


<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">8 OCTOBER 2018</p>	
<p style="text-align: center;">ALTERNATIVE ECOLOGICAL MITIGATION CONSULTANTS PROCUREMENT</p>	
<p>Report of the Cabinet Member for the Environment – Councillor Wesley Harcourt</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: Yes</p>	
<p>Consultation The wormwood Scrubs Charitable Trust has been consulted.</p>	
<p>Wards Affected: “All”</p>	
<p>Accountable Director: Mahmood Siddiqi – Director of Highways & Parks</p>	
<p>Report Author: Richard Gill – Wormwood Scrubs Development Manager (Leisure Services)</p>	<p>Contact Details: Tel: 07833482119 E-mail: Richard.Gill@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report is seeking permission for the council to approach the market and procure contracts for design proposals at Wormwood Scrubs Park. These proposals are required to fulfil a legal agreement between the council and High Speed Two Limited (HS2) to improve biodiversity.
- 1.2. Improved biodiversity and access to nature will play a part in the new H&F Health and Wellbeing Strategy. Access to good and varied leisure activities is proven to support the strategy’s key aims of; supporting good mental health for all, supporting children and their families to be healthier, and reversing the rising numbers of acquired long term health conditions.
- 1.3. The design proposals will reflect the H&F business Plan 2018/22, in particular the priority of ‘taking pride in Hammersmith and Fulham’ by supporting the aims to; make the borough the greenest in Britain, support endangered bat and beetle populations, plan the best places for trees, and dedicate space for long grass and wildflowers as the basis for educational opportunities for children and schools.

- 1.4. HS2 is providing funding for the project of £3,885,657, this includes a budget to procure consultants of £782,000. The pre-tender estimate for the procurement of consultants to provide the design proposals in this report is £344,000 comprising £266,000 to appoint a design consultant and £78,000 to appoint a cost consultant.
- 1.5. Approval of this proposal should have no financial impact on the Council or the Wormwood Scrubs Charitable Trust (WSCT). This is because within the agreement the costs to design, implement and maintain the proposals and any reasonable costs properly incurred by the Council, will be reimbursed by HS2. Since the agreement is between the Council and HS2 the Council will procure contracts on behalf of the WSCT.

2. RECOMMENDATIONS

- 2.1. To approve the Business Case and Procurement Strategy for the appointment of design consultants to produce; a conservation management plan, detailed draft proposals, specifications and a 10-year management plan, for a pre-tender estimate of £266,000.
- 2.2. To approve the Business Case and Procurement Strategy for the appointment of cost consultants to produce cost plans and to oversee and review the design process for a pre-tender estimate of £78,000.
- 2.3. That delegated authority be granted to the Director of Highways &, Parks in consultation with the Cabinet Member for the Environment, to award the contracts for appointment of the design consultants and the cost consultant the costs of which will be reimbursed by HS2.

3. REASONS FOR DECISION

- 3.1. To comply with the requirements contained in Contract Standing Orders, which requires approval before a regulated procurement exercise is commenced, and to comply with the Promoters requirement to achieve value for money.

4. INTRODUCTION AND BACKGROUND

- 4.1. Wormwood Scrubs Park, known locally as 'the Scrubs' is the largest open space in the London Borough of Hammersmith and Fulham and has been public open space since the Wormwood Scrubs Act of 1879. Its history shows it has been protected from development and subject to a wide range of uses leaving a unique multi-faceted estate that is at once both underused and under pressure.
- 4.2. The eastern side of the Scrubs is predominantly mown grass laid out mainly as football pitches which, together with the adjacent Linford Christie Stadium and Pony Centre, provide significant recreational opportunities. The western side of the Scrubs is identified as a Site of Importance for Nature Conservation

(SINC), predominantly unmown grassland and scrubland with significant, developing biodiversity opportunities.

- 4.3. Many residents and visitors take the opportunity to walk or jog on the Scrubs appreciating access to both nature and recreational opportunities. As the number of residents and users within the Old Oak & Park Royal Development Corporation (OPDC) area increases, there will be increased demand and pressure on these activities. This pressure will be felt most on sensitive wildlife habitats if appropriate design and management is not in place.
- 4.4. The construction of the HS2 line within the OPDC area has led to a legal agreement dated 20th October 2016 (the Agreement) between the Sec. of State for Transport and the council. This sets out the requirements to design alternative ecological mitigation for the Scrubs to that set out in the HS2 Bill. The funding of these proposals by HS2 provides the best available opportunity to put appropriate design and management of biodiversity in place on the Scrubs.

5. PROPOSAL AND ISSUES

- 5.1. **Proposal.** We are proposing to go out to tender for a lead design consultant to:
 - Develop a conservation management plan (CMP). This will confirm the main issues and risks for the Scrubs. It will put forward a vision and objectives with which to consult with stakeholders and work to address them.
 - Design the Alternative Ecological Mitigation (AEM) proposals which reflect the CMP principles. This Detailed Draft Proposal is to be approved by HS2 before it can be developed further.
 - Develop proposals into a specification which is to be approved by HS2 before it can be used for tendering the works.
 - Produce 10-year management plans for the AEM works which include biodiversity surveys to measure improved wildlife opportunities.
 - Manage any subconsultants required within the design team.
 - Act as Contract Administrator for the implementation of the works.
- 5.2. It is proposed cost consultants are a separate appointment to maintain a robust independent view on cost plans and cost management.
- 5.3. **Issues.** The Scrubs has a wide range of stakeholders with sometimes conflicting interests. The AEM funding cannot be used to improve facilities that do not improve biodiversity opportunity. The aspirations of some stakeholders will have to be addressed through other funding mechanisms which will be identified as risks in the CMP. The CMP will set objectives to address the main issues and risks before developing the AEM proposals.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. A Service Review Team (SRT) has undertaken a service review in accordance with Contracts Standing Orders and prepared the procurement

strategy and the business case. Appendix 1 sets out the commercial and procurement options, together with an analysis of these options.

7. CONSULTATION

- 7.1. Consultation has taken place with key stakeholders; The Wormwood Scrubs Charitable Trust, HS2, OPDC and the Friends of Wormwood Scrubs.

8. EQUALITY IMPLICATIONS

- 8.1. The Council has given due regard to its duties under Section 149 of the Equality Act 2010 and it is not anticipated that there will be any negative impacts on any groups with protected characteristics from the approval of the Business Case and Procurement Strategy for the design of the alternative ecological mitigation proposals for Wormwood Scrubs.
- 8.2. Implications verified and completed by: Peter Smith, Head of Policy and Strategy, tel. 020 8753 2206.

9. LEGAL IMPLICATIONS

- 9.1. **The appointment of the Design Consultant.** The value of the design consultant is above the service threshold specified in the Public Contracts Regulations 2015 (as amended) (currently £181,302). As specified at appendix 1 the Council will publish a Contract Notice in the Official Journal of the European Union stating the process it will follow for the tender. The proposed procurement process is the Restricted process and shall be conducted in compliance with the Regulations. The Restricted process is a two-stage process whereby the Council runs a selection process to reduce the number of tenderers who are invited to tender. The shortlisted tenderers are then invited to submit tenders by a set deadline. All received tenders will be evaluated by the SRT in accordance with the proposed evaluation criteria as set out in Appendix 1. The restricted procedure is considered appropriate for this procurement in order to reduce the bid pool at the first stage of the process.
- 9.2. **Appointment of the Cost Consultant.** The value of the cost consultant appointment is below the service threshold specified in the Public Contracts Regulations 2015 (as amended). The value is below £100,000 and in accordance with the Council's Contracts Standing Orders quotes will be sought using a suitable framework. The officers have identified the Crown Commercial Services Framework RM 3741 for Project Management and Full Design Team Services as an appropriate framework for these services. A mini competition will be run in accordance with the procedures set out in the Framework Agreement and all Framework Contractors in the relevant lot will be invited to tender.
- 9.3. For both procurements a standard consultancy form of agreement can be used. This should be adapted to fit the Council's own requirements and to cover the 10-year period during which the consultant will prepare

management plan updates. A standard form can be used as the tenderers will be familiar with the terms.

- 9.4. The proposals of this appointment meet the statutory requirements contained in the Public Services (Social Value) Act 2012 in that the service, by its nature, as an alternative ecological mitigation assessment, will benefit the local community with the improvement of the environmental habitat of the Scrubs and increase in biodiversity opportunity. The consultants will be required to seek input from local groups and stakeholders. Thereby the consultancy work and ultimately the works which flow from it are aimed at improving the social and environmental well-being of the area.
- 9.5. Implications verified/completed by: Sally Stock, Partner, Sharpe Pritchard LLP, on secondment to the council, tel. 020 74064500.

10. FINANCIAL IMPLICATIONS

- 10.1. This report seeks approval of the approach and process to appoint development consultants and related cost consultants associated with the implementation of Alternative Ecological Migration (AEM) works at Wormwood Scrubs.
- 10.2. The overall consultants budget (design, management, and implementation) is £782,000 over the 10-year projected lifetime as set out in Appendix 1 (section 2 “Financial Implications”). £344,000 is the pre-tender estimate for the development consultant (£266,000) and cost consultant (£78,000). VAT will apply and this will be recoverable as the Council will be the party entering into the contracts.
- 10.3. Approval of this proposal should have no financial impact of The Wormwood Scrubs Charitable Trust. This is because the costs to design, implement and maintain the AEM proposals and management plans, together with any reasonable costs properly incurred by the Council, will be reimbursed by High Speed Two Limited Ltd (HS2). The Council is required to ensure that all costs are reasonable and property incurred.
- 10.4. HS2 funding includes maintenance of the new works for up to ten years. Additional funding would be required to progress any activities beyond the AEM works. There is an overall project aspiration to identify additional investment through CiL, S106 or other funding and explore how income could be increased through events, licences, and other activities.
- 10.5. Implications completed by: Mark Jones, Director for Finance, 020 8753 6700.
- 10.6. Implications were verified by Emily Hill – Assistant Director (Corporate Finance) Tel. 020 8753 31451.

11. IMPLICATIONS FOR BUSINESS

- 11.1. This proposal could potentially create supply opportunities for local businesses and skills/employment opportunities for local residents. Most of these are likely to be identified with the procurement of the contractor and the consultants' brief will be to develop and encourage this.
- 11.2. Community engagement will form part of the evaluation criteria and it is expected that the masterplan will include an activities plan, encouraging volunteering and a range of community engagement events.
- 11.3. Procurement will follow the usual Council procurement processes via Capital E-Sourcing and suitable local consultancies will be identified and actively encouraged to apply.
- 11.4. Implications verified/completed by: Albena Karameros, Economic Development Team, tel. 020 7938 8583.

12. COMMERCIAL IMPLICATIONS

- 12.1 **The appointment of the Design Consultant.** The estimated value of the Design Consultant appointment is over the statutory threshold for services, currently set at £181,302. Therefore, the process is subject to a full procurement exercise, regulated by the Public Contracts Regulations (PCR) 2015.
- 12.2 The proposed approach towards the procurement of the Design Consultant is a Restricted procedure. This approach is in line with the Regulations given the fact that the estimated value is over the OJEU threshold mentioned above.
- 12.3 This two-stage procedure must follow the PCR 2015. A Contract Notice shall be published in Tenders Electronics Daily (TED), along with an opportunity listing on the Council's e-tendering system and Contracts Finder.
- 12.4 Social Value will be considered as part of the awarding criteria (2nd stage of the process), in line with the Public Services (Social Value) Act 2012.
- 12.5 **Appointment of the cost consultant.** The estimated value of the cost consultant appointment is 78,000, below the statutory threshold for services currently set at £181,302.
- 12.6 According to the Contracts Standing Orders (CSOs), table 10.2a recommends the following approach for procuring contracts of this value: *Framework agreements to be considered, otherwise seek public quotations using the e-tendering system and the Government's "Contracts Finder" portal.*
- 12.7 The framework agreement identified as appropriate is the Project Management and Full Design Team Services (RM 3741) let by Crown Commercial Services.

- 12.8 A mini-competition will be conducted in accordance with the procedures set out in the Framework Agreement mentioned above, under the chosen lot, using the Council's e-tendering system, capitalEsourcing.
- 12.9 Implications verified/completed by: Andra Ulianov, Procurement Consultant, tel. 020 8753 2284.

13. IT IMPLICATIONS

- 13.1. There are no IT implications contained within this proposal. The contents of the proposal do not refer to any personal data being held therefore there are no implications under the requirements of the Data Protection Act 2018 (GDPR).
- 13.2. Implications verified by Veronica Barella, Chief Information Officer, tel. 020 8753 2927.

14. RISK MANAGEMENT

- 14.1 The main risks are that the Council does not; attain Best Value from the tendering exercise (mitigated by the business case and procurement strategy), and meeting the community needs and expectations for those areas included in the Park referenced in section 1.6 (mitigated by the report proposals), and the risks to the local environment (mitigated through the proposed conservation plan). In addressing these they contribute positively to the control of the following risks on the Council's Corporate Risk Register; Risk 3 Commercial Contract Management and Procurement, Risk 11 Decision making and maintaining reputation and service standards, Risk 9 Partnerships and major contracts. The report proposals also contribute to the following Council Priorities; Being ruthlessly financially efficient through procurement, Doing things with, not to residents, through Stakeholder Consultation and Taking pride in Hammersmith & Fulham through being the most environmentally positive borough in London because the health and wellbeing of our people is so important.
- 14.2 Implications verified by: Michael Sloniowski Risk Manager, tel. 020 8753 2587.

15. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

LIST OF APPENDICES:

Appendix 1 – Business Case & Procurement Strategy

APPENDIX 1:

REPORT RELATING TO:

- 1. BUSINESS CASE;**
 - 2. PROCUREMENT STRATEGY; and**
 - 3. PROJECT MANAGEMENT AND GOVERNANCE**
- ### **FOR AEM PROPOSALS DESIGN PROCUREMENT**

BUSINESS CASE

1. BUSINESS CASE – WHY THE PROCUREMENT IS NEEDED

The Requirement. To approach the market to procure contracts for an established lead consultant and cost consultant to produce a CMP and design the AEM proposals for the Scrubs. These proposals are required to obtain the approval of HS2 as set out in the Agreement dated 20th October 2016.

The Scrubs is the largest open space in the borough well used by local residents for sport and recreation it also supports excellent breeding habitats for a range of species giving people access to biodiversity and natural habitat. The AEM proposals funded by HS2 will increase biodiversity opportunity. The adjacent Old Oak and Park Royal Regeneration area will significantly increase the local population increasing demand for use of public open space and pressurising the natural habitats and biodiversity. It is essential that the scrubs has an appropriate CMP and landscape infrastructure design in place to cope with this increased demand

Without a robust design and CMP, developed by listening to the community, to protect and enhance the value of the scrubs natural heritage we risk:

- Habitat fragmentation caused by increased traffic from adjacent developments
- Loss of habitat and decline in value of those that remain
- Misunderstanding of the value and sensitivity of habitats and continued; inappropriate use, overuse and anti-social behaviour
- A decline in the quality of open space through inappropriate use and behaviour
- Reduced impetus to invest and care for the scrubs
- Reduced value added to adjacent developments

The London Plan, the Local Plan and our Parks Strategy all support access to recreation and wildlife as key aims for Health and Wellbeing. The development of the AEM proposals within a robust CMP will protect the values of this important open space for future generations.

Rationale for contracting out the service.

The landscape and ecological consultancy market is well established and very specialised. The Council does not currently retain the management expertise required to design the AEM within the timescales required or to a level of detail to consult with the community, stakeholders and the planning authority.

Current contract performance.

The current grounds maintenance (GM) contract is part of a borough wide service but a management plan written in 2003 was not adopted and there is no clear vision to protect and enhance biodiversity. Ecological enhancements implemented over the years have been managed by small scale, targeted volunteer works, standard GM procedures or left to develop through natural succession.

The implementation of the AEM proposals must have a long-term management plan in place to maximise biodiversity opportunities. The Current GM contract does not have the scope to implement a landscape/ecological improvement project of this scale or the biodiversity management techniques within it to sustain the improvements. A specification will be developed by the consultant which can be used to procure a suitable landscape contractor. The market for this type of landscape implementation and management is mature and well tested

2. FINANCIAL INFORMATION

The overall budget within the agreement for the design and implementation of the AEM proposals is £3,885,657. Working budgets for the design/management and implementation of the AEM Proposals during the ten-year plan have been agreed with HS2 as follows:

- | | |
|---|------------|
| • Project Management (LBHF staff costs) | £ 781,129 |
| • Project Management (Consultants) | £ 782,000 |
| • Biodiversity Surveys | £ 233,244 |
| • AEM works (including maintenance) | £1,559,727 |

The HS2 funding is additional to the Wormwood Scrubs Charitable Trust budget. The Proposed Annual Budget for 2018/19 is £770,325. The major budget expenditure is grounds maintenance including Linford Christie Stadium. The major regular income is from the car parks. A net Resource of £19,354 is budgeted for 2018/2019 which will be added to unrestricted funds. Unrestricted funds can be used for non-routine maintenance or capital improvements to the Scrubs. Current unrestricted funds (2017/18 year-end) total £515,243.

The HS2 funding includes maintenance of the new works for up to ten years after which the AEM management plan will ensure the scrubs increased biodiversity opportunity will be managed within available resources. There is an overall project aspiration to identify additional investment through CiL, S106 or other funding and explore how income could be increased through events, licences and other activities. This additional funding would be required to progress any activities beyond the AEM works.

Pre-Tender estimate

The pretender estimate for the consultancy advice including the 10-year management planning is based on the Landscape Institutes Fee guidance and some market research.

The pretender estimate for cost consultancy of £78,000 is based on some market research.

3. OPTIONS APPRAISAL AND RISK ASSESSMENT

Table A – Options Appraisal					
Options	Title	Description	Benefits	Drawbacks	Recommended
Option 1	Do nothing	The council could in theory take issue with the Agreement and choose not to design and implement the AEM proposals. The agreement would then be subject to dispute resolution.	No benefit since all reasonable costs are included within the agreement	There would be a loss of a significant opportunity to improve biodiversity at Wormwood scrubs. HS2 could use powers of compulsory acquisition and implement the works themselves potentially resulting in less community involvement and long-term management benefits and unknown political, community and legal backlash.	✗
Option 2	Manage the process in-house.	The council could opt to bring the management of the design process in-house	Full internal control of the service operations.	The council does not currently retain the management expertise required so new staff would need to be employed with increased lead in time to advertise and employ staff on short term contracts or long-term cost to council. The budget set aside for consultants would have to be reallocated to LBHF staff by agreement with HS2. A new in-house team with no track record would be seen as less expert by the community, stakeholders and the planning authority.	✗
Option 3	Manage the process through GM operations	The council could explore the management of the design process through the existing GM Contract.	Potential saving in tendering time if design and implementation with same contractor.	With the exception of tree management, the GM contract does not retain the management expertise required see all drawbacks above Option 2 Plus, amendments to the contract would need to be negotiated. Best value as required by the agreement would have to be shown if not demonstrated by tendering.	✗
Option 4	Procure a contract for design services	Approach the market to tender for a contract for design services of lead consultant with option of using existing tree management services and separate cost consultant.	Necessary expertise available No need to recruit additional staff. Experience of project delivery and access to this knowledge. Reduce risk of delay by separating the project focus and the distraction of day to day management.	Community disengagement if consultant does not use genuine consultation techniques.	✓

4. THE MARKET

The market for landscape consultancy is mature and well tested through council procurement. The London market is particularly well developed with the greatest concentration of practitioners in the country. Many landscape consultancy's also offer Ecological advice. Ecological consultancies are fewer and some offer landscape advice. There would also be practitioners in either discipline who could engage subconsultants to fulfil the requirements of the contract.

During April 2018 officers undertook a limited soft market testing exercise. Initial research identified several established consultants in the London area who offered ecological advice and had completed similar projects. Telephone enquiries with four consultants showed great interest in the possibility of tendering for the work and helped produce the pre- tender estimate.

Some of the key findings from the market testing exercise are as follows:

Contract Length –traditional contracts are based on work stages (RIBA stages 1-6 or LI stage A-L) Usually the defects liability period for landscape works would be 1-3 years post completion. The AEM proposals require a 10-year management plan with biodiversity surveys. A break clause should be explored in case the management of this phase could be through separate contracts managed in house.

Packaging – The general view was that a single contract with a lead consultant would be simpler and more efficient to manage although there would be a premium to add to the basic service price. If additional services such as engineering were required these could be as a subconsultant to the lead consultant. Generally, the plan to have the same consultant producing the vision design and management plan was met with enthusiasm as this would produce a consistency of approach.

Pricing – The overall total price for the contract will be broken down into prices for each stage of work RIBA stages 1-6 or LI stage A-L.

PROCUREMENT STRATEGY

5. CONTRACT PACKAGE, LENGTH AND SPECIFICATION

Contract Package. The intention is to procure a lead consultant to commence in January 2019.

The landscape/Ecological consultancy falls into a number of elements which could be covered by a suitable consultancy to the following RIBA work stages:

- Production of a CMP and initial Consultation (Stage 1)
- Stage 2 Review and develop design (Detailed Draft Proposal)
- Stage 3 Developed design (Inc. Panning application if required)
- Stage 4 Technical Design (Specification)
- Stage 5 Construction (Work on site Inc. Clerk of works role)
- Stage 6 Completion and hand over (Inc. 10-year management plan and surveys)

The standard memorandum of agreement of the Landscape Institute is the usual form of appointment of landscape architects. Cost consultants have similar agreements through their professional institutes.

Contract length and Potential for subdividing contract into Lots. The length of appointment should be until completion of the 10-year management plan. There should be break clauses in the contract:

- after completion of RIBA stage 3 (planning approval) in case the works are not approved by HS2 or the planning authority.
- After end of defects liability period to allow more flexibility in how the on-going ecological surveys and updates to the 10-year management plan could be managed and priced.

The main elements of the consultancy service should not be divided to receive a more consistent design approach.

- The production of a CMP could be separated and provided by a consultant who specialises in this type of document. However, there would be advantages in terms of consistency and communication for it to be the same consultant and for there to be a close working relationship between the production of this document and the design stage. Its recommended this is not a separate lot.
- Ongoing ecological surveys could be provided by a specialist consultant particularly as this service will be ongoing for up to ten years after the design work is completed. However, it would be used to feed back into an ongoing management plan so an understanding and close working relationship between the survey information and the plan is required. Its recommended this could be priced separately as options of working within lead consultants team up to practical completion and providing a separate service after practical completion.

- In house staff do not have the capacity to design and manage the Arboricultural works. Also, there are distinct advantages in a close working relationship between arboriculturalist and the lead consultant. Its recommended this is not a separate lot.
- Cost estimating is offered by some consultancy's but the advantage of keeping this as a separate lot would be that it offers a more independent view and challenge to designers. This would be a separate appointment but is not estimated to be in excess of £100,000.

Specification.

For consultancy services the appointment will be required to work to:

- The appropriate code of conduct for their professional and the conditions of engagement.
- carry out works in accordance with the RIBA work stages or equivalent.

6. SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

Community benefits would be realised through a genuine consultation and engagement strategy. This would be appraised through the consultant's approach to developing the CMP and the identification of using volunteer groups for e.g. in community action projects. A social value of 5% has been allocated to the evaluation criteria of the procurement process.

Throughout the life of the contract officers will continue to work on how best the local economic and community benefits can be achieved from the design of the service.

7. OTHER STRATEGIC POLICY OBJECTIVES

These proposals will help the H&F Business Plan 2018/22 priority of 'taking pride in Hammersmith and Fulham'. It will support the plans aims to; make the borough the greenest in Britain, support endangered bat and beetle populations, plan the best places for trees, and dedicate space for long grass and wildflowers as the basis for educational opportunities for children and schools.

The new LBHF Health and Wellbeing Strategy has key aims to support good mental health for all, support children and families to be healthier, and reversing the rising numbers of acquired long term health conditions. Access to good and varied leisure activities is proven to support each of these aims, and access to nature will play a part in this.

Other important documents forming a hierarchy within which the Wormwood Scrubs management plan will sit include:

- The H&F Biodiversity Commission report
- London Plan Access to nature
- LBHF backing campaign to make London a 'National Park City'

- Local plan objectives (LPA is Old Oak and Park Royal Development Corporation (OPDC))
- LBHF Park Strategy

The management plan will also inform adjacent redevelopment including:

- Old Oak and Park Royal Development
- Development of Linford Christie stadium
- Development of Wormwood scrubs prison

8. STAKEHOLDER CONSULTATION

Key stakeholders are The Wormwood Scrubs Charitable Trust, The Council and HS2. These key stakeholders will be consulted on this strategy.

Regular meetings will have been held with The OPDC the Friends of Wormwood Scrubs and this will continue through the design process.

The role of the consultant will include the identification of tenants, users and non-users whose views will all be solicited for inclusion in the CMP. This CMP document will be influential in the development of the designs and management for the Scrubs.

Internal Stakeholder engagement throughout the procurement process will continue with the procurement, legal, and finance departments represented on the project board.

9. PROCUREMENT PROCEDURE

AEM CONSULTANT

The procurement procedure for the AEM Consultant is proposed as a restricted procedure (two staged procedure) conducted via the Council's e-tendering system, capitalEsourcing.

During the first stage of the process, tenderers will submit their responses to the standard selection questionnaire (SSQ). Part 3 of this questionnaire will request details of up to three contracts that are relevant to our requirement.

Stage 2 will consist of inviting a minimum of five candidates who have met the selection criteria of Stage 1 (provided sufficient candidates express interest). These tenders will be evaluated by the SRT according to the contract award criteria in section 10.1 of the Appendix.

COST CONSULTANT

A call off from the Crown Commercial Services Framework No RM 3741 is proposed for the procurement of a cost consultant. Candidates will be invited to tender from the appropriate Lot of Framework No RM3741. The Council will run a mini-competition amongst the framework contractors inviting all framework contractors to tender. The SRT will evaluate the tender returns in line with the framework tender weightings and enter into a call off contact with the selected Framework Contractor. The contract award criteria are set out at section 10.2 of the Appendix.

10. CONTRACT AWARD CRITERIA

10.1 Contract Award Criteria for AEM Consultant

Quality/Price ratio recommended

The Quality/Price ratio for the consultant appointment will be 60/40. The market is well established and prices are likely to be competitive. It is essential that a consultant of the appropriate quality and experience is appointed.

Level 1 Criteria

	Weighting (%)
Technical (Quality)	60%
Commercial (Price)	40%
Total	100%

Breakdown of Evaluation Criteria and Weightings

In relation to Commercial, the weightings will be allocated as follows with the Bidder's price evaluated in relation to the lowest priced submission.

Commercial	Weighting
Total Price	40%
Total	40%

In relation to Technical the weightings will be assessed through a series of relevant method statements as set out in draft below.

Technical	Question	Weighting
1	please outline your methodology for undertaking the production of the Conservation Management Plan in particular highlighting any challenges that you feel have to be overcome and how you have achieved using three previous projects as examples.	25%
2	please outline your methodology for undertaking the production of a concept masterplan and consultation in particular highlighting any community engagement tools you are using three previous projects as examples.	20%
3	Please outline how you would consider social value aspirations in particular highlighting any community engagement tools you feel should be employed within the initial consultation and built into the longer-term project management and management plan.	10%
4	please outline your methodology for undertaking the detail design of this project This should include an indicative project timetable for CMP, Masterplan, detail design and management plans.	15%

5	<p>please outline your methodology for undertaking the 10-year management plan for this site including your recommendations for biodiversity surveys and method of measurement for habitat value. using three previous projects as examples. This should include an indicative project timetable</p>	15%
6	<p>Explain how your team will be structured if you are successful, and what each individual's role will be. Please confirm what consultancy expertise for landscape architecture, ecology, arboriculture etc will be within your company structure and which will be subconsultants and who will actually be leading the project throughout. Please supply CV's of your intended team highlighting their roles.</p>	15%
	Total	100%

10.2 Contract Award Criteria for Cost Consultant in line with the published criteria for the CCS Framework RM 3741 Lot []

Quality/Price ratio recommended

The Quality/Price ratio for the consultant appointment will be 50/50 in line with the CCS Framework RM 3741.

Level 1 Criteria

	Weighting (%)
Technical (Quality)	50%
Commercial (Price)	50%
Total	100%

In relation to Commercial, the tenders will be evaluated at tier 1 level.

In relation to Technical the weightings will be assessed through a series of relevant method statements as set out in draft below.

Technical	Question	Weighting
1	please outline your methodology for cost management of the detail design of this project Including an estimation of man hours for each stage This should include an indicative project timetable.	40%
2	Explain how your team will be structured if you are successful, and what each individual's role will be. Please also indicate who will actually be leading the project throughout. Please supply CV's of your intended team highlighting their roles.	30%
3	This is a sensitive site. Please provide examples of a minimum of 3 previous projects where you have worked on a similar project which you feel demonstrate your suitability for this project. For each example provided please also clearly indicate the specific capacity in which you were involved	20%
4	Please outline how you would consider social value aspirations. In particular please highlight any community engagement tools you feel should be employed within the initial consultation and how opportunities to employ local people could be built into requirements for the contractor.	10%
	Total	100%

Where errors in the computation of a tender are found, the Bidder will be given details of such errors and afforded an opportunity of confirming or withdrawing its offer. If confirmed an endorsement will be added to the relevant schedule indicating that all rates or prices inserted therein by the tenderer are to be considered as

reduced or increased in the same proportion as the corrected total of priced items exceeds or falls short of such items. This endorsement will then be required to be signed by both parties to the Contract.

PROJECT MANAGEMENT AND GOVERNANCE

11. PROJECT MANAGEMENT

The project team and SRT is comprised of the following officers:

Role
SLT Lead
Parks Manager
LBHF Procurement Lead
Finance Lead
Legal Lead
Special Projects Advisor
Project Manager

Procurement risks will be identified, and tracked by the project team and escalated via the lead officers and SRO accordingly. Mitigation activities will be applied as directed.

Leisure Services will be undertaking evaluation of the returned tenders as advised by the borough's legal and procurement leads.

The cabinet member for the Environment will receive regular updates from the service through policy board meetings. The Wormwood Scrubs Charitable Trust Board meets quarterly and will receive a project update.

12. INDICATIVE TIMETABLE

Date	Action	Progress
May 2018	HS2 to approve consultants brief	Complete
19 June 2018	Report to Wormwood Scrubs Charitable Trust Board	Complete
11 July 2018	Submit Report to Strategic Leadership Team (SLT)	Complete
10 Sep 2018	Political Cabinet	In Progress
8 Oct 2018	Cabinet	
Oct 2018	OJEU advertisement issued to commence the procurement process and Standard Selection Questionnaire issued	
Nov 2018	Deadline for submission of expressions of interest in line with the Public Contracts Regulations 2015	
Nov 2018	Selection of qualified candidates to invite to tender	
Dec 2018	Deadline for submission of Tenders. Evaluation of Tenderers received	
Dec 2018	Cabinet Member approval of Consultant	
Dec 2018	Standstill period (10 clear days before award)	
Jan 2019	Award Contract and commence services	
Jan 2019	Commence procurement for Cost Consultant – issue through framework	
Feb 2019	Deadline for submission of tenders Evaluation of the tenders for the Cost consultant and award of call off	
Jan to June 2019	Prepare the detailed draft proposals for approval by the Council	
June 2019	HS2 to agree Detailed Draft Proposal	

13. CONTRACT MANAGEMENT

Monitoring and Reporting

The appointed consultant shall monitor and report on its performance in the delivery of the services in accordance with brief.

In addition, the Council shall undertake its own performance monitoring of the Services. The consultant will use its reasonable endeavours to assist the Council in such an exercise and shall have due regard to the Council's comments in relation to the future provision of the services.

A monthly report will be produced by the consultant for the SRT and a quarterly report for the Project Board by the project manager.