



# Cabinet

5 DECEMBER 2011

**LEADER**

*Councillor Stephen Greenhalgh*

**DEPUTY LEADER (+ ENVIRONMENT AND ASSET MANAGEMENT)**

*Councillor Nicholas Botterill*

**CABINET MEMBER FOR RESIDENTS SERVICES**

*Councillor Greg Smith*

**SHEPHERDS BUSH COMMON IMPROVEMENT PROJECT**

The improvement works need to be completed before the Olympic Route Network embargo comes into effect on 1 July 2012. It is necessary to ensure works contractors are selected and approved by 12 December. Contractors are required to start on site at the end of January 2012 in order to complete the works by the end of June.

A separate report on the exempt Cabinet agenda provides further information on the procurement process.

**Ward:  
Shepherds  
Bush Green**

**CONTRIBUTORS**

- EDELRS
- Parks & Waste
- EDFCG
- Procurement
- ADLDS

**Recommendation:**

**That the report be noted.**

**HAS A EIA BEEN COMPLETED?  
YES**

**HAS THE REPORT CONTENT BEEN RISK ASSESSED?  
YES**

## **1. BACKGROUND**

- 1.1. On 16 July 2007, Cabinet approved the allocation of £450,000 from a range of S106 agreements to cover the anticipated costs of appointing a landscape architect and a quantity surveyor to design and cost proposals to restore the Common. Consultants were appointed for a combined cost of £429,500 following tendering exercises.
- 1.2. Consultants developed a design in conjunction with a Stakeholder Advisory Group, made up of representatives from a wide range of local amenity groups and local residents associations and feedback received from two major public consultation exercises in January and June 2008. The design was finalised in August 2008 and a planning application prepared for those aspects of the design requiring consent. The application was submitted in April 2009.
- 1.3. After a number of objections to the design were received from local residents a meeting for objectors, led by the Cabinet Members for Environment and Residents Services, was held in June 2009. In response to issues raised during the meeting several amendments were made to the design. The Planning Application was subsequently amended and resubmitted and planning permission for the revised scheme was granted in November 2009.
- 1.4. On 2 February 2009 Cabinet further authorised the allocation of £4,332,000 plus interest from Westfield and a range of other S106 agreements to cover the anticipated costs of appointing works contractors to deliver the scheme.
- 1.5. The scheme also required consent from the Secretary of State for the Environment to construct works on common land and an application was submitted to the Planning Inspectorate (PINS) in September 2010. Local residents again objected to elements of the scheme and PINS called for a public inquiry which was held in May 2011. Consent for the works was granted by PINS in June 2011 subject to the removal of the proposed building, housing the café, toilets and relocated EDF electricity sub-station, the landscaped mound in the south-west corner of the Common and the introduction of an archaeological watching brief while works were in progress.

## **2. PROCUREMENT PROCESS**

### Expressions of Interest

- 2.1. On 3 August 2011 contractors who specialised in landscape construction and had experience of dealing with large landscape projects were invited, via the London Tenders Portal (LTP), to apply for inclusion on a select list to be invited to tender for improvement works and two years maintenance of works at Shepherds Bush Common. An advertisement was also placed on the Council's website. Interested contractors were to complete a pre-qualification questionnaire (PQQ) available through the LTP. The closing date for PQQs was 26 August 2011 at 3:00am.

- 2.2 The estimated value of the improvement works and maintenance contracts was £3.1m
- 2.3 20 submissions were received. Of these, two were received after the closing deadline and were rejected. The financial standing of the remaining 18 submissions was assessed by Corporate Finance and 16 demonstrated they had sufficient financial capacity to deliver the project, the remaining two were disqualified.
- 2.4 Those contractors who passed the financial assessment were then assessed in relation to their technical capacity and ability to carry out the works. Their submissions were scored against the criteria set out in the PQQ. A shortlist of the five highest scoring contractors was approved by the Tender Appraisal Panel on 7 September 2011.
- 2.5 Further information about expressions of interest is in the separate exempt report.

### Invitation to Tender

- 2.6 Tender documentation was prepared and reviewed by the TAP. The price/quality ratio for tenders was set at 70 % price 30% quality. The TAP approved the final draft of the documents at a meeting on 6 October 2011. Invitation to Tender documents were issued via the London Tenders Portal (LTP) on 7 October 2011. Four tenders were received by the closing date of 5 November 2011.
- 2.7 Tenders were invited based on the JCLI Landscape Works Contract (2008) and the JCLI Maintenance Works Contract (2008). The Form of Tender requested separate prices for the landscape works, 24 months maintenance of the works and a total of the two combined. The weighted total price was the price that contributed to the final scores.
- 2.8 As set out in the Invitation to Tender (ITT) tenderers were invited to a meeting on-site with client representatives and the lead landscape consultant to clarify any queries they had. Questions raised at these meetings were responded to in a single document and submitted to all tenderers via the LTP. Questions were received and responded to via the LTP throughout the process with responses to questions made available to all tenderers.
- 2.9 Further information about the invitation to tender stage and the conclusions of the TAP are in the separate exempt report.

### **3. RISK MANAGEMENT**

- 3.1 The project is included on the Residents' Services Department Project Register and the Corporate Project Management Office Register these are updated monthly.
- 3.2 A project risk log prepared by the Project Manager and approved by the Project Board identifies and categorises risks associated with the project and

proposes actions to mitigate. Identified risks are managed by the Project Manager in accordance with agreed actions and reported to the Project Board monthly.

- 3.3 The timing of the project is tight with works required to be completed by 1 July 2012. Proactive, effective project management is essential to help mitigate the risk of slippage.

#### **4. EQUALITY IMPLICATIONS**

- 4.1 There will be limited access to the site while works are in progress. A pedestrian/cycle route through the Common to safe crossing points on the surrounding roads will be available at all times while works are in progress.
- 4.2 Once completed the Common will be accessible to all with legible, accessible routes through the Common for pedestrians, cyclists and disabled users. Play facilities will cater for children from 0-15 years, the improved open green spaces will provide space for relaxation, dog walking and selected events and the prominence of the restored war memorial will be improved; its appointment and surrounds better able to facilitate the annual memorial service and disabled visitors.

#### **5. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 5.1 These are in the exempt report.

#### **6. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 6.1 The Assistant Director (Legal and Democratic Services) supports the recommendation in this report.

#### **7. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT**

- 7.1. The Corporate Procurement Team has supported the procurement process and is satisfied that it has been carried out in accordance with the Council's Contracts Standing Orders

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Tender Documentation	Marlene Pope x 2447	Residents Services, Glenthorne Road
2.	Tender Assessments	Marlene Pope x 2447	Residents Services, Glenthorne Road
3.	TAP Briefing Note - 7 September 2011	Marlene Pope x 2447	Residents Services, Glenthorne Road
4.	TAP Briefing Note - 15 November 2011	Marlene Pope x 2447	Residents Services, Glenthorne Road
5.	TAP Meeting Minutes - 7 September 2011	Marlene Pope x 2447	Residents Services, Glenthorne Road
6.	TAP Meeting Minutes - 15 November 2011	Marlene Pope x 2447	Residents Services, Glenthorne Road
<b>CONTACT OFFICER:</b> Marlene Pope		<b>EXT. 2447</b>	