

**DELEGATED POWERS REPORT NO.****1488**

**SUBJECT:** Acceptance of the quotation for technical consultant duties to RIBA Design Stage D for both the Copthall & Oakhill Satellite Depots

**Control sheet**

**All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to Governance Service for publishing**

<b>All reports</b>		
1. Governance Service receive draft report	Name of BGO Date	Chidilim Agada 1/11/11
2. Governance Service cleared draft report as being constitutionally appropriate	Name of BGO Date	Chidilim Agada 1/11/11
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Fin. officer Date	Hayley Woolard 9/11/11
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Com. officer Date	N/A
5. Trade Union response received (Staffing issues only)	Name of TU rep. Date	N/A
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	Steven Strange 1/11/11
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Andrew Nathan 1/11/11
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Julie Pal 4/11/11
9. The above process has been checked and verified by Director, Head of Service or Deputy ( <i>report author to complete</i> )	Name Date	Craig Cooper
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of BGO Date	Chidilim Agada 9/11/11
11. Report published by Governance Service to website	Name of BGO Date	Chidilim Agada 9/11/11
<b>Officer reports:</b>		
12. Head of Service informed report is published and can be implemented.	Name of BGO Date	Chidilim Agada 9/11/11
<b>Cabinet Member reports:</b>		
13. Expiry of call-in period	Date	Not applicable
14. Report circulated for call-in purposes to COSC members & copied to Cabinet & Head of Service	Name of BGO Date	Not applicable
	Date	

**ACTION TAKEN BY OFFICER UNDER DELEGATED POWERS  
(EXECUTIVE FUNCTION)**

**Subject** Acceptance of the quotation for technical consultant duties to RIBA Design Stage D for both the Copthall & Oakhill Satellite Depots

**Officer taking decision** Director of Commercial Services

**Date of decision** 9 November 2011

<b>Summary</b>	To accept the quotation from Bond Bryan Architects to develop detailed designs for both the Copthall & Oakhill Satellite Depots and produce planning applications ready for submission by 31 <sup>st</sup> March 2011.
----------------	--

**Officer Contributors** Anna Lovering, Project Manager, Corporate Programmes, Commercial Services Directorate.

**Status (public or exempt)** Public (with separate exempt report)

**Wards affected** Mill Hill & East Barnet Wards

**Enclosures** None

**Reason for exemption from call-in (if appropriate)** Not Applicable

Contact for further information: Anna Lovering, Corporate Programmes, Commercial Services Directorate.

Email: [anna.lovering@barnet.gov.uk](mailto:anna.lovering@barnet.gov.uk)

Ext: 4285

Serial No. <b>1488</b>
------------------------

## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Cabinet Resources Committee 19 January 2009 (Decision Item 7) resolved in principle to the relocation of the Mill Hill depot.
- 1.2 Cabinet Resources Committee 19 January 2009 (Decision Item 9) resolved in principle to proceeding by way of a land owners agreement for the Mill Hill East AAP area and depot site subject to a viable business plan, apportionment of costs and receipts being finalised, and a development programme.
- 1.3 Cabinet (special meeting) 11 August 2009 (Decision Item 5) resolved to accept the offer from the North London Waste Authority for the former Friern Barnet Sewage Works, Pinkham Way, subject to reservation of 4.5 acres for the Council to retain and construct a new depot facility.
- 1.4 Cabinet Resources Committee 2 November 2009 (Decision Item 8) resolved that the Council enter into a formal joint venture partnership, by way of a landowners agreement, subject to finalisation of a business plan and legal terms.
- 1.5 Cabinet 29 November 2010 (Decision Item 14) resolved to approve the revised relocation proposals for the Council's operational depot facilities.

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 The expansion and redevelopment of the Oakhill and Copthall Satellite Depots supports the following priorities of the Barnet Corporate Plan 2011/13:

**A Successful London Suburb** – the provision of fit for purpose facilities for the Parks and the Cleansing teams will enable locally placed teams to deliver more effective, responsive services. Area teams will be familiar with their locality and enable service solutions to be tailored to meet residents' needs, ensuring they are best placed to address local issues and circumstances.

**Better Services with Less Money** - The co-location of the Parks and the Cleansing Services will provide both operational and financial efficiencies in terms of management and deployment of operational staff. Both area based depots will be altered to deliver these additional services whilst making use of the existing asset base with only minor changes to the footprint of both sites.

- 2.2 The effective delivery of a successful new suburb of the highest quality at Mill Hill East supports all of the priorities of the Barnet Corporate Plan 2011/13: -

**A Successful London Suburb** - through the Mill Hill East AAP and the land owners agreement by close coordination between all principal land owners to ensure effective growth, new homes and businesses with supporting sustainable infrastructure to create a economically prosperous new place;

**Better Services with Less Money** - by ensuring that the land owners agreement facilitates the Council's depot facilities relocation and provides a significant capital receipt as part of the longer term joint venture, including any "*regenerative uplift*" in land and sales values. It will also ensure that the Council secures best consideration of its land and property assets and funding for new community and strategic infrastructure, including a new 2-form entry school and highways improvements;

**Sharing Opportunities, Sharing Responsibilities** - by delivering community benefits and opportunities in the form of health, schools, community facilities and access to a choice of affordable and private sale housing.

### 3. RISK MANAGEMENT ISSUES

3.1 Any risks relating to the Project will be managed through the Council's project management methodology and scrutinised on a regular basis.

3.2 A risk assessment has been carried out with regards to the use of the selected contractor and the main issues listed have been summarised in the following table:

Risk	Residual Risk		Consequences / Mitigating Actions
	Likelihood	Impact	
Poor performance of consultant	Low	High	Delay and additional cost. Consultant has proven experience of working on similar projects and has provided references.
Consultant insolvency	Low	Medium	Delay and additional costs. Consultant known to LBB, no previous financial problems known, financial checks undertaken as part of the procurement process. Present workload provides evidence of financial competence.
Inaccurate base data/information provided to Consultant at tender	Low	Medium	Delay and additional costs. Relevant surveys, agreed control options and design brief sent out by LBB as part of the tender.
Consultant not adhering to the council's timeline	Low	Medium	Delay and additional costs. Project plan agreed before the signing of contracts & regular update meetings to assess progress against the project plan.
Contract goes over budget	Medium	Medium	Additional costs. Fixed price provided by consultant and an allowance provided in the budget for any further surveys that may be required.
Lack of engagement with	Medium	Medium	Final product doesn't meet the client's requirements.

key stakeholders			Consultant will be provided with a list of key stakeholders and a plan agreed of how / when these stakeholders will be involved.
------------------	--	--	--

- 3.2 If the Copthall and Oakhill Satellite depots are not expanded and developed there is a significant risk that the Councils Parks & Street Cleansing Services will not be able to continue to provide the level of service required and that the Council will not be able to vacate the Mill Hill Depot in December 2016 as required to make way for the regeneration of Mill Hill East.
- 3.3 It is considered that any issues involved are unlikely to raise significant levels of public concern or give rise to policy considerations.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

- 4.1 Pursuant to the Equality Act 2010, public sector organisations have a responsibility to consider equality as part of every procurement.
- 4.2 The council is also under an obligation to have due regard to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.
- 4.3 This duty, also applies to a person who is not a public authority but who exercises public functions and therefore must, in the exercise of those functions, have due regard to the general equality duty. This includes any organisation contracted by a local authority to provide services on its behalf.
- 4.4 As part of the tendering process contractors were therefore asked to submit a Diversity Monitoring Form and there were no areas of concern in relation to the submissions.
- 4.5 Bond Bryan Architects implement Equalities and Diversity policy across the company, ensuring that performance is measured against Key Performance Indicators, therefore we believe that Bond Bryan will be able to support the council in meeting its public duty with regards to equalities.

#### **5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 5.1 The redevelopment and expansion of the Satellite Depots will be funded by Capital Receipts.

The tendered sum of £51,800 (excluding expenses) is fully contained within the overall Depot Relocation budget of £12,159,150 of which approximately £2.5million is earmarked for the redevelopment and expansion of the Satellite Depots.

- 5.2 Tenders for the work were sought in line with the Council's Contract Procedure Rules in partnership with the Corporate Procurement Team.

Three written quotations based on a works specification and tender drawings were invited from suitably qualified Consultants with the returns noted in the table below:

\*Please note that that the figures below exclude survey costs.

<b><u>Bidder</u></b>	<b><u>Quotation Cost – excluding expenses</u></b>	<b><u>Weighted Total Score (out of 100)</u></b>
1. Bond Bryan Architects	£51,800.00	73.79
2. Consultant B	£52,900.00	64.69
3. Consultant C	£75,433.00	38.62

The identity of Consultant 'B' and Consultant 'C' are set out in the accompanying exempt report.

- 5.3 The quotations were assessed by three council officers. The scoring ratio was based on cost (60%) and quality (40%) to ensure a value for money quotation. The Quality element was evaluated using the information from similar projects undertaken, methodology provided in respect of the proposed team, the examples provided in terms of methodology, and adherence to the overall timescale.
- 5.4 Bond Bryan's quotation was deemed to be the best value option as their combination of price and quality criteria produced the highest overall score.
- 5.5 The final scores from the assessment matrix are detailed above.
- 5.6 In addition to the figures above an allowance of £35,000 will also be made for any necessary surveys required.
- 5.7 There are no staffing implications.
- 5.8 Both Copthall and Oakhill Satellite depots are Council owned; the project will provide expanded, fit for purpose facilities for the Council's Parks and Cleansing Services. This will enable a smaller satellite depot (Tudor) to be closed down and the services to be provided at the expanded Copthall and Oakhill Satellite depots to move out of Mill Hill Depot, as required.

## **6. LEGAL ISSUES**

- 6.1 The council's public sector duty, pursuant to the Equality Act 2010 is set out in paragraph 4.1, above.

- 6.2 The contract value is below the relevant European threshold and, consequently, the requirements of the Public Contracts Regulations 2006 do not apply to this contract award.
- 6.3 Rule 6 and Table 6-1 of the Council's Contract Procedure Rules require a minimum of three written competitive quotations to be obtained before a contract with a value of £75,000 up to £156,442 may be awarded. This contract falls within that band and, as set out at paragraph 5.2 above, three quotations were received.
- 6.4 In accordance with the Council's Contract Procedure Rules, a formal written contract between the Council and Bond Bryan Architects will need to be prepared and executed on behalf of both parties.

## **7. CONSTITUTIONAL POWERS**

- 7.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 6.1 provides that Chief Officers may take decisions to discharge functions allocated to them or dealt with by them or their staff in all matters where they have managerial or professional authority. Chief Officers can authorise and accept quotations for contracts to the limits placed on them by the Contract Procedure Rules for approved schemes with sufficient estimate provision.
- 7.2 Council Constitution, Contract Procedure Rules, Section 5 (Authorisation & Acceptance Procedures). Table 5-1 sets out authorisation and acceptance thresholds for works, supplies and services and provides that Directors/Head of Service can accept tenders/quotations where: a) it is the lowest; or b) represents value for money and is the best available option for the Council.

## **8. BACKGROUND INFORMATION**

- 8.1 Project: The redevelopment and expansion of both the Copthall and Oakhill Satellite Depots to provide fit for purpose facilities for the Council's Parks and Cleansing Services and to facilitate the regeneration of Mill Hill East by moving these services out of the existing Depot into the newly developed Satellite sites.
- 8.2 Background:  
Over the years a number of small satellite depot locations across the borough have become run down and unfit for use and as a result some sites have had to close prematurely. Security and vandalism are ongoing issues at all of the sites that remain open, this coupled with the commitment to vacate the Mill Hill East Depot by December 2016 has created a need for the redevelopment and expansion of two satellite depot sites to consolidate the Parks Service and collocate the Cleansing Service to provide fit for purpose facilities and provide operational efficiencies.
- 8.3 Following an assessment of need and the design of a number of control options, the Satellite Depots at both Copthall and Oakhill have been selected as the most appropriate for redevelopment.

- 8.4 The primary requirement is for secure sites, including garaging for grass cutting vehicles/machinery, road sweepers and other smaller equipment, staff facilities and parking for some operational vehicles.

**9. LIST OF BACKGROUND PAPERS**

- 9.1 None.

**10. OFFICER'S DECISION**

**I authorise the following action**

- 10.1 That, subject to the completion of all necessary contractual documents, the quotation of £51,800 (excluding expenses) from Bond Bryan Architects for Technical Consultant duties to RIBA Design Stage D for the Copthall and Oakhill Satellite Depots be accepted, and that an additional allowance of £35,000 for any necessary surveys be approved.

**10.2**

**Signed**            Craig Cooper  
                         **Director of Commercial Services**

**Date**              \_\_\_\_\_