

LONDON BOROUGH OF CROYDON

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STATEMENT OF EXECUTIVE DECISIONS MADE BY THE CABINET MEMBER FOR ENVIRONMENT, TRANSPORT & REGENERATION (JOB SHARE) ON 27 AUGUST 2019

This statement is produced in accordance with Regulation 13 of the Local Authorities (Executive Arrangements) Meetings and Access to Information) (England) Regulations 2012.

The following apply to the decisions listed below:

Reasons for these decisions: are contained in the Part A report attached

Other options considered and rejected: are contained in the Part A report attached

Details of conflicts of Interest declared by the Cabinet Member: none

Note of dispensation granted by the head of paid service in relation to a declared conflict of interest by that Member: none

The Leader of the Council has delegated to the Cabinet Member the power to make the executive decisions set out below:

CABINET MEMBER'S KEY EXECUTIVE DECISION REFERENCE NO.: 3819ETR

Decision: Architect/Landscape Architect for design of Fair Field Contract Award

Having carefully read and considered the Part A report, and the associated Part B report, and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Cabinet Member for Environment, Transport & Regeneration (Job Share) in consultation with the Cabinet Member for Finance & Resources

RESOLVED: To

- 1 Approve the award of contract for the Architect/Landscape Architect for the design of Fairfield for a period of two years to the Contractor and for the contract price detailed in the associated Part B report.
- 2 Note that the name of the successful Contractor and price will be released once the contract is award is agreed and implemented.

Notice date: 28 August 2019

For General Release

| | |
|------------------------|---|
| REPORT TO: | Cabinet Member for Environment, Transport & Regeneration (Job Share) |
| SUBJECT: | Architect/Landscape Architect for design of Fair Field Contract Award |
| LEAD OFFICER: | Lee Parker, Director of Growth |
| CABINET MEMBER: | Councillor Stuart King, Cabinet Member for Environment, Transport & Regeneration (Job Share) Councillor Simon Hall, Cabinet Member for Finance and Resources |
| WARDS: | Fairfield |

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:

The project contributes to delivery of the Corporate Plan 2018-2022 in a number of ways as outlined below:

The Fair Field project will deliver a world class public space in central Croydon – it will deliver improved public realm infrastructure and provide a platform for civic and cultural activity related to the Fairfield Halls, Croydon College and hundreds of new homes. The space will be capable of being programmed for a variety of outdoor activities, events and performances. It will be an innovative destination space that draws in new visitors to Croydon.

- **P10. Outcome: “People Live Long, Healthy, Happy and Independent Lives” and in what success looks like ‘support the development of a culture of healthy living’-** The Fair Field project will create a public space that will encourage healthy lifestyles, encourage people to be outside undertaking physical activities, such as walking, play, sports, and performance and will benefit mental health through providing opportunities for social interaction, exercise, access to fresh air, greenery and water and a well-designed, high quality, attractive environment that lifts peoples spirits.
- **P12. Outcome: “Our children and young people thrive and reach their full potential” and in what success looks like ‘every child and young person can access high quality education and youth facilities’-** The Fair Field project will create a space that is accessible to children and young people, that will provide external space and a setting for Croydon College students and activities. it will provide facilities for young people and children including playful elements, places to sit and to socialise. The project will enhance the setting of Croydon College and make it an attractive place to attend and in which to learn.
- **P14. Outcome: “Good decent homes, affordable to all”-** The project will create new public spaces that will create a high-quality setting and important amenity spaces for new homes and residents in central Croydon. It will also contribute to making central Croydon attractive to investors for new and existing residents. It will create a world class destination space that draws in new visitors to Croydon, in turn enhancing local economy.

- **P16. Outcome: “Everyone feels safer in their home, street and neighborhoods”**- The project will create a safer public space with good sight lines, natural surveillance and activities. New lighting and wayfinding will further improve safety and permeability.
- **P18. Outcome: “A cleaner and more sustainable environment”**- The project will create a public space that will be easy to maintain and manage, provide new vegetation that will help improve air quality and biodiversity and new water features that will also help improve air quality and mitigate the urban heat island effect. Materials will be carefully selected to be robust and sustainable.
- **P.20. Outcome: “Everybody has the opportunity to work and build their career-** The project will offer skills and training opportunities from design stage through to construction and onward management and maintenance.
- **P22. Outcome: “Business moves and invests, our existing businesses grow” and in what we will do ‘deliver the new town center-** The project will be central to creating an environment in the town center that will attract inward investment and create a platform for enterprising activities such as performances, markets etc. The project delivers on the more detailed outcomes described on P23 which says “The redevelopment of Croydon town center will be a major focus over the next four years. It will provide new jobs, homes and investment into the heart of Croydon. Two of our key priorities will be to ensure the town center keeps running through the redevelopment work, in addition to completing the 46 infrastructure projects that will enable the growth to happen”. The project will be part of and coordinated with the programme of 46 infrastructure projects mentioned. It will create a world class destination space that draws in new visitors to Croydon, in turn enhancing local economy.
- **P24. Outcome: “An excellent transport network that is safe, reliable and accessible to all” and in what does success look like ‘Easy, accessible, safe and reliable, making it more convenient to travel between Croydon’s local places’ and ‘Less reliance on cars, more willingness to use public transport, walk and cycle’-** The new public space and pedestrian routes will create an environment that is attractive to walking and cycling and connects in with the wider walking and cycling network and connections to local public transport hubs such as East Croydon Station. The project will deliver new walking and cycling infrastructure, as well as an accessible public space
- **P26. Outcome: “We value the arts, culture, sports and activities”;** in what does success look like **‘Croydon’s cultural offer enhances our town and creates places where people want to live, work and visit’ and ‘Good, affordable and accessible sports and leisure facilities enable people to be as active and healthy as they want to be’ and ‘Our parks and open spaces are safe, pleasant, thriving places where everyone can exercise and have fun’ and in what we will do ‘reopen Fairfield Halls’-** The Fair Field project directly delivers on this outcome by creating a new space that will be directly connected to the new Fairfield Halls, creates a setting for the halls, spill out space and will be used as outdoor programmed space for civic and cultural activity. It will provide high quality public realm infrastructure for play, sports and other leisure and civic activities. The project delivers on the more detailed outcomes covered on P27 which says that “Culture and sport are integral to a healthy, vibrant borough and important drivers for the economy. Our cultural offer will be at the heart of Croydon’s regeneration. It will be a reason for people

to come to Croydon, as well as creating exciting opportunities for residents. Opening in 2019, Fairfield Halls will provide a unique venue to attract visitors from across the borough and beyond. We want to see an ambitious programme delivered across all art forms. We will work with a range of partners, including Fairfield, to support new theatre productions for Croydon, and help local venues promote their offers. Our ambition is to develop a Creative Enterprise Zone, encompassing a new cultural quarter in central Croydon; a step designed to encourage the borough's creative industries to flourish." The Fairfield public space is at the heart of the cultural quarter and is essential to its success.

FINANCIAL IMPACT:

The implementation of this award will be funded from the Growth Zone programme as approved by Cabinet in December 2018 (1418CAB).

This report details the financial impact of the appointment of an Architect/Landscape Architect. The construction element will be covered in a separate strategy.

KEY DECISION REFERENCE NO.: N/A

The Leader of the Council has delegated to the Cabinet Member for Environment Transport & Regeneration (Job Share) the power to make the decisions set out in the recommendations below:

1. RECOMMENDATIONS

- 1.1 The Cabinet Member for Environment, Transport & Regeneration (Job Share) in consultation with the Cabinet Member for Finance and Resources is recommended by the Contracts and Commissioning Board to approve the award of contract for the Architect/Landscape Architect for the design of Fairfield for a period of two years to the Contractor and for the contract price detailed in the associated Part B report.
- 1.2 The Cabinet Member for Environment, Transport & Regeneration (Job Share) is asked to note that the name of the successful Contractor and price will be released once the contract is award is agreed and implemented.

2. EXECUTIVE SUMMARY

- 2.1. This report outlines the implementation of the procurement strategy to the commissioning of a Architect/Landscape Architect for the design of Fair Field. The strategy was approved by the Contract and Commissioning Board on 14 February 2019 reference CCB1456/18-19.
- 2.2. This report confirms the procurement process followed and recommends a contract award to the preferred supplier as detailed in Part B of this report following an OJEU restricted tender process. The OJEU reference for this tender is 20190131-005311.
- 2.3. The contract term will be for a period of two years commencing on 1 September 2019.

- 2.4. The contents of this report has been endorsed by the Contracts and Commissioning Board as detailed below: -

| CCB Approval Date | CCB ref. number |
|--------------------------|------------------------|
| 08/08/2019 | CCB1507/19-20 |

3. DETAIL

- 3.1. As per the agreed procurement strategy, the Council are looking for an Architect/Landscape Architect to design a world class public realm for the area known as Fair Field(also referred to as College Green). It will deliver an improved public realm infrastructure and provide a platform for civic and cultural activity related to the Fairfield Halls, Croydon College and hundreds of new homes
- 3.2. In accordance with the agreed procurement strategy an OJEU restricted process was conducted. This was using the Selection Questionnaire (SQ) as the first stage and then the second stage of shortlisted tenderers for an Invitation to Tender

Selection Questionnaire Background

- 3.3. The OJEU notice (ref 20190131-005311) was published on 30/01/2019 with the full suite of Tender documents including the SQ. This tender was carried out using the Council's e-tendering portal - the London Tenders Portal.
- 3.4. The closing date for returns for the SQ stage was 7 March 2019 and the Council received 20 submissions.
- 3.5. Contractors were scored against information provided in the SSQ as follows: -

Part 1:

- Section 1 Potential Supplier Information
- Bidding Model
- Contact Details and Declaration

Part 2:

- Section 2 Grounds for Mandatory Rejection
- Section 3 Grounds for Discretionary Exclusion

Part 3:

- Section 4&5 Economic and Financial Standing
- Section 6 Technical and Professional Ability
- Section 7 Modern Slavery Act
- Section 8 Additional Self-Certification Questions

- 3.6. Section 1, 2, 3, 4, 5, 6(part of), 7 and 8 were scored wholly of pass/fail requirements. For section 6.4 there were 6 technical and professional ability questions that were asked which were scored on a 0-5 scoring methodology as outlined below: -

| Score | Rating | Criteria for awarding score |
|--------------|---------------|--|
| 5 | Excellent | The supplier has provided a response that is robust and supported by suitable and relevant evidence of experience and Technical and Professional ability which significantly exceeds the Councils expectations |
| 4 | Good | The supplier has provided a response that is robust and supported by suitable and relevant evidence of experience and Technical and Professional ability which exceeds the Councils requirements. |
| 3 | Satisfactory | The response is compliant, and the supplier has provided responses that demonstrate through suitable and relevant evidence that they have experience and have Technical and Professional ability which meet the Councils requirements. |
| 2 | Fair | The response is superficial and generic. The supplier has provided insufficient response, or the response given demonstrates limited experience and limited Technical and Professional ability to meet the Council's requirements |
| 1 | Poor | The supplier has provided wholly insufficient responses, or the responses given demonstrates very limited experience and insufficient Technical and Professional ability to meet the Council's requirements. In accordance with the qualitative cap set for the SSQ stage, should any potential supplier be allocated with this score, its SSQ submission will be rejected. |
| 0 | Unacceptable | The supplier has not answered the question, has omitted information or has provided information that is not relevant, and the Council is unable to determine whether the supplier possess is sufficient Technical and Professional ability. In accordance with the qualitative cap set for the SSQ stage, should any potential supplier be allocated with this score, its SSQ submission will be rejected. |

- 3.7. The six highest scoring Contractors from the scoring of the technical and professional ability questions subject to passing the remaining parts of the SQ would then be shortlisted to the Invitation to Tender stage.
- 3.8. A panel of officers from Regeneration, Spatial Planning and an external subject matter expert was formed to evaluate the technical and professional ability questions.

Selection Questionnaire Evaluation

- 3.9. The 20 submitted SQ's were reviewed in line with the published evaluation criteria. One Contractor failed to return a completed SQ and was therefore disqualified from the process.
- 3.10. The remaining 19 were reviewed and all passed the relevant checks in the Stage 1 to 3 as detailed in 3.5 of this report.
- 3.11. The 6 technical and professional ability questions were evaluated by the panel as detailed in section 3.8 of this report. The scores for each Contractor were added together in line with the published weightings and the rankings and scores for each bidder are listed below. The top 6 were then shortlisted to the Invitation to Tender stage.

| Quality Evaluation Score | Ranking |
|--------------------------|---------|
| 80.40% | 1 |
| 74.00% | 2 |
| 74.00% | 2 |
| 73.60% | 4 |
| 72.40% | 5 |
| 68.00% | 6 |
| 65.00% | 7 |
| 63.00% | 8 |
| 62.00% | 9 |
| 62.00% | 9 |
| 60.00% | 11 |
| 55.00% | 12 |
| 53.00% | 13 |
| 52.00% | 14 |
| 51.00% | 15 |
| 42.60% | 16 |
| 42.00% | 17 |
| 41.40% | 18 |
| 40.00% | 19 |

- 3.12. As part of the Tender, Bidders were informed that at shortlisting stage that the Council would publicise their names within industry press. The six shortlisted Bidders were in no particular order to the above scoring: -

- HASSELL
- MICA Architects
- Expedition Engineering LTD
- DSDHA
- Martha Schwartz
- Gustafon Porter

Invitation to Tender

- 3.13. On 18 April 2019 the Invitation to Tender was issued to the six shortlisted Bidders.
- 3.14. Six bids were received on the due date of return of noon on 30 May 2019.
- 3.15. For the method statement questions a panel of officers from Regeneration, Spatial Planning and an external subject matter expert was formed to evaluate the method statement questions 1 to 7. Method Statement 8, Premier Supplier Programme, was reviewed by procurement officers. Method statement 9 which was a presentation to a panel on 17 June 2019 which was formed of council officers, key local partners, mobility forum and the place review panel.
- 3.16. For the price evaluation an independent Quality Assessor reviewed that the pricing scheduled returned was in line with market rates for the services that were to be provided.

Tender Evaluation Method

- 3.17. The following evaluation criteria, as agreed in the procurement strategy paper, was used to evaluate the tenders:
- Cost 30%
 - Quality 70%

Quality criteria was further broken down as follows: -

| MS | Method Statement | Weighting |
|----|------------------------------------|-----------|
| 1 | Concept Design Proposals | 10% |
| 2 | Design Statement | 8% |
| 3 | Community & Stakeholder Engagement | 5% |
| 4 | Programme | 5% |
| 5 | Staffing | 5% |
| 6 | Quality Assurance | 3% |
| 7 | Social Value | 5% |
| 8 | Premier Supply Programme | 2% |
| | | |
| 9 | Presentation to panel | 27% |
| | Total Quality | 70% |

- 3.18. The first stage of the quality evaluation was that Bidders had to score a minimum 2 out of 5 for each method statement question and scored a minimum of 60% of the quality marks available for method statements one to eight, 26% out of the 43%. The Council reserved the right to reject a Bidders submission in its entirety if it did not achieve the minimum quality score as detailed above

Price evaluation method

- 3.19. The tendered prices were evaluated on the total cost of the bid for RIBA stages 2 to 6.
- 3.20. Scores were awarded on the basis of: -

- Awarding the bidder with the lowest total cost the maximum 30%
- Awarding scores to the other bidders on a pro-rata basis based on percentage variation.

Results:

Quality and pricing results table (weighted scores)

3.21 From the evaluation of the quality and price the results are provided below: -

| Bidder | Method Statement 1-8 Score | Method Statement 9 Score | Price Score | Total Score | Ranking |
|----------|----------------------------|--------------------------|-------------|-------------|---------|
| Bidder 1 | 20.40% | | | | |
| Bidder 2 | 26.60% | 16.20% | 24.04% | 66.84% | 4 |
| Bidder 3 | 22.60% | | | | |
| Bidder 4 | 30.80% | 16.20% | 25.00% | 72% | 2 |
| Bidder 5 | 29.80% | 16.20% | 24.59% | 70.59% | 3 |
| Bidder 6 | 29.20% | 27.00% | 30.00% | 86.20% | 1 |

3.22 Bidder 1 and Bidder 3 scores for method statements 1-8 were below the set 26% and based on this the evaluation panel agreed that they would not go forward to the Method Statement 9 'Presentation to the Panel'.

3.23 The independent Quality Assessor reviewed the cost submissions for all six Bidders which were found to be line with market rates.

Recommendation:

3.24 Based on the table in section 3.20 of this report Bidder 6 was the highest-ranking bid overall for Quality and Price combined and it is recommended that **Bidder 6 is awarded the Contract.**

Social value:

3.25 In their ITT submission Bidder 6 scored 3 out of 5 for their Social Value response.

3.26 In their submission they said that they will provide: -

- Internships for recent Croydon graduates and students. One per year
- Work experience for secondary school and graduates.
- Lectures and engagement sessions at Croydon College and other higher education centres.
- Workshops and lectures for the community on design and importance of the public realm.
- Mentoring and business support for a third sector organisation.
- Attend local careers events.
- Use of local supply chain wherever possible.

Consultation:

3.27 The development of the design brief and the Specification was consulted with officers and members in September 2018 to ensure that this met the aspirations and needs of the Council.

4 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

4.1 This report is for the appointment of the Contractor for the design of Fair Field. In Part B

4.2 **Revenue and Capital consequences of report recommendations are** detailed in Part B

4.3 **The effect of the decision.** The contract award commits the Council to contract expenditure as detailed in Part B

4.4 Risks

Of the risks outlined in the strategy plan, those below still remain.

| Risk | L | I | Mitigations |
|--|----------|----------|--|
| That the plans and proposals do not meet planning guidance, policies and other Croydon policy standards and guidance | M | H | Pre-planning advice was taken on the design brief before tender process started. Concept proposals reviewed at tender stage have not highlighted concerns at this stage. Within specification there are review processes in place to ensure that the designs are regularly consulted on to ensure that they will be in line with Council policies |

4.5 Options

Other procurement options were reviewed within the strategy report and the approved route to market was to carry out an OJEU compliant restricted tender process.

4.6 Future savings/efficiencies

As this is a new commission no further savings and efficiencies have been identified at this time.

Approved by, Kate Bingham Head of Finance (Place)

5 LEGAL CONSIDERATIONS

- 5.1 The Director of Law and Governance comments that there are no additional legal issues directly arising in respect of this report.

Approved by: Sonia Likhari Lawyer on behalf of Sean Murphy, Director of Law and Governance

6 HUMAN RESOURCES IMPACT

- 6.1 There are no human resources impact from this report. This report is for the provision of Architect design service for Fair Field and resources to manage this project will be within identified budgets.

Approved by Sue Moorman, Director of Human Resources

7 EQUALITIES IMPACT

- 7.1 An Equalities analysis was undertaken during the development of the strategy. The appointed Contractor will work with the Council to review any potential impact on protected groups as a result of the design of Fair Field.

The Equality Analysis will be updated during the design stage and there is a requirement to input into this as part of the Contract.

- 7.2 One of the Method Statements asked as part of the tender stage was to provide details of their concept design and reference this back to the Specification which has a section on accessibility. The Contractor with the highest overall score focused on accessibility within their tender to show what impact their proposed design will have and what they will do to ensure that accessibility is included within the design.

Approved by: Yvonne Okiyo, Equalities Manager

8 ENVIRONMENTAL IMPACT

- 8.1 Contractors were asked to provide how they have factored lifecycle and economic maintenance arrangements into their design. The recommended awarded Contractor provided details of this and included how embodied energy should be reduced and re-use promoted. Re-integration of nature to this area and responsible use of water was shown.

- 8.2 From the concept design proposals at this stage there is no significant environmental impact from these proposals and the Contractor has shown the importance of this throughout their proposal which also includes a chemical free sustainable water feature solution.

9 CRIME AND DISORDER REDUCTION IMPACT

- 9.1 Details of the Councils requirements were included within the Specification. The Contractor will work with the Council on the impact of this from their designed proposals as part of the Contract.

10 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 10.1 The Contractor identified in section 3.20 of this report (Bidder 6) was the highest overall score for quality and price combined. Therefore, as they met the minimum requirements the recommendation is to appoint Bidder 6.

11 OPTIONS CONSIDERED AND REJECTED

- 11.1 No other options were identified for consideration during the tender stage as these were already identified in the procurement strategy
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CONTACT OFFICER:

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|--------------------------|---------------------|
| Name: | Paul Forrester |
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BACKGROUND DOCUMENTS: None