

Cabinet Member Decision Report 03 July 2019

Contract Award- Vauxhall Park Improvements – Construction Phase

Wards: Oval

Portfolio: Councillor Sonia Winifred Cabinet member for Equalities and Culture

Report Authorised by: Bayo Dosunmu, Strategic Director, Resident Services

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Report summary

This report recommends that the contract for the Vauxhall Park Improvements – Construction Phase is awarded to Idverde Ltd for the cost of £1,146,417.39. The report summarises the results of the procurement process to appoint a contractor to undertake the refurbishment of a Vauxhall Park. It outlines the steps taken in tendering a contract for these works and follows Lambeth's Contract Standing Orders procurement process.

Finance summary

Investment of £1.66m was approved under delegated authority in February 2018. The planned expenditure of £1,146,417.39 is within this budget and leaves sufficient funds available for project management and other costs.

Recommendations

To approve the award of the contract for the Vauxhall Park Improvements – Construction Phase to Idverde Ltd for the cost of £1,146,417.39 from 03 July 2019 to 02 July 2020

Reasons for Exemption from disclosure

The attached Part II report is exempt from disclosure by virtue of the following paragraphs of Schedule 12A to the Local Government Act 1972:

Paragraph 3: Information relating to the financial or business affairs of a particular person. (Including the authority holding that information).

1. Context

- 1.1. This project seeks to commission an experienced and specialist landscape construction company to deliver the construction phase of the Vauxhall Park Improvements (RIBA stages 5-7). This contract will enable the project to meet the objectives for better access to green space, physical and mental well-being, and lower on-going maintenance through high quality infrastructure delivery: notably investment in paths, landscaping new areas to bring them back into life, a new play-park, trees and planting, railings, exercise opportunities, and heritage restoration.
- 1.2. Vauxhall Park is a Victorian park sited within an area of high intensity development in need of a 'refresh' to make it safe, welcoming and accessible.
- 1.3 Investment of £1.66m was agreed internally in October 2017 (primarily the Community Infrastructure Levy (CIL)) to ensure that the park can meet the increased demands of the growing population, reduce maintenance requirements, and offer high quality infrastructure that can meet needs of local population current and future demands as well to help meet the Council's public health duty.
- 1.4 The following contracts have been commissioned separately:
 - Lead Consultant – Turkington Martin (RIBA stages 2-7)
 - Quantity Surveyor – Huntley Cartwright (RIBA 2-4)
 - Engineering services - Infrastruct (RIBA 2-4)
- 1.5 Turkington Martin will act as the Principal Designer as well as contract administrator during the construction phase of works. They have prepared the plans, specification and schedule of works as part of the tender documents.
- 1.6 Huntley Cartwright have prepared the bills of quantity and a pre-tender estimate (PTE). The successful main contractor once appointed will deliver the following improvements into the asset:
 - A new play-park – creation of a destination play area with much greater play value across a wider age range.
 - Soft Landscaping - a planting scheme to increase natural green space to include extensive amenity grass, Trees, shrubs and ornamental planting,
 - Heritage improvements - repairs to historic assets such as railings, fencing and walls.

2 Proposal and Reasons

- 2.1 The value of the project is below the £4,551,413 EU threshold for Works but is above Lambeth's £100,000 tendering threshold. A one-stage procurement exercise was therefore carried out using the open procedure. This was initiated by publication of the Invitation to Tender pack on EU Supply, Lambeth's online tendering portal, Contracts Finder and the council's website.
- 2.2 Advertising on Contracts Finder, EU Supply and Lambeth Website would be more likely to secure bids for a specialist landscape contractor and maximise the number of bids received as this is a specialist piece of work as it includes heritage restoration. There is sufficient time for this approach. See procurement timetable in section 10 below.

- 2.3 External consultants Turkington Martin have prepared the plans, specification and schedule of works as part of the tender documents. The Tender evaluation was based on the following criteria: Quality represented 30% of the total score and Price 70% of the total score.
- 2.4 The evaluation panel assessed tender responses to the quality questions outlined in table 1 and the marking scheme outlined below. Members of the evaluation panel, formed of the lead consultant and two members of the council's project management team, individually assessed bidders' responses to the quality questions outlined below. The evaluation panel then convened to apply a score by way of consensus. Full details of the bidders' scoring is detailed in the Part 2 report. A representative from the procurement team acted as moderator.
- 2.5 The evaluation was based on the following headings and weightings;

Table 1

Evaluation Heading	Weighting	Maximum score per question
1.Management and Methodology	15	5
2.Project team experience	25	5
3.Delivery Programme	20	5
4.Customer/Client relationship	15	5
5.Health & Safety	20	5
6.Social Value	5	5
Quality Evaluation Mark	100	
Quality Score (30% weighting applied)		

- 2.6 The questions which are indicated with appropriate weightings were evaluated by the panel and the appropriate score was agreed and added to form the total Quality Evaluation Mark. The score achieved for this section, Quality Evaluation Mark, was weighted at 30% to give the final score for quality (Quality Score)

Marking Scheme

2.7 Potential providers were marked in accordance with the following marking scheme

The scoring matrix:

Scoring 0-5	
No Response - 0	No proposal has been received
Unacceptable - 1	A proposal at this rating: <ul style="list-style-type: none"> • Builds very little or no confidence that the Tenderer can deliver the requirements due to insufficient evidence of relevant ability, understanding, skills, resources and quality measures; • Builds very little or no confidence that the Tenderer's approach/solution will deliver the requirements due to insufficient evidence or an inappropriate approach/solution.
Poor - 2	A proposal at this rating: <ul style="list-style-type: none"> • Raises reservations that the Tenderer can deliver the requirements due to insufficient evidence of relevant ability, understanding, skills, resources and quality measures; • Raises reservations that the Tenderer's approach/solution will deliver the requirements due to insufficient evidence or an inappropriate approach/solution. <p>Note: a response at this rating includes reservations which cannot be easily resolved with the Tenderer pre-contract award (i.e. changes which would distort the competition) or during the contract term without impacting time, quality or cost.</p>
Acceptable - 3	A proposal at this rating: <ul style="list-style-type: none"> • Confirms that the Tenderer can deliver the requirements through evidence of relevant ability, understanding, skills, resources and quality measures; • Provides an acceptable approach/solution to delivering the requirements utilising standard strategies, plans, tools, methods or technologies. <p>Note: an acceptable response may include minor reservations that can easily be resolved with the Tenderer pre-contract award (i.e. changes which would not distort the competition) or during the contract term without impacting time, quality or cost.</p>
Good - 4	A proposal at this rating: <ul style="list-style-type: none"> • Builds confidence that the Tenderer can deliver the requirements through evidence of relevant ability, understanding, skills, resources and quality measures; • Provides a good approach/solution to delivering the requirements utilising appropriately tailored strategies, plans, tools, methods or technologies. <p>Note: a good response may include a small number of minor reservations that can easily be resolved with the Tenderer pre-contract award (i.e. changes which would not distort the competition) or during the contract term without impacting time, quality or cost.</p>
Excellent - 5	A proposal at this rating: <ul style="list-style-type: none"> • Builds a high level of confidence that the Tenderer can deliver the requirements through evidence of relevant ability, understanding, skills, resources and quality measures; • Provides an exceptional approach/solution to delivering the requirements utilising appropriately tailored and at times innovative strategies, plans, tools, methods or technologies <p>Note: an excellent response should not include any reservations.</p>

Price Evaluation

2.8 Bidders were required to price against a bill of quantities to give a fixed price. The commercial element of the bid was evaluated by the procurement team and Huntley

Cartwright. Each submission was assessed on the total cost of delivering the programme, using the following equation:

$$\text{Price score} = \left(100\% - \frac{(\text{Tendered price} - \text{lowest price})}{\text{Lowest price}} \right) \times \text{Price Weighting}$$

For example

Price 70%		
Method 1 - Standard Lambeth Pricing mechanism		
A= Tendered price		
B= lowest price =		100,000
Price Score = (100% -(A-B)/B)*70 - Lambeth Standard Pricing mechanism		
Bidder name	Tendered Price	Price score
	1	100,000
	2	200,000
	3	250,000
		70
		0.00
		0.00

2.9 Bidders were advised that any tenders which were over twice the price of the lowest tender would be awarded 0 for price and that any abnormally low bids would be discounted

2.10 The Price Score (70% weighting applied), was added to the overall Quality Score (30% weighting applied), to give a final score for each Potential Provider (Final Score). The Contract will be awarded to the supplier with the highest Final Score.

2.11 Feedback will be provided to the unsuccessful bidders. The following represents the final outturn of moderated scores against each supplier.

2.12 Six tenders were supplied and following moderation Idverde were recommended for appointment. Idverde are a large landscaping company, who through their tender, demonstrated that they had delivered schemes of similar complexity, scale and value and responded comprehensively to the evaluation questions. The moderated responses showed that the company could manage the logistics and disciplines outlined in the statement of requirements and would bring their considerable expertise to this project.

Supplier	Idverde	Supplier 1	Supplier 2	Supplier 3	Supplier 4	Supplier 5
Quality Scores 30%	20.7	22.5	22.8	18.6	20.4	11.1
Price Scores 70%	70.00	53.87	65.24	50.37	47.37	46.13
Total score	90.70	76.37	88.04	68.97	67.77	57.23

3. Finance

- 3.1 Investment of £1.66m was approved in October 2017 to ensure that the park can meet the increased demands of the growing population, reduce maintenance requirements and offer high quality infrastructure that can meet needs of the local population's current and future demands as well as helping meet the Council's public healthy duty.
- 3.2 The planned expenditure of £1,146,417.39 is within this budget and leaves sufficient funds available for project management and other costs.

4. Legal and Democracy

- 4.1 The authority to approve the recommendation in this report is delegated to the Cabinet Member for Equalities and Culture.
- 4.2 Lambeth Council has powers under the Localism Act 2011 and section 19 of the Local Government (Miscellaneous Provisions) Act 1976 to provide and improve leisure facilities and open spaces.
- 4.3 The value of the works is below the threshold at which the Public Contracts Regulations require that a notice is published in the Official Journal. The tender process described in this report complies with Lambeth's contract standing orders.
- 4.4 This proposed key decision was entered in the Forward Plan on 16 July 2018 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. Consultation and co-production

Turkington Martin Landscape architects has developed a Masterplan for enhancing Vauxhall Park and refurbishing its assets. The final designs have been informed by public consultation events as follows:

- July 2017 – London Borough of Lambeth Internal consultation.
- Turkington Martin Consultation events to inform the latest Masterplan were held:
- March 2018 – Easter Egg Hunt, play consultation
- May 2018 – Lambeth Library, consultation on stage 2 proposals
- July 2018 – Summer Fair, consultation on stage 3 proposals
- Further information on the public consultation can be found in the report uploaded with the planning application Vauxhall Park Consultation Report July 2017

6.0 Risk management

Full details of contract risk management and due diligence carried out are in Part 2 of the report. As part of these due diligence checks a Dun & Bradstreet credit risk report was completed by Corporate Procurement with the report showing a Low overall business risk for Idverde Ltd. All risks will be managed throughout the duration of the works. The following constitute the key high level risk headings and a full risk register will be kept through the life of the project

Risk	Likelihood	Impact	Mitigation
Overruns of construction works	Low	Med	Client oversight and detailed programme of work
Disruption to users of the park	High	Low	Site signage and warning will be
Threats to Public Health and Safety at the park through unsafe construction work	Low	Med	Full compliance to The Construction (Design and Management) Regulations 2015

7.0 Equalities impact assessment

- 7.1 An Equalities Impact Assessment was submitted outlining the benefits of delivering this project. The project creates improved opportunity for all sections of the community to access this park asset and the delivery will add positively to the well-being of the local residents.
- 7.2 Compliance with the London Living Wage and responsible procurement practices were covered during the tender exercise. Opportunities for apprenticeships were not explored due to the short duration of this contract.

8.0 Community safety

- 8.1 During the delivery of the works the main contractor, in partnership with the Lambeth Landscapes, will be responsible for ensuring the safety of members of the public during construction. Prior to commencement on site vehicle routes and procedures, site location and materials storage will all be agreed and monitored at regular sessions throughout the duration of the works.

8.2 Community safety is expected to improve with the delivery of this refurbishment project. Paving throughout will be upgraded to provide safe, accessible routes through the park. Sight lines will be opened to improve natural surveillance and discourage anti-social behaviour. Old facilities will be replaced with new or refurbished to ensure the risk of accidents and falls.

9.0 Organisational implications

The winning bid included a commitment to two apprenticeships, payment of the London Living Wage and the use of Local Suppliers. In addition planting days with local schools and play tester day were outlined.

9.1 Environmental

There are no environmental implications associated with these works. The works relate to areas which are already sports activity areas and dominated by hard standing and associated fixtures.

9.2 Staffing and accommodation

There is currently one Lambeth Landscapes operative based on site at Vauxhall Park. The operative will continue to work around the site on horticultural operations and will be a key partner in the project delivery.

9.3 Procurement

Covered in the body of report and Part II.

9.4 Health

The investment aligns with the Council's public health duty as set out in the Health and Wellbeing Strategy (2013-2023) by helping to improve Good physical and mental health through better access to higher quality green spaces

10 Timetable for implementation

Report presented at procurement board	23 April 2019
Report published (5 clear days)	26 April 2019
Successful and unsuccessful tenderers to be notified	26 April 2019
Signing of contract	July 2019
Contract start date	July 2019
Estimated date for the completion of the programme of works	September/October 2019

11 Contract Management

The contract will be administered by the already-appointed external consultant, Turkington Martin. Regular contract performance reviews will be carried out with the Contract Administrator by Lambeth's Capital Programme Manager.

10.1 The following project milestones that the Authority/Agent will measure the quality of delivery against:

Milestone	Description	Timeframe
1	<p>Site protection</p> <p>Set up work area including fencing to entire perimeter and H&S notices. Delivery and installation of welfare cabin and storage containers. Review with Engineer over proposed sequence of works and methods of installation to be undertaken prior to any construction.</p>	<p>Within week 1 of Contract Award</p>
2	<p>Carry out land clearance</p> <p>Carry out site surveys in readiness for excavation</p>	<p>Within week 2 of Contract Award</p>
3	<p>Start excavation / works within the proposed area(s) to the required depth. Meetings with Engineer and Council to be undertaken prior to key construction dates agreed at start.</p>	<p>Within week 3 of Contract Award</p>
4	<p>Completion</p> <p>RoSPA inspection</p>	<p>Within week 24 weeks of Contract Award</p>
6	<p>End of defects liability period</p>	<p>1 year after practical completion has been reached.</p>

Audit Trail				
Consultation				
Name/Position	Lambeth directorate/department or partner	Date Sent	Date Received	Comments in para:
Cllr Sonia Winifred	Cabinet member for Culture and Equalities	12/04/19	10/05/19	Throughout
Councillor Jack Hopkins	Leader of the Council, Ward Councillor for Oval	18/06/19		
Bayo Dosunmu	Strategic Director for Resident Services	12/04/19	22/05/19	Throughout
Raj Mistry	Director Environment	12/04/19	22/05/19	
David Thomas, Legal Services	Legal and Governance	12/4/19	15/04/19	4
Maria Burton, Democratic Services	Legal and Governance	12/04/19	17/04/19	4
Helen Lee, Procurement	Finance and Investment	12/04/19 & 29/04/19	12/04/19 & 29/04/19	Throughout
Saif Mahamroot, Category Manager	Finance and Investment	12/04/19 & 29/04/19	8/05/2019	Throughout
Andrew Ramsden Finance	Finance and Investment	12/04/19 & 29/04/19	01/05/19	3
Procurement Board		23 April 2019		
External	Date of meeting			
NA	NA			

Report History	
Original discussion with Cabinet Member	Ongoing discussions, most detailed recent discussion in July 2018
Part II Exempt from Disclosure/confidential accompanying report?	Yes
Key decision report	Yes
Date first appeared on forward plan	16/07/18
Key decision reasons	Expenditure, income or savings in excess of £500,000
Background information	<p>Invitation to tender documentation</p> <p>Tender drawings and technical detail pack</p> <p>Landscape Design Illustration</p> <p>Vauxhall Park Consultation Report – July 2017 https://www.lambeth.gov.uk/sites/default/files/co-vauxhall-park-consultation-report_0.pdf</p>

Appendices	None

APPROVAL BY CABINET MEMBER IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board and taken account of their advice and comments in completing the report for approval:

Signature:

Date:

Post: Dan Thomas, Programme Manager

I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:

Signature:

Date: 03 July 2019

Post: Councillor Sonia Winifred, Cabinet Member for Equalities and Culture

Any declarations of interest (or exemptions granted): None.

Any conflicts of interest: None.

Any dispensations: None.