



**Decision of Cabinet Member for  
Finance, Resources & Reform**

**Report from the Corporate Director  
Finance and Resources**

**AWARD THE CONTRACT FOR A MULTIDISCIPLINARY  
ARCHITECTURALLY-LED DESIGN TEAM FOR THE NEW  
BRIDGE PARK CENTRE DEVELOPMENT IN ACCORDANCE  
WITH PARAGRAPH 13 OF PART 3 OF THE CONSTITUTION**

<b>Wards Affected:</b>	Stonebridge
<b>Key or Non-Key Decision:</b>	Key
<b>Part Exempt:</b>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
<b>No. of Appendices:</b>	Appendix 1 – Names of tenderers (exempt) Appendix 2 – Evaluation Grid
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	Name: Neil Martin Job Title: Head of Capital Programmes (Schools) Email: <a href="mailto:neil.martin@brent.gov.uk">neil.martin@brent.gov.uk</a>  Name: Tanveer Ghani Job Title: Operational Director, Property & Assets Email: <a href="mailto:tanveer.ghani@brent.gov.uk">tanveer.ghani@brent.gov.uk</a>

**1.0 Purpose of the Report**

1.1 This report concerns the appointment of Multidisciplinary Architecturally-Led Design Team to complete RIBA stages 2 and 3 for the New Bridge Park Centre development. This report requests individual Cabinet Member approval to award the contract for the Multidisciplinary Architecturally-Led Design Team for the New Bridge Park Centre Development in accordance with paragraph 13 of Part 3 of the Constitution.

## **2.0 Recommendation(s)**

That the Cabinet Member for Finance, Resources and Reform, having consulted with the Leader:

- 2.1 Agrees the award a contract for the for a Multidisciplinary Architecturally-Led Design Team for the New Bridge Park Centre Development to Ridge and Partners LLP for the value of £1,023,930.00 in accordance with paragraph 13 of Part 3 of the Constitution.

## **3.0 Detail**

- 3.1 In February 2019, Cabinet approved the New Bridge Park Development report. The report provided background to the history of the site and the council's intentions for the site. It included the outcome and requirements from consultation held which supported an enhanced new centre compared to the one approved by Cabinet in 2014.

- 3.2 The approved February 2019 scheme includes the following facility mix:

1. Up to 1,118m<sup>2</sup> of community use space (halls, meeting rooms, kitchen)
2. Up to 2,258m<sup>2</sup> Enterprise Space
3. Up to 104 new homes to accommodate vulnerable adult client groups living in Brent
4. Leisure Centre, including the following facilities
  - a. 6 lane, 25m pool
  - b. Children's soft play area and party room
  - c. Sauna and steam rooms
  - d. Exercise Studios
  - e. Spin Studio
  - f. Café area
  - g. Clip and climb
  - h. Fitness Suite, including a toning suite

- 3.3 Since then, the council has been involved in litigation with regard to the ownership of the site and the right to develop the site as per the February 2019 Cabinet report. Now that the litigation has concluded in the council's favour, officers intend to progress with the development to meet's its requirements under the Conditional Land Sale Agreement (CLSA).

- 3.4 Officers are proposing to appoint an experienced architectural organisation to provide the Multidisciplinary Architecturally-Led Design Team services throughout the commission to deliver the New Bridge Park Development (the "Contract"). The team will consist of various design disciplines including Architecture, Building Services, Structural, Civils and Principal Designer

services. The multidisciplinary team will carry out the following tasks as part of the commission:

1. Produce designs for the proposed new leisure centre (RIBA 2 and 3)
2. Undertake and lead on consultation with stakeholders and the local community
3. Submit a planning application for the leisure centre
4. Create Employer's Requirements (ERs) for use during the contractor procurement process
5. Aid Officers in evaluating contractor tender bids

### **The Tender Process**

3.5 In July 2022, the Operational Director, Property and Assets approved the pre-tender considerations and the council's participation in a mini-competition process under the Fusion 21 Consultants Framework Lot 4 – Architectural (the "Framework"). Prior to the approval the Director of Legal, HR, Investigation & Audit's (now Corporate Director, Governance) confirmation that it is legally permissible for the council's participation in the Framework was also obtained.

3.6 In accordance with the Framework's rules for a mini-competition process, the council invited all suppliers on the framework lot to express an interest in the tender opportunity. Of the 18 suppliers on the framework lot, ten expressed an interest. These ten suppliers were invited to tender. The invitation was issued via the London Tenders Portal on 18 July 2022 and the bidders were provided with the technical information in order to consider the opportunity and submit a bid.

3.7 The tendering instructions stated that the Contract would be awarded on the basis of the most economically advantageous offer to the council and that in evaluating tenders, the council would have regard to the following:

- Commercial / Price: 30%
- Quality: 60%
- Social Value: 10%

### **Evaluation process**

3.8 The tender evaluation was carried out by a panel of officers from Procurement, Property and Assets and Public Health.

3.9 All tenders had to be submitted electronically no later than 3pm on 11 August 2022. In total, the Council received two bids. The tenders were opened on the same day. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.

3.10 The moderation panel met on 25 August 2022 and each submission was

marked by the whole panel against the award criteria. Officers undertook a detailed evaluation of the pricing submissions. This review process included checking for any formulaic or mathematical errors and issuing queries to each bidder to clarify any qualifications or exclusions in order to ensure compliant bids were received.

- 3.11 The names of the tenderers are contained in Appendix 1. The outcome of the tender evaluation exercise is included in Appendix 2. Officers recommend the award of the Contract to Tenderer 2, namely Ridge and Partners LLP.
- 3.12 In accordance with paragraph 13 of Part 3 of the Constitution, the Cabinet Member has consulted the Leader in connection with the Recommendations.
- 3.13 The individual Cabinet Member is asked to give approval to these proposals as set out in the Recommendations and in accordance with the Constitution.

#### **4.0 Financial Implications**

- 4.1 The estimated cost for the contract proposed in this report is £1,023,930. This will be met from existing funding sources however the Council will seek to capitalise the costs as appropriate as the project progresses.
- 4.2 The proposed contractor Ridge and Partners LLP have been selected through a mini competition under Fusion 21 Consultants Framework Lot 4 – Architectural. The Council’s Procurement team have confirmed that they are relying on the Framework’s financial assessment and hence did not include the requirement for financial assessment in the Council’s template in the Information to the Tenderers (ITT) document.

#### **5.0 Legal Implications**

- 5.1 The value of the Contract over its lifetime is in excess of the Public Contracts Regulations 2015 (the “PCR 2015”) threshold for Services and the procurement and award of the Contract is therefore governed by the PCR 2015.
- 5.2 Officers recommend the use of a framework to award the Contract. The PCR 2015 allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full procurement process. Call offs under the framework agreement need to be carried out in accordance with the framework rules, to include using evaluation criteria specified in the framework agreement and utilising the terms and conditions set out in the framework agreement.
- 5.3 The Council’s Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement

established by another contracting authority, where call off under the framework agreement is approved by the relevant Corporate or Operational Director and provided that the Director of Legal, HR, Audit and Investigations (now Corporate Director Governance) has advised that participation in the framework is legally permissible. The Director of Legal, HR, Audit and Investigations (now Corporate Director Governance) confirmed that participation in the Framework is legally permissible.

- 5.4 The procurement is subject to the Council's own Standing Orders and Financial Regulations in respect of Medium Value Contracts given the procurement is valued at less than £2 million. The Corporate Director Finance and Resources may refer the decision to award to the relevant Cabinet Member. The Cabinet Member for Finance, Resources and Reform in consultation with the Leader has authority pursuant to paragraph 13 of Part 3 of the Constitution to approve the award of the contract from the Framework.
- 5.5 The council had identified the JCT Consultancy Contract (2016) as a suitable contract allowed under the Framework
- 5.6 As the procurement is from a framework, there is no legal requirement for the Council to observe a 10 day standstill period under the PCR 2015. However, officers will observe a voluntary 10 calendar day standstill period before the contract is awarded. All tenderers will be issued with written notification of the contract award decision. A 10 calendar day standstill period will then be observed before the contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to the unsuccessful tenderer. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence.

## **6.0 Equality Implications**

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 6.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender

reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 6.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic; in other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.
- 6.4 An Equality Analysis was undertaken in June 2013 when the Bridge Park redevelopment proposals were first approved by Cabinet. Public consultation and stakeholder engagement, since that date, has led to an enhanced proposal in terms of a new facilities development. The initial Equality Impact Analysis indicates that the general redevelopment of the Bridge Park Community Centre will have positive impacts on all groups falling within a protected characteristic. However, the Equality Analysis will be updated in line with the consultation process and procuring the delivery of the final scheme.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Lead Member for Finance, Resources & Reform has been consulted on the New Bridge Park Development progress.
- 7.2 Ward Members will be kept up to date with project progress such as planning application submissions and works starting on site.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 This contract will be provided by an external contractor and there are no implications for council staff arising from awarding the Contract.

## **9.0 Public Services (Social Value) Act 2012**

- 9.1 The council is under a duty pursuant to the Public Services (Social Value) Act 2012 (“the Social Value Act”) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.
- 9.2 Ten percent of the overall evaluation criteria is allocated to Social Value and this is in line with the council’s Social Value and Ethical Policy approved by Cabinet in April 2020. The highest scoring tenderer will be offering employment opportunities, local supply chain involvement as well as initiatives and support for local community groups and businesses.

**Related documents:**

New Bridge Park Centre, Cabinet report, February 2019

**Report sign off:**

***MINESH PATEL***

Corporate Director Finance and Resources