

AGENDA ITEM: 14 Page nos. 48 – 52

Meeting Cabinet Resources Committee
Date 10 February 2005
Subject **Procurement of consultancy and related services for regeneration projects**
Report of Cabinet Member for Resources
Summary To approve the establishment of a frame contract for the provision of consultancy and related services through the delegated powers process (Cabinet Member).

Officer Contributors Alison Young, Strategic Development Unit
Status (public or exempt) Public
Wards affected All
Enclosures Annex 1 – Consultancy and related services frame contract – work areas
For decision by Cabinet Resources Committee
Function of Executive
Reason for urgency / exemption from call-in (if appropriate) None

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1. RECOMMENDATIONS

- 1.1 That approval be given for the establishment of a frame contract for the provision of consultancy and related services.**
- 1.2 That it be noted that, on completion of the tendering process, the agreement as to the names of the successful consultants with whom the Council will enter consultancy agreements will be dealt with via the delegated powers process (Cabinet Member).**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Consultancy services are required to progress objectives associated with the regeneration schemes set out in the Corporate Plan under Housing Regeneration, Planning, Cricklewood and Strategic Development sections.

4. RISK MANAGEMENT ISSUES

- 4.1 Regeneration schemes supported by the Council include those that are of a scale and complexity that require certain areas of expertise and knowledge that is unavailable within the Council. Specialist consultant services are required to minimise the Council's risk in the development and delivery of these schemes.
- 4.2 It is important that due process is followed in the establishment of the framed contract in order to demonstrate probity and to avoid any risk of legal challenge on aspects of scheme development and delivery informed by external advice. The tendering process applied for the letting of the framed contract has been run in consultation with the Council's Strategic Procurement Team. In addition, the process will be subject to the Gateway Review Process which will quality assure procurement and ensure that appropriate contract monitoring arrangements are in place post contract award.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 The establishment of the framed contract, in itself, has no immediate financial implication for the Council. Organisations will be appointed to become panel members but are not guaranteed any contract for works or services as a result of their membership of the panel. However, panel members will be approached to tender under a streamlined tendering process (mini-tender) for specific pieces of work arising over a three year period. Mini-tendering processes will be run in accordance with the Council's Contract Procedure Rules and therefore authorisation for the creation of a contract and approval of its value will be required as and when expertise is required.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Council's Contract Procedure Rules – the Framework within which the Council may procure works, supplies and services.
- 7.2 Constitution – Part 3 Responsibility for Functions – Section 3.6. Functions delegated to the Cabinet Resources Committee – to agree exceptions to Standing Orders, all decisions relating to approved lists and agreed national registers, authorise post tender negotiations and accept tenders which are not the lowest.

8. BACKGROUND INFORMATION

- 8.1 Consultancy services are required in order to progress a range of regeneration projects supported by the Council (for example, the Cricklewood, Brent Cross and West Hendon Regeneration Scheme, the regeneration of four priority housing estates and the regeneration of the Colindale Development Framework area).
- 8.2 Responsibility for these schemes is cross-departmental (Housing Regeneration, Planning, Strategic Development Unit). In order to take a joined-up approach to procuring the expertise to inform the work of these departments, officers are in the process of letting a frame contract with consultants who have the ability to provide a wide range of expertise including, advice on the preparation of development plans, urban planning, transport planning, design and delivery of new schools, urban regeneration and economic development. The contract will be let for 3 years and will be subject to Council review procedures.
- 8.3 The key reasons for establishing a frame contract for these services are listed below:
- to provide a ready source of diverse expertise required for the progression of cross-departmental regeneration schemes. Some schemes, for example the Cricklewood, Brent Cross and West Hendon Regeneration scheme, are of a large scale and complex nature and require certain areas of specialist advice which cannot be provided in-house.
 - to maximise opportunity for best value – for example, any increase in daily rates over the three-year period of the contract will be controlled by the conditions of contract signed by the consultants. In addition, volume discounts can be explored at contract negotiation stage
 - to speed up contract negotiations when awarding contracts for specific pieces of work – inclusion on the frame contract is conditional on acceptance of the Council's general conditions of contract
 - to contribute to meeting the Corporate Plan objective of mainstreaming regeneration activity through a cross-departmental approach to procurement strategy

8.4 The selection process for the frame contract has already commenced and is in compliance with European Procurement Directives. Organisations have been invited to demonstrate their ability to provide services under 16 work areas (please see Annex 1). 219 tenders from 59 organisations are currently being assessed. It is expected that assessment will be completed by the end of January. Council officers will meet with shortlisted applicants for contract negotiations (associated with panel membership) at the beginning of February with a view to establishing a list of preferred consultants for the frame contract. Approval of this list will be sought through the delegated powers process should the Committee agree to proceeding in this way.

9. LIST OF BACKGROUND PAPERS

9.1 Annex 1: Consultancy and related services frame contract – work areas

BS: DVP

BT: CM

CONSULTANCY AND RELATED SERVICES FRAME CONTRACT – WORK AREAS

- (a) The preparation of development plans (UDPs, Local Development Documents, Area Action Plans, Supplementary Planning Documents) masterplans/development frameworks or strategies for key development sites or locations, including area development frameworks and local action plans, planning or development briefs
- (b) The provision of advice from an urban design perspective in respect of specific projects or schemes
- (c) The provision of financial consultancy advice including advice on sources of development funding and provision, cost consultancy, financial modelling and management and scrutiny of overall development budget
- (d) The provision of advice and guidance on the principles of sustainable development related to masterplanning, urban design and planning issues
- (e) The provision of advice on affordable housing and business planning for joint development schemes with private sector partners and registered social landlords, property related services including development and master development plans advice
- (f) Corporate asset strategy implementation and options appraisal advice
- (g) Advice upon and assistance with the making, justification, promotion and implementation of compulsory purchase orders
- (h) Advice upon and assistance with housing estates and other regeneration scheme partnerships and the associated lands transactions
- (i) Valuation advice for both acquisition and disposal of a wide range of property types including leasehold enfranchisement cases
- (j) Other services to include property disposals services, landlord and tenant advice, estate management services, rating advice
- (k) The provision of advice on design specification, planning cycles and timescales
- (l) The provision of advice covering statutory requirements for establishing new schools, education premises services including, refurbishment of buildings
- (m) The design and delivery of new schools
- (n) Transport planning and transport assessments
- (o) Liaising and consulting with other interested bodies including local councils, statutory agencies community groups and other interested parties during the preparation and development phases of any masterplan/development framework or strategy or urban design advice
- (p) The provision of advice on urban regeneration and economic development