

**DELEGATED POWERS REPORT NO.**

**1881**

**SUBJECT: Outer London Fund Round 2 North Finchley – Appointment of Public Realm Design Team**

**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 the Governance Service for publishing**

<b>All reports</b>		
1. Governance Service receive draft report	Name of GSO Date	Paul Frost 29/11/12
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Paul Frost 29/11/12
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Fin. officer Date	Jayne Fitzgerald 12/12/12
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Res. officer Date	N/A N/A
5. Strategic Procurement clearance obtained ( <i>report author to complete</i> )	Name of SPO Date	Kevin Bates 30/11/12
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	John O'Hara 12/12/12
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Andrew Nathan 29/11/12
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Andrew Nathan 29/11/12
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Lucy Shomali 12/12/12
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Paul Frost 12/12/12
11. Report published by Governance Service to website	Name of GSO Date	Andrew Charlwood 14/12/12
12. Head of Service informed report is published	Name of GSO Date	Andrew Charlwood 14/12/12
<b>Key decisions only:</b>		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO	
	Date	

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

<b>Subject</b>	<b>Outer London Fund Round 2 North Finchley – Appointment of Public Realm Design Team</b>
<b>Officer taking decision</b>	Assistant Director Strategic Planning and Regeneration
<b>Date of decision</b>	12 December 2012

Summary	This report seeks authority to formally appoint Muf Architecture/Art LLP as Public Realm Design Team in connection with the delivery of the North Finchley Town Centre project funded by the Mayor's Outer London Fund.
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Officer Contributors	Jodie Yandall, Skills and Enterprise Manager Joshua Stanton, Town Centre Projects Officer
Status (public or exempt)	Public (with separate exempt report)
Wards affected	Woodhouse, West Finchley
Enclosures	None
Reason for exemption from call-in (if appropriate)	Not applicable
Key decision	No

Contact for further information: Joshua Stanton, Town Centre Projects Officer, 020 8359 3124 or [joshua.stanton@barnet.gov.uk](mailto:joshua.stanton@barnet.gov.uk)

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## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Cabinet Member (Executive Function) Delegated Powers Report 1773 dated 30/08/2012 gave authorisation for the Council to enter into the Outer London Fund (OLF) Grant Agreement with the Greater London Authority (GLA) to provide funding improvements to the North Finchley Town Centre.

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

- 2.1 The proposal has the potential to enhance the Corporate Plan 2012-2013 priority of 'A Successful London Suburb' by boosting the economy of North Finchley Town Centre as well as the strategic objective to sustain Barnet as a successful place through regeneration and supporting enterprise and employment.
- 2.2 The Corporate Plan 2012-13 priority of 'Sharing opportunities, sharing responsibilities' will also be enhanced as the proposals were developed in partnership with a number of local organisations and stakeholders who will continue to play a major role in the successful delivery of the scheme.

## **3. RISK MANAGEMENT ISSUES**

- 3.1 The Council is the accountable body for £1,074,060 awarded to the North Finchley Project through the Mayor of London's Outer London Fund. The Grant Agreement and the Provision of Funding issued by the Greater London Authority sets out conditions for the receipt of funds, including those relating to financial accountability and monitoring.
- 3.2 If the Public Realm Design Team is not appointed, there is a risk the Council will fail to comply with its funding agreement with the GLA with respect to the use of OLF monies to fund the North Finchley Town Centre Project. Failure to comply will entitle the GLA to reclaim some or all of the OLF monies awarded to the Council. Reduction or withdrawal of this funding would result in the Council being unable to deliver the improvements.
- 3.3 The Council will be required to take on a level of financial risk through the appointment of consultants to deliver these proposals. The Council will be obliged to fund the costs of appointing the consultants initially, before being reimbursed by the GLA in full by the end of the 2012/13 financial year with requests made for reimbursement from the GLA on a quarterly basis. The funding agreement states that in the case of the GLA terminating the contract, the Council will be eligible to be reimbursed all costs incurred prior to the date of termination.

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

- 4.1 The Equality Act 2010 requires that the Council and all other organisations exercising public functions on its behalf take any relevant steps to (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (ii) advance equality of opportunity between those with a

protected characteristic and those without; and (iii) promote good relations between those with protected characteristic and those without.

4.2 Each partner involved in the delivery of the North Finchley Town Centre Project will be monitored by the Council to ensure compliance with the Council's public sector duties. Additionally, partners will be made aware of Barnet Council's Equalities Policy and will be required to adhere to it. Conditions relating to the award of contract for the provision of services will also require the recipient to observe all relevant statutory requirements including those relating to equalities.

4.3 The North Finchley Town Centre Project (OLF Round 2) will also help to create the right environment for a vibrant and viable town centre in North Finchley that is accessible to all through the following measures:

- Recognising and celebrating the diversity of the local community
- Developing partnerships between stakeholders and increasing participation
- Improved, inclusive town centre design for people with different levels of mobility

The appointment of the Public Realm Design Team and subsequent award of contract will support these measures.

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

5.1 The appointment and award of contract for a Public Realm Design Team will be funded from the OLF Round 2 Grant monies received from the GLA. Within this a sum of £132,000 has been allowed for these services.

5.2 The criteria used to evaluate both the Public Realm Design Team tenders were in line with the Council's Contract Procedure Rules (CPRs). For short listing of suitable candidates, all bids received were assessed on the following criteria:

- Technical ability and experience           15%
- Design process                                   5%
- Approach to project                         15%
- Fees   15%

The short listing score represents 50% of the final total weighted score.

5.3 Following the evaluation of tender submissions, of which there were 6, 5 short listed candidates were interviewed by the Project Team and asked to present their approach to the project. The interviews consisted of a presentation and a series of follow-up questions which were weighted in the following way:

- Presentation and interview                   20%
  - Description of the team and its members
  - Ability to demonstrate past experience of similar projects
  - Project approach/vision, including timetables and working arrangements
- Questions   30%

The presentation/interview score also represented 50% of the final total weighted score.

5.4 The total score was therefore calculated by combining the original short listing score and the presentation/interview score.

5.5 The overall results of this evaluation are as follows:

<i>Supplier</i>	<i>Quote</i>	<i>Aggregated Score for Quality and Price</i>
Bidder A	£239,768	12.42
Bidder B	£93,090	69.38
Bidder C	£126,478	68.04
Bidder D	£127,030	71.14
<b>Muf Architecture/Art LLP</b>	<b>£114,650</b>	<b>77.93</b>
Bidder F	£110,900	62.69

Following the initial evaluation process, Bidder A was eliminated and therefore not shortlisted for interview. The score of 12.42 shown is based upon 50% of the available marks.

The identity of Bidders 'A', 'B', 'C', 'D' and 'F' referred to in the above table is detailed in the accompanying exempt report.

5.6 The cost of the Public Realm Design Team contract is therefore £114,650. This falls within the OLF Round 2 Grant monies received from the GLA.

5.7 There are no further implications in relation to IT, staffing, property or sustainability beyond the current resources used in the delivery of the project.

## **6. LEGAL ISSUES**

6.1 Procurement processes must comply with the European procurement rules and the Treaty obligations of transparency, equality of treatment and non discrimination as well as the Council's Contract Procedure Rules.

6.2 As the value of the contract is below the current European threshold (£173,934) the Public (Contracts) Regulations 2006 (as amended) do not apply.

6.3 In accordance with the Council's Contract Procedure Rules, there will be a need for the Council to enter into a written contract with the successful bidder to document the terms for supply of the services.

## **7. CONSTITUTIONAL POWERS**

7.1 Council's Constitution, Part 3, Responsibility for Functions, paragraph 6.1 – Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 12) can take decisions without consultation with the Cabinet Member concerned where it is a decision authorised to be taken by the Chief Officer under the Contract Procedure Rules for approved schemes with sufficient estimate provision.

- 7.2 Council Constitution, Contract Procedure Rules – Paragraph 5.5 (Table 5.1) – sets out authorisation and acceptance thresholds for works, supplies and services. Directors/Assistant Directors are authorised to accept tenders up to a value of £173,934 where the tender/quotation is the lowest or it represents value for money and is the best available option for the Council.

## **8. BACKGROUND INFORMATION**

- 8.1 The OLF is a major package of investment funded by the Mayor of London aimed at increasing vibrancy and growth along London's high streets. The first round (of two) invited boroughs to bid for a share of this funding to help support town centres. In this round, the London Borough of Barnet was successfully awarded £416,685 to fund a range of initiatives in Chipping Barnet Town Centre.
- 8.2 It was subsequently agreed by the Leader and the Regeneration Board that bids would be submitted under Round 2 of the OLF. In January 2012, it was announced that the London Borough of Barnet was awarded a grant of £1,676,625 (with an element of match funding) from the GLA to support Cricklewood in becoming a more cohesive, accessible and thriving town centre. The Council was also successfully awarded a grant of £1,075,060 for North Finchley (also with an element of match funding).
- 8.3 Supported with monies awarded from the OLF, the North Finchley Town Centre Project aims to take a coherent and joined up approach to improving the physical appearance of North Finchley Town Centre and to focus on the skills and marketing required to enable traders, businesses and the community to build on existing momentum and emerging opportunities which help to ensure North Finchley Town Centre has continued economic prospects and vitality.
- 8.4 There are a series of projects which will be delivered through this grant allocation and associated match funding. They will be required to work with the wider Project Team to ensure that all projects are coordinated and designed well throughout the duration of the two year programme.
- 8.5 In September 2012, the Public Realm Design Team commission were advertised on the Procure 4 London website and competitive clarifications sought from experienced and suitable suppliers in accordance with the Council's Contract Procedure Rules which require that a minimum of two quotations are returned for each specification. For this contract the threshold was met.
- 8.6 For the purposes of clarity, the services being provided by the appointed North Finchley Design will be: architecture/landscape architecture; public realm design, delivery and management; shop front design delivery and management; meanwhile use (re-activation vacant shop units); special event planning; design and implementation of creative window displays (in shop windows); visual merchandising support; graphic design and identity development.

**9. LIST OF BACKGROUND PAPERS**

9.1 None.

**10. OFFICER'S DECISION**

**I authorise the following actions:**

**10.1 The council enters into a contract with Muf Architecture/Art LLP for the provision of Public Realm Design Services in the sum of £114,650.**

**Signed**

**Lucy Shomali**

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**Assistant Director Strategic Planning and  
Regeneration**

**Date**

**12 December 2012**

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