

Decision Maker: Executive

Date: 13th January 2016

Decision Type: Non-Urgent Executive Key

Title: CRYSTAL PALACE PARK - REGENERATION PLAN

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Chief Officer: Director of Regeneration & Transformation

Ward: Crystal Palace;

1. Reason for report

- 1.1 To update Members on the outcome of a procurement process and seek approval for the award of contract.
- 1.2 On 24th March 2015 the Executive agreed to contribute capital receipts to develop an alternative management option for the park and a second wave of capital improvements in line with the park Masterplan.
- 1.3 Consequently officers have undertaken a procurement exercise to appoint a multi-disciplinary team to develop and deliver a Regeneration Plan for the park. This report outlines this process and seeks approval to appoint consultants.

2. **RECOMMENDATION(S)**

- 2.1 That the Executive considers the details of the tender process undertaken by officers, and agrees to the award of contract for the delivery of the Crystal Palace Park Regeneration Plan as set out in the accompanying Part 2 report.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
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Financial

1. Cost of proposal: See Part 2 report
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Crystal Palace Park capital scheme.
 4. Total current budget for this head: £495k
 5. Source of funding: Capital receipts.
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Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: None
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): In 2006 the park's visitor numbers were estimated at 1.68 million.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 Following Executive Committee approval on the 24th March 2015 officers have undertaken a procurement process to appoint a multi-disciplinary team to both develop and deliver a second wave of capital improvements in line with the park Masterplan.
- 3.2 This Regeneration Plan follows the £2.4m Crystal Palace Park Improvement Scheme currently being delivered in the park, and aims to release capital monies identified in the park Masterplan to deliver further capital improvement within the park. The Regeneration Plan is part of the works required to achieve a sustainable future for Crystal Palace Park under the management of a Trust or similar, and the continued capital improvement of the park in line with the Masterplan, as set out in the 24th March 2015 report to the Executive.
- 3.3 To undertake the Regeneration Plan works a multi-disciplinary team is required. Officers identified the Homes and Communities Agency multi-disciplinary technical panel framework as a suitable framework for the procurement of this team.
- 3.4 The framework required a two phase process to be undertaken. Initially a sifting brief was produced and all suppliers listed on the lot were invited to respond through ProContract/Due North. Seven responses were received in July 2015 and evaluated, and five suppliers taken forward to the second stage in line with the framework's rules. The sifting brief did not require bidders to submit prices.
- 3.5 A full Invitation to Tender, brief and specification was then produced and published in October on ProContract with the five suppliers identified at stage one invited to tender.
- 3.6 The tenders received were evaluated by a panel of nine people which included Council officers from leisure and culture, town centre renewal and strategic property, a community representative, an officer from the Greater London Authority and an officer from Historic England. The final evaluation panel meeting took place on the 8th December 2015 when consensus quality scores were agreed.
- 3.7 The accompanying Part 2 report sets out the fixed lump sum prices bid for Stage One of the Regeneration Plan, the percentages bid for Stage Two of the Regeneration Plan, and details the recommended award of contract.

The evaluation process

- 3.8 A full Invitation to Tender, brief and specification was produced and published in October on ProContract with the five suppliers identified at stage one invited to tender. The Invitation to Tender set out the tender evaluation process.
- 3.9 Tenders were evaluated on a 60% price and 40% quality weighting criteria.

Price: Officers evaluated tender submissions using the Chartered Institute of Public Finance & Accountancy (CIPFA) Evaluation Model which calculates all tendered prices received from individual bidders and produces an overall mean price value, i.e; the arithmetic average value bid across all tenders received. Each bidder is automatically allocated an initial 30 points - half of total weighting points allocated to price available (60). Individual scores were then allocated for each 1% the bidder's tender value was above or below the mean price received for all bids, as detailed below:

Tendered Value Above/Below Mean Price	% Bidder Tender Value Above/Below Mean Price	Point Allocation	Maximum / Minimum Score
Below	For each 1% a tender value falls below the mean price	1.2 points are added to the 30 points allocated	Maximum Possible Score Available = 60
Above	For every 1% a tender value submitted exceeds the mean price	1.2 points is deducted from the 30 points allocated	Minimum Possible Points Available = 0

- 3.10 The Council may, where permissible, exclude bids assessed to be a) too low to be credible (subject to necessary assessments, as stated in the legislation) or, b) any bid received that has been priced above 25% (deemed too high to be affordable) of the mean price of all bids received.
- 3.11 The Invitation to Tender required tenderers to provide: a fixed lump sum price for Stage One of the brief – the development of the Regeneration Plan and an action plan for its implementation; and percentages against a range of indicative values for Stage Two of the brief – the implementation of the Regeneration Plan capital works, bringing to fruition the park improvements. These prices and percentages are detailed in the accompanying Part 2 report.
- 3.12 Quality: Officers evaluated the ability of the tenderers to perform and provide the services described in the Brief and Specification and evaluated method statements based on the Qualitative Scoring Criteria detailed below. This table provides a summary of the qualitative criteria:

Question No.	Qualitative Criteria	Scoring Criteria
Question 1	Technical merit of the proposal	20%
Question 2	Understanding of project requirements	20%
Question 3	Staff and other resource	20%
Question 4	Management and communications	20%
Question 5	Programme	20%

- 3.13 All tenderers were required to score a 5 or above for each method statement in order to be considered compliant with the Tender and service requirements. Tenders that scored below this threshold for any method statement were not considered for contract award. The scoring methodology used was as follows:

Rating	Score	Level	Comment	Summary
FAIL	0	Inadequate	Insufficient information provided or does not meet the Council's requirements	Not acceptable
	1	Extremely Poor	An extremely poor, well below expectation response: there is a lack of content / explanation in addressing each of the requirements; most proposals are unrealistic / unjustified / unsupported or lack significant content / explanation; a very significant proportion of proposals are unacceptable from a risk perspective; a significant degree of failure to demonstrate technical and commercial aspects.	Much less than acceptable, major areas of weakness
	2	Very poor	A very poor, below expectation response: there is a lack of content / explanation in addressing each of the requirements; some proposals are unjustified / unsupported or lack significant content / explanation; a significant proportion of proposals are unacceptable from a risk perspective; a degree of failure to demonstrate technical and commercial aspects.	
	3	Poor	A poor, below expectation response: Not many requirements are addressed; and/or proposals lack significant content / explanation; and/or many proposals are unacceptable from a risk perspective; and/or many proposals lack an acceptable approach to technical and commercial aspects.	Less than acceptable, more weaknesses than strengths
	4	Weak	A weak, below expectation response: Very few requirements are addressed; and/or proposals lack significant content / explanation; and/or some proposals are unacceptable from a risk perspective; and/or some proposals lack an acceptable approach to technical and commercial aspects	
PASS	5	Adequate	An adequate response that barely meets expectation: A few requirements are addressed; proposals have a reasonable level of content / justification and explanation; proposals should be acceptable from a risk perspective; an acceptable approach to technical and commercial aspects.	Acceptable, but with some minor areas of weakness
	6	Quite Good	Quite a good response that meets expectation: Some requirements are addressed; proposals have a reasonable level of content / justification and explanation; proposals should be acceptable from a risk perspective; an acceptable approach to technical and commercial aspects.	
	7	Good	A good, above expectation response: Many requirements are addressed; proposals have a good level of content / justification, explanation and risk perspective; a good / sound approach to technical and commercial aspects.	Highly acceptable, strong with few weaker areas
	8	Very Good	A very good, above expectation response: Most requirements are addressed; proposals have a very good level of content / justification, explanation and risk perspective; a good / sound approach to technical and commercial aspects.	
	9	Excellent	An excellent response: Vast majority of requirements are addressed and most of the bidder's proposals include sound, innovative suggestions; proposals are quite detailed in content / justification and explanation; proposals are highly acceptable from a risk perspective; an outstanding approach to technical and commercial aspects which delivers more than expectations supported by evidence.	Extremely acceptable, many strengths, no weaknesses
	10	Exceptional	An exceptional response: All requirements are addressed and all of the bidder's proposals include sound, innovative suggestions; proposals are very detailed in content / justification and explanation; proposals are highly acceptable from a risk perspective; an outstanding approach to technical and commercial aspects which delivers more than expectations supported by evidence.	

- 3.14 The evaluation panel undertook an initial assessment of the Tenders received on the 26th November 2015. All compliant bidders were then invited to interview. Clarification interviews were held on the 8th December 2015. Following the interviews the panel reconvened to agree consensus quality scores.
- 3.15 The consensus scores were inserted in to the evaluation matrix with the Stage One fixed lump sum prices and Stage Two percentages, which identified the highest scoring tender. This information is provided in the accompanying Part 2 report.
- 3.16 The company identified in the Part 2 report to be awarded the contract has identified a programme to complete the Stage One works by the end of September 2016.

4. FINANCIAL IMPLICATIONS

On 24th March 2015 the Executive agreed to contribute £495k capital receipts towards the scheme and to add it to the capital programme. £250k of this was set aside to meet the costs of the feasibility study for the development of the park including the top site.

5. LEGAL IMPLICATIONS

The Public Contracts Regulations 2015 apply to this procurement. These Regulations have been complied with by using an EU compliant framework agreement. The decision-maker for this contract is the Executive.

Non-Applicable Sections:	Policy implications and personnel implications.
Background Documents: (Access via Contact Officer)	Report DRR15/020 Crystal Palace Park. Crystal Palace Park Regeneration Plan Brief and Specification available from report writers by request.