Presentation by	9th December 2020
Tender Appraisal	Tenderers and Groundwork to	
	Todmorden TC Committee and User	
	Groups – 15 mins per submission	
Selection of Contractor	TC Resources Committee 'Most	14 <sup>th</sup> December 2020
	favourable' design-build skatepark	
	contractor chosen.	
Environment Agency	EA to provide agreement for	15 <sup>th</sup> December 2020
(EA) Permit/Fields In	Wheelspark Bespoke Permit/FIT	
Trust agreement	permission	
Approval of Preferred	Todmorden TC formally approve	16th December 2020
design-build skatepark	appointment of the preferred design-	
contractor	build skatepark contractor subject to	
	all funding conditions being satisfied	
Appointment of	Order placed with successful design-	17 <sup>th</sup> December 2020
contractor	build skatepark provider.	
Design Decision	Advise all users, community groups,	17 <sup>th</sup> December 2020
	Councillors and wider public of	
	chosen design.	
Pre-start	Pre-start Contract Meeting On site.	5 <sup>th</sup> January 2021
Start on site	Commence on-site Preliminaries	1 <sup>st</sup> February 2021
Completion Post	by ROSPA (or equivalent)	29th March 2021
Installation Inspection		
Handover Practical	Site meeting, including landowner	31st March 2021
Completion	and project steering group	
End of Defects Period	To inspect the site and determine if	31st March 2022
	any latent defects have become	
	apparent.	

#### 3 Scope of Works

To enable the selection of a preferred skate park provider, Tenderers are invited to provide a written statement of their vision for the Wheelspark, together with a layout incorporating their design and image boards illustrating proposals (See Section 4 – Instructions to Tenderers for full submission requirement details).

The main elements of work will include:

- The design and installation of a concrete wheeled sports area for Skateboards, BMX bikes and Scooters.
- Provide an asphalt concrete footpath and compacted sandstone footpaths to connect
  the redesigned Wheelspark to the existing footpaths near the existing Wheelspark
  facility and remove the stretch of asphalt concrete footpath that will become redundant.
- Ensure levels allow for surface water to flow off the paved surfaces in the directions shown on the Indicative Layout Plan drawing (Dwg.001). Surface water needs to be controlled as it flows off the side of the Wheelspark. Include for all drains, channels, gullies, silt trap and piped connection into adjacent drainage system.
- A fixed sum of £141,000 (inclusive of a 5% contingency) has been allocated for the design and construction of all elements of the facility.

As part of the Tender Appraisal process, each of the tenderers will be required to give a 15 minute online presentation of their vision for the Wheelspark to a steering group which will include Todmorden TC officers, Groundwork Officers and members of the local User Group.

Further details are provided in Section 5 – Tender Appraisal.

Following the Tender Appraisal process the preferred provider will be required to work with Groundwork to take forward their vision for the facility and should allow for 2 No. meetings each of up to 2hrs to be held at Centre Vale Park (location to be agreed). The exact dates and times of these meetings are to be agreed with the preferred design-build skatepark provider following their appointment as contractor.

Following each of these meetings, the contractor will be expected to revise their drawings in accordance with any agreed requirements of the meetings.

Electronic versions of revised drawings should be circulated to relevant Groundwork officers a minimum of 2 working days prior to the next meeting. All costs associated with attending meetings, updating drawings etc. must be included in the Tender Sum.

Alterations to proposed designs which may be required by Groundwork Leeds may include, but are not limited to, changes to:

- detailing and specification of concrete structures.
- · detailing and specification of all foundation structures and existing ground surfaces
- detailing and specification of surface water drainage (potentially to cope with 1:100-year storm event plus 40% for climate change.

## **CONTRACT OPERATION**

The contract is awarded on the basis of design and pricing information (subject to the fixed price maximum of £141,000.00).

The Contractor is required to set out their proposals for the project in accordance with the Submission Procedure.

#### 4 Instruction to Tenderers

These instructions are designed to ensure that all tenders are given equal and fair consideration. It is important that you provide all the information asked for in the format specified. Failure to do so may invalidate your tender.

If you have any doubts as to what is required or if you have difficulty in providing the information requested then please raise queries with Jeremy Linden (jeremy.linden@groundwork.org.uk) or Nick Green (nick.green @groundwork.org.uk) Landscape Architects, Groundwork Leeds.

Groundwork will circulate all queries and answers to all tenderers via email.

You will not be entitled to claim from Groundwork or Todmorden Town Council any costs which you may incur in preparing your tender or presentation, whether your tender is successful or not.

#### **Submission Requirements**

To enable the selection of a preferred supplier Tenderers are to provide the following in their Tender submission:

- A written statement of the supplier's vision for the wheeled sports area. This statement is not to exceed 1 side of A4.
- An A1 copy of the masterplan for the skate park to illustrate the general layout.
- Up to 2 No. A1 sheets illustrating the supplier's vision for the facility including detailed design elements, visualisations, and mood boards information.
- A completed Preliminary Cost Plan (Appendix C).
- Completed Form of Tender (Appendix D).
- Confirmation of a guarantee period of not less than 10 years for all concrete Elements and foundations.
- Full detail and specification sheet for concrete mix (and reinforcement steel) to be used in construction for different components within the park.
- Fully priced Schedule of Works/Bill of Quantities.
- Commitment to adhere to the project timescales outlined in Section 2.
- Commitment to be available via zoom for technical assessment queries on 7<sup>th</sup> December 2020.
- Commitment to present submitted proposals via Zoom to a combined user group held by the Resources Committee of Todmorden Town Council at 7.30pm on the 9<sup>th</sup> December 2020.

# Completed Tender Submissions (documents and drawings) are to be returned by post to:

Jeremy Linden Groundwork Leeds, Environment and Business Centre, Merlyn Rees Avenue, Morley, Leeds, LS27 9SL

**AND** 

by email to:

townclerk@todmorden-tc.gov.uk

Completed Tender Submissions to be returned in both formats by 1.00pm on 3rd December 2020.

This invitation to tender is merely a request to formulate an offer to Todmorden Town Council.

By issuing this invitation, Todmorden Town Council is not bound in any way and does not have to accept the lowest tender or any at all and reserves the right to accept a portion of any tender unless the tenderer expressly stipulates otherwise in their tender.

#### 5 Tender Appraisal

The Tender Appraisal will comprise a 2-stage process as outlined below:

## Stage 1 Technical Assessment (4<sup>th</sup> and 7<sup>th</sup> December 2020)

This will involve a technical assessment of the submitted information based on a number of assessment criteria outlined below.

Tenderers will need to hold themselves available on the 7th December 2020 to answer any technical queries- via zoom. Maximum 45 minutes. Session times to be confirmed when number of tender submissions known.

Those failing to satisfy the technical assessment will then be excluded from the process and advised. At that stage, a shortlisting down to maximum 4 proposals will be made.

# Stage 2 - Presentation by Tenderers and Groundwork to Todmorden TC Committee and User Groups

Provided the tenderer had made a commitment to adhere to the project timescales and been shortlisted, they will be asked to present their submission on 9<sup>th</sup> December 2020 between 7.30pm to 9.30pm to a combined group of Todmorden Town Council, User Groups, Groundwork and Calderdale MBC officers via Zoom – maximum 15 minutes review (time slot to be agreed).

Representatives from the local user group and Town Councillors will review submitted information and review the degree to which the tenderer has addressed questions 1,2,3,4 of the Design Brief Criteria as outlined below.

The presentation should be based primarily on the information provided as part of the design-build skatepark provider's Tender Submission and should be aimed at a non-technical audience.

This will be a meeting where the General Public and Press are excluded on commercially sensitive grounds.

Tenderers will be invited into the meeting at their allocated time and removed from the meeting following their presentation.

Tenderers will need to provide in electronic version of their presentation by 4pm on the 8<sup>th</sup> December 2020 to be loaded up prior to the Zoom meeting.

During the presentations, those in attendance will be given voting sheets that will allow them to rank the designs in order of preference.

# A copy of the presentation on CD or memory stick should be made available to Groundwork following the presentation

Voting will take place after the presentation and without the potential skate park providers being in attendance.

#### 6 Evaluation of Tender Criteria

## 6.1 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 20% available

Q1. Does the design reflect the wishes of the users as outlined in the brief?

Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 5 Fully meets or exceeds the wishes of users.
- 4 Mostly meets the wishes of users. Some elements may not have been fully addressed but generally the design does address users wishes.
- 3 Partly meets the wishes of users. Several elements may not have been fully addressed or others not considered at all.
- 2 Some consideration given to the wishes of users but not to an adequate degree.
- 1 Little consideration given to the wishes of users in the design.
- 0 No consideration given to the wishes of users in the design.

### 6.2 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 20% available

**Q2.** Does the scheme work as a coherent design?

Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 5 Yes. The design is fully coherent.
- 4 Yes. Mostly coherent with minor design issues.
- 3 Yes. But certain aspects of the scheme do not work as well as they could.
- 2 No. Some elements work, but as a whole, the scheme does not work well.
- 1 No. The scheme does not work as a coherent design
- 0 No. Very poor design with little or no coherence.

## 6.3 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 15% available

Q3. Is the scheme innovative, incorporating the latest thinking?

Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 5 Yes. To a high degree and throughout the design.
- 4 Yes. Mostly to a high degree and in most elements of the design.
- 3 Yes. To a varying degree and only in some aspects of the design.
- 2 In some areas but generally not to an appropriate degree and only in limited aspects of the design.
- 1 Little consideration given to innovation and the latest thinking.
- 0 No. Very little innovation in the scheme and few new ideas.

#### 6.4 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 15% available

**Q4.** Are there varied features within the design, is the flow pattern good? Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 5 Yes. Excellent in both respects.
- 4 Yes. Good in both respects but some aspects could be improved on.
- 3 Yes. Generally adequate or good flow patterns with a reasonable variety of features.
- 2 No. Flow patterns often poor and with a limited variety of features
- 1 No. Poor flow and very limited number of features.
- 0 No. Very poor in both respects.

## 6.5 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 10% available

Q5. Have levels been addressed to ensure the design lends itself to the existing drainage infrastructure and drainage proposals?
Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 5 Yes, Fully addressed.
- 4 Yes. Mostly addressed. Proposals likely to be effective.
- 3 Yes. Likely be adequate but additional detail or modifications required.
- 2 No. drainage proposals inadequate and would require significant modification.
- 1 No. Drainage issues not addressed or proposals wholly inadequate.
- 0 No consideration/information given on drainage.

## 6.6 Design Brief Criteria

Evaluation Criteria Weighting Maximum of 10% available

**Q6.** Is the scheme Sustainable from a maintenance perspective?

Responses to the evaluation criteria above will be marked using the following scoring profile:

## **Score Classification**

- 5 Yes. Few ongoing maintenance issues likely.
- 4 Yes. There may be some minor issues, but these could be addressed.
- 3 Yes. There may be some issues that would need to be addressed.
- 2 No. There are one or more of serious concerns that would likely cause maintenance issues.
- 1 No. Several serious issues mean the scheme is likely to be difficult and expensive to maintain.
- 0 No. Numerous serious issues mean the scheme would be difficult and expensive to maintain.

#### 6.7 Other Criteria

Evaluation Criteria Weighting Maximum of 10% available

**Q7.** Does the vision statement reflect the design brief?

Responses to the evaluation criteria above will be marked using the following scoring profile:

#### **Score Classification**

- 3 Yes. Excellent.
- 2 Yes. Generally meets the brief.
- 1 No. Does not fully address the brief
- 0 No. Does not address the brief

#### 6.8 Other Criteria

Evaluation Criteria Weighting PASS/ FAIL

**Q8.** Has the supplier made a commitment to present their submission on the dates proposed (as part of the Stage 2 Evaluation outlined below)?

#### 6.9 Other Criteria

Evaluation Criteria Weighting PASS/ FAIL

**Q9.** Has the supplier made a clear commitment to meeting the deadlines described in the project timetable above?

The contract will be awarded to the supplier based on a combination of the presentation (50%) and the technical assessment (50%) outlined above.

#### APPENDIX A - DESIGN BRIEF- TODMORDEN WHEELSPARK

The scope of the project is to create a Wheelspark in Centre Vale Park, Burnley Road, Todmorden, OL14 7DE.

#### The Site

Centre Vale Park is adjacent to Burnley Road and is generally a gently sloping area of grassland designated as a flood storage area by EA.

The Site Location & Access Plan (Dwg.004) shows the position of the existing Wheelspark, with the site boundary outlined in red, and also illustrates the expected means of access for vehicles from Burnley Road and the anticipated location of the site compound.

The current Wheelspark site is a rectangular bitmac area supporting skatepark units to be removed as specified during site clearance. The footprint on this area will form the base of the site from which a concrete structure will be installed by the contractor.

Some of the findings and suggestions are detailed below:

#### Flood Area

The area is prone to flooding during periods of high rainfall.

Site drainage, as part of this contract, is to be installed after site clearance to enable continuation of use of the Wheelspark during periods of a high-water table.

The existing surface should be scraped out to the proposed footprint of the concrete skatepark and level changes installed as detailed on Dwg.001 Indicative Layout Plan.

Any excavated material should either be buried within the intended earth mounds, as shown on Dwg.001, or removed from site to a licenced tip.

#### **Construction Details**

#### Requirements

The Landscape Layout shows the maximum footprint of the concrete skate park which is available to the contractor for the project.

The Works are classed as Part 12 Permitted Development by a Local Authority (Todmorden TC), based on the footprint shown, so the design should ideally not exceed the maximum footprint available.

A nominal tolerance of 5% increase would be acceptable in terms of the length of the Wheelspark on the north west end only, but due to the proximity of utility services, no increase in the width of the Wheelspark is allowed.

1. Tenderers to supply design and specification of Wheelspark concrete structures and associated footpaths and drainage with final construction costs.

2. Design of Wheelspark to accommodate beginners to intermediate levels of skill, with scope for advanced riders with the addition of one unique signature feature.

Allow for the following local use:

- BMX.
- Scooters.
- Skateboards

Designed heights of concrete skating infrastructure and perimeter mounds to be no higher than the maximum height indicated on the Indicative Layout Plan Dwg.001.

The extent of the hardworks must comply with the footprint of the existing Wheelspark (Plus a 5% variance on the length of the Wheelspark if needed)

#### Drainage

Drainage proposals for the run-off surface water have been prepared and are shown on Dwg.001 Indicative Layout Plan. The design should include for a suitable crossfall from the south west side to the north east side.

Three gully pots with silt traps are to be provided, along with concrete channels (bermed edges to stop overflow), to direct surface water flow into the gully pots. These gully pots are to be connected with pipes installed at the appropriate level to take water to manhole MHL9.

In addition, a linear French drain is to be provided along the north east side as per the Indicative Layout Plan Dwg.001. This is to accommodate temporary storage of water if ground water levels show that the French drain will not fill with groundwater, and perforated pipes are to be installed connecting to the gully pot drain pipes.

A suitable slot drain, or equivalent, is to be provided at the end of the new link path on the north side; this is to take surface water into the nearest gully pot.

The existing embankment along the north east side is to be excavated and the embankment reset 2500mm back from the edge of the existing bitmac area. Excavated material can be reused for the footpath works below and /or placed into the side mounds as fill.

A positive drainage solution has therefore been designed for the surface water from the Wheelspark to be directed to the existing land drain which runs due north from manhole MHL9. As an early element of the Site Clearance works, the contractor will need to uncover MHL9 and measure the invert level.

If for any reason it is determined that directing the surface water from the Wheelspark to MHL9 will not physically work, then an alternative drainage solution has been identified, where the surface water would be directed to the parallel surface water sewer at manhole MHS6.

In either event, a Provisional Sum of £4,000 has been pre-set in the Preliminary Cost Plan (Appendix C) for the cost of the Drainage Works.

#### **Footpaths**

Remove the 18.5 lin m of existing asphalt concrete footpath that curves from the top contour down to the Wheelspark and replace with 150mm topsoil and grass seed. Excavated bitmac and sub-base to 150mm depth to be broken to suitable size and reused in base of mounds.

New bitmac footpath construction measuring 1.8 metres wide and 35.5 metres in length to connect to existing footpath at top of mound and provide a link to the north east corner of the Wheelspark, as shown on Dwg.003 Bitmac Path (Construction) Detail. Please note, for the avoidance of any doubt, that the width of the new bitmac footpath is to be 1.8 metres and not the 1.5 metres stated on Dwg.003.

Allow for modifications to existing embankment (as this is a flood embankment only the surface grass and top 150mm are to be removed to allow for keying in of new soil fill to create maintainable slopes either side of the new footpath). All disturbed areas are to be reseeded. To bring contour lines out to new footpath profile, allow for reuse of onsite excavated topsoil and sub soil material. Allow for modifications to ground levels to either side of footpath as it approaches the Wheelspark.

New connecting path on north side of Wheelspark, to be 1.6 metres wide and 67.0 metres in length of compacted sandstone with 44mm wide timber edging to connect new section of bitmac footpath to existing crushed stone path running into woodland, as shown on Dwg.002 Sandstone Path (Construction) Detail. Please note, for the avoidance of any doubt, that the width of this new sandstone footpath is to be 1.6 metres and not the 1.5 metres stated on Dwg.002.

Connecting path on the south side to be 1.2 metres wide by 33.0 metres in length of compacted sandstone with 44mm wide timber edging to connect the existing crushed stone path running into the woodland with the new concrete pad entrance on the south side of the Wheelspark, as shown on Dwg.002 Sandstone Path (Construction) Detail. Please note, for the avoidance of any doubt, that the width of this new sandstone footpath is to be 1.2 metres and not the 1.5 metres stated on Dwg.002.

Allow for the supply and laying of 2no. concrete pads on ends of paths connecting to the Wheelspark, as shown on Indicative Layout Plan Dwg.001.

### **Imported Soil**

All mounds and sites of excavation to be capped with 75mm topsoil to be prepared and grass seeded. Contractor to obtain all topsoil and subsoil from a reputable soil supplier and/or reuse suitable material excavated on site from the works.

#### Access to the Site

The works access to the site is from Burnley Road. Please refer to Dwg.004 Site Location and Access Plan.

A key for the access control will be available from Calderdale MBC.

The grass surfacing may be soft, so it may be necessary to lay protection matts down for access of heavy vehicles to and from the site compound and the construction site. The contractor should allow a cost for suitable arrangements as part of the Preliminaries within the given budget.

In any event, any damage caused by the contractor to the existing footpath and/or the grass field is to be made good by the contractor within the project cost.

## The Budget

The available budget for this project is £141,000.00 (inc. Contingencies @ 5%). It must be emphasised that the design should NOT be compromised for the purpose of completing the project under budget.

Tenderers should seek to offer the best design possible within the available budget, maximising the amount of skateable concrete infrastructure and concrete surfacing that can be created within the existing asphalt concrete surfaced Wheelspark.

If a Tenderer considers that it is not financially possible to replace all of the asphalt concrete surfacing with concrete, then Tenderers should show in their design which areas of asphalt concrete surfacing would be retained and explain in their Tender Submission how the retained asphalt Concrete surfacing would relate to the new concrete infrastructure as a whole skateable facility.

#### **Skatepark Design**

The Wheelspark should be designed as a destination park for families and spectators to appreciate as well as riders. Provision must be made to avoid user conflicts within the space, such as including social/viewing spaces that can be enjoyed by non-riders without obstructing the flow of the skate park.

The local wheeled sports scene predominantly comprises young up-and-coming talent. There is a good mix of skate, BMX and scooter disciplines, all of which should be catered for.

Overall, we are looking for innovative design that makes high-quality use of the space and budget available. Elements included will offer multiple uses. Rideable features will have accessible uses for beginners, facilitate progression, and offer interest to advanced riders.

The balance between street and ramp aspects will be even, with some areas integrating the disciplines. The wheels park layout must allow for smooth and flowing riding with lines in frontside and backside directions, and potential for back-to-back trick combination runs.

Quality must be demonstrated in the appearance and richness of experience that the design offers.

The Layout Plan shown on Dwg.001 is indicative only. We are asking the skatepark provider for their own design which may be a smaller footprint to the one shown but contained within it.

Certain elements have been suggested for inclusion by the user group and some, but not all, have been indicated on the Indicative Layout Plan Dwg.001. These are as follows:

- Open sided bowl Approx. 1.2m high
- Flat bank to Jersey barrier
- Steep hipped bank (35deg) 1000mm
- Small driveway or A-frame
- Large vert ramp Approx. 1.5m high
- Ramp Approx. 1.2 to 1.4m high
- Manual pad 100mm plus ledge 400mm
- 5no. steps with 800 to 600mm down ledge
- Steel grind rail
- Bank. 600mm high
- Grind ledge
- 600mm high platform
- 1.3m high flat bank
- 1.2m high spine
- Pump bump
- 1no. steel perch rail for seating

This list should provide design inspiration, and the design should ideally include the majority of these elements, as long as they do not constrain the design. It is important that features as shown in this list are designed to be no higher than the maximum 1.5m height as shown.

## **Roller Sports Equipment**

The facility must be designed and constructed in line with recognised standard and good practice including Quality Assurance Standard BS EN: 14974 (Facilities for users of roller sports equipment), BS EN: 1176 (Playground Equipment) and Skateboard GB Design and Development Guidance for Skateboarding Creating quality spaces and places to skateboard June 2020.

- The facility should be challenging and provide for the various users (skateboards, BMX bikes, and scooters):
- The facility will be largely constructed of in-situ reinforced concrete. (Specification to be included as part of tender submission).
- Design life expectancy of the facility and maintenance requirements should be Identified, including the term of years for any guarantees being offered.
- Final designs shall comply with the Construction Design & Management regulations and the Equality Act Inspection and Maintenance of Play Equipment
- A full ROSPA (or equivalent) post-installation inspection will be carried out on completion of the works. This will be arranged by the skatepark provider before the site is opened to the public.
- Any significant snags or problems identified from the ROSPA (or equivalent) postinstallation inspection shall be rectified before the site is opened to the public.
- Groundwork and Todmorden TC to take on responsibility for inspecting the facility during the 1-year Defects Period.
- Any minor day to day maintenance will be carried out by TTC.
- Any major defects will be reported to the Supplier/Contractor who will be required to take prompt action to rectify the situation.