

REPORT TO: CABINET

DATE: 13 OCTOBER 2022

TITLE: AWARD OF CONTRACT – HARLOW AND TOWN CENTRE REGENERATION (VARIOUS SITES) CONSTRUCTION & PROFESSIONAL SERVICES

PORTFOLIO HOLDER: COUNCILLOR DAN SWORDS, DEPUTY LEADER AND PORTFOLIO HOLDER FOR REGENERATION

LEAD OFFICER: ANDREW BRAMIDGE, DIRECTOR OF STRATEGIC GROWTH AND REGENERATION

CONTRIBUTING OFFICERS: DAVID SELLINGS, TOWN CENTRE DEVELOPMENT MANAGER, (01279) 446487

TINA MCDERMOTT, CONTRACTS MANAGER (01279) 446175

This is a Key Decision
It is on the Forward Plan as Decision Number I014299
Call-in Procedures may apply
This decision will affect All Wards.

RECOMMENDED that:

- A** A Contract for the provision of Construction and Professional Services in relation to the regeneration of various sites across Harlow and specifically Harlow Town Centre, up to a maximum value of £5,000,000 is awarded to McBains Ltd.
- B** Delegated Authority is given to the Director of Strategic Growth and Regeneration, in consultation with the Deputy Leader and Portfolio Holder for Regeneration, to extend the Contract beyond its initial term if required, as set out in paragraph 18 of the report.

REASON FOR DECISION

- A** To enable the Council to deliver a range of regeneration projects, including projects as part of Harlow's Towns Fund programme and other sites as identified.

BACKGROUND

1. To support the Council's Corporate Strategy and regeneration programme, the assessment, feasibility and development of site/scheme proposals is essential in planning and bringing forward sites for regeneration.
2. A previous procurement exercise saw the appointment of an external contractor (McBains Ltd) to work with the Council, providing a range of architectural, design, cost and engineering services, however the term under this contract ended earlier in the year.
3. To continue delivery of the regeneration programme, our commitments under the Towns Fund programme and ensure best value, a tender exercise was undertaken to appoint a new contractor to work with the Council and provide a range of construction and professional services.
4. To ensure the right skills and expertise are procured, the Council's Brief sought contractors who could provide a multidisciplinary team to assist in all and various stages of the RIBA Plan of Work.
5. Specifically, the Contractor will be required to support the creation of site proposals and to bring them forward for development, initially focused on proposals covering strategic town centre sites identified through the Harlow Town Centre Masterplan Supplementary Planning Document, Harlow Town Investment Plan and Levelling Up Fund application (subject to approval).
6. Additionally, the Contractor may support other sites across the district as identified within the regeneration programme and agreed by the Council and Contractor.
7. This approach provides flexibility and value for money, allowing the Council to on-board the contractor as and when required, and as dictated by the site requirements and regeneration programme.

TENDERS AND EVALUATION

8. Utilising Crown Commercial Services procurement framework, 20 pre-qualified suppliers within the field of construction advisory services to support a wide range of projects and programmes in the built environment were invited to tender.
9. Tenderers were required to submit bids detailing their experience of similar projects, approach to delivery, business continuity and constraints, use of local supply chains, social/added value, and additional services as part of the Quality assessment.
10. Tenderers were also asked to detail the fixed hourly and daily rates for the individual disciplines that would apply to the contract, and this formed the basis of the cost assessment.

11. In order to create a balance between value for money and attracting contractors with the skills necessary to deliver the services, an even weighted ratio was applied, with Quality and Cost each given a 50 percent weighting.
12. Three tenders were received by the deadline and were evaluated on the basis of the weighting set out in paragraph 11, the pre-determined criteria described in paragraph 9 and also set out in the Invitation to Tender and Tender Evaluation Methodology and Guidance.
13. Following the completion of the evaluations, McBains Ltd (Contractor B) received a total score of 9,900 out of 10,000, followed by Contractor A with 8,500 and Contractor C with 8,325 as shown in the Table 1.

Table 1. Quality and Cost Evaluation Overall Scores.

Contractor	Quality Weighting (%)	Weighted Quality Score	Cost Weighting (%)	Weighted Cost Score	Total Weighted Score
A	50	4550	50	3950	8500
B (McBains Ltd)	50	4900	50	5000	9900
C	50	5000	50	3325	8325

14. The bid submitted by McBains Ltd represents best value for money and the ability to deliver the services detailed within the Council's brief provided.
15. In addition, this Contractor provided significant added and social value benefits that met the standard in all aspects and exceeded the standard in some or all. The Delivery Plan, to be developed in conjunction with the Council, will see McBains providing opportunities for local supply chains, expert seminars and training sessions for businesses and Council staff. It will also see delivery of a range of educational activities linked to Harlow College construction courses and local schools, including work experience, job shadowing, career advice and project/development tours.
16. The additional services will see the creation of a Social Value Delivery Plan that will include education and engagement opportunities that will benefit residents and businesses at no additional cost to the Council.

ISSUES/PROPOSALS

17. The Council will enter into a contract with McBains Ltd for a term up to 31 March 2025 and up to a maximum, cumulative value of £5million over the lifetime of the contract. This proposal does not guarantee this sum but provides an upper limit. Additionally, services will only be drawn down against individual agreed project

budgets, particularly from Towns Fund and, potentially, Levelling Up Fund allocations.

18. If, by the end of the initial term, services are still required and all performance standards met, the Council at its sole discretion can issue further instructions for successive periods of up to 12 months, assuming the cumulative fees have not reached the maximum value as stated in paragraph 17.
19. The Council will operate a 'balanced score card' approach to performance management and will work with the appointed Contractor to develop performance measurements across the services to be provided.
20. The Council will expect benchmarking to be implemented against performance and the provider will be required to submit this information monthly, with meetings to take place quarterly.

IMPLICATIONS

Strategic Growth & Regeneration

The appointment of a contractor to fulfil this function is essential to ensure that the Council has the necessary professional advice and support on the delivery of the Towns Fund projects in particular. It will also enable early delivery progress of Levelling Up Fund projects should that bid be successful later in the year.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance

The award provides scope to access professional services to support key strategic projects that are likely to be undertaken during the contract period. The costs of the services will be met in full from the specific scheme funding and will create no unforeseen or unbudgeted pressures on the councils budgets.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Housing

As outlined in the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

None specific.

Author: Jane Greer, Director of Communities and Environment

Governance

The services have been procured using Lot No. 1 of the Construction Professional Services Framework (RM5156) which is in full compliance with Contracts Standing Orders. McBains will be required to enter into a formal contract with the Council in accordance with the NEC3 PSC Form of Agreement.

Author: Simon Hill, Director of Governance and Corporate Support

Appendices

None.

Background Papers

RIPA Plan of Work – <https://www.architecture.com/knowledge-and-resources/resources-landing-page/riba-plan-of-work>

Glossary of terms/abbreviations used

RIBA - The Royal Institute of British Architects