

Report to: Cabinet, 11th June 2013

Report of: Cabinet Member for Safer and Stronger Communities

Subject: WORCESTER SWIMMING POOL – DESIGN TEAM APPOINTMENT – KEY DECISION EXEMPT ITEM

1. Decisions Required

1.1 Cabinet to agree:

- i. Turner Townsendbe appointed to provide Lead Consultant, Project Management and Design Services for the new Swimming Pool complex on the basis that;
 - a. the initial appointment is for work up to and including RIBA Stage H Tender Evaluation (Phase 1) at a cost of **£286,783**. Work beyond this stage is dependant on the Council agreeing to the scheme(s) submitted and deciding to proceed with the project and;
 - b. in the event of the Council deciding to progress the project they continue to provide Lead Consultant, Project Management and Design Services up to RIBA Stage L1 Administration of the building contract following Practical Completion and making final inspections at a cost of **£145,016**
- ii. to delegate to the Corporate Director, Service Delivery and Section105 Officer authority to agree any necessary agreements and financial arrangements with the Lead Consultantand;
- iii. any balance from the budget allocated for work up to and including RIBA Stage H Tender Evaluation (Phase 1), (£300,000)is set aside as a contingency for any unforeseen costs that may arise.

1.2 Cabinet to note that:

- i. the total cost of the pool design fees based on the figures submitted as part of the tender process will be **£656,819** this broken down as follows;

Phase 1	£286,783
Phase 2 (up to Project Completion)	£145,016
Costs novated to contractor	£225,020

2. Background

2.1 The Council at its meeting on the 26 March 2013 agreed to progress to tender and evaluation stage for the construction and allocate a budget of £300,000 for the tender and tender evaluation process.

Design Team

- 2.2 In terms of the professional advice required to progress the scheme Deloitte Real Estate (DRE) recommended that a consultant (design) team, (including Project Management, Architect, Structural and Civil Engineer, Mechanical and Services Engineer, Pool Filtration Engineer (often combined with M&E), Cost Consultancy and a CDM Coordinator), is appointed through a Lead Consultant using the Government Procurement Service (GPS) Framework.
- 2.3 Members should however, be aware that the GPS Framework is due for renewal with the existing Framework ending on the 15th June 2013. Information posted on the GPS website indicates it is unlikely that a new Framework will be in place until early 2014. Failure to enter into a contract before this date will result in delay of 3 – 4 months whilst a full OJEU procurement exercise for the Design team is undertaken.
- 2.4 In the light of this your officers commenced the procurement of the Lead Consultant and Design team using the existing OJEU approved GPS Framework, which contains twelve contractors, (Appendix 1), with the capability and experience of providing 'Project Management and Full Design Team Services', to submit tenders via a 'Mini Competition' in accordance with the Framework's processes and procedures.
- 2.5 Prospective tenderers were requested to provide prices for the work required at each RIBA stage so that a Project Management and Full Design Team can be appointed for the whole project including L1 Administration of the building contract following Practical Completion and making final inspections. Prospective tenderers, via the invitation to tender, have been made aware that the first phase will be to carry out the works required up to and including RIBA Stage H Tender Evaluation. Progress beyond this stage being dependant on the Council agreeing to the scheme(s) submitted and deciding to proceed with the project.
- 2.6 A copy of the Invitation to Tender, Mini-competition GPS Framework RM457, 'Project Management & Full Design Team Services' for the Construction of a new Worcester Swimming Pool Complex is available as a background paper.

3. Evaluation Criteria

- 3.1 The tenders received have been evaluated on the basis of the following criteria:

- | | |
|------------------|-----------------------------|
| • Price | 40% of overall score |
| • Quality | 60% of overall score |

3.2 Price Evaluation

- 3.2.1 The Price was taken to be the sum of prices as submitted by the Tenderer in the Pricing Schedule.
- 3.2.2 The average price tendered was calculated as the sum of all prices tendered divided by the number of tenders received.
- 3.2.3 To ensure that the lowest price tendered received the maximum marks available for this section, the score awarded to the average price tendered was re-calculated as 100 minus the points to be added to the lowest Tenderers score.

3.2.4 This figure was then used as the constant from which all other scores were calculated.

3.2.5 One point (1) was added to the constant for every 1% that a Tenderer's price is below the average price tendered. One point (1) will be deducted from the constant for every 1% that a Tenderer's price is above the average price tendered.

The following worked example is provided for clarification purposes:

Tenderer 1	£891,456	(A)
Tenderer 2	£916,820	(B)
Tenderer 3	£945,586	(C)
Average price tendered ((A+B+C)/3)	£917,954	

	Price Tendered	Percentage above/below Average	Points added/deducted
Tenderer 1	£891,456	-2.89	2.89
Tenderer 2	£916,820	-0.12	0.12
Tenderer 3	£945,586	3.01	-3.01

Score for average (constant)	=	(100 - 2.89)	=	97.11
Score awarded to Tenderer 1	=	(97.11 + 2.89)	=	100
Score awarded to Tenderer 2	=	(97.11 + 0.12)	=	97.24
Score awarded to Tenderer 3	=	(97.11 - 3.01)	=	94.10

3.3 Quality Section Evaluation

3.3.1 The requested information received from the tenderers formed the basis of the Quality Section Evaluation.

Quality Section Weightings

3.3.2 The overall points available for the Quality Section are worth **60%** of the total tender score.

3.3.3 The allocation for each section was as per the following table:

Section	Description	Pre-weighted Score Available	Weighting	Weighted Score Available
S2.1	Experience & Expertise	5	5	25
S2.2	Project Team (weighted score available 20 see breakdown below)			
S2.2 a	Structure	5	0.5	2.5
S2.2 b	Main Contact	5	1	5
S2.2 c	Team Members	5	2.5	12.5
S2.3	Key Assumptions	5	1	5
S2.4	Method Statement (weighted score available 50 see breakdown below)			
S2.4 a	Project Execution Plan	5	4	20
S2.4 b	Managing Affordability	5	1	5
S2.4 c	Design Stage	5	2	10
S2.4 d	Procurement & Management of Main Contractor	5	2	10
S2.4 e	Innovation	5	1	5

Maximum Score Available

100.00

3.3.4 The quality scores have also been amended utilising the same principle as that adopted for price to ensure the price quality ratio remains consistent.

3.3.5 The results of the tendering evaluation are attached as **Appendix 2**.

4 Policy, Legal, Financial, Equalities, HR and Risk Management Implications

Policy

4.1 Within the Council's Corporate Plan which sets out the Council's vision to make Worcester a 'First Rank Cathedral and University City' there is a commitment to consider options for a swimming pool replacement and to develop plans for long term provision of all leisure centre and swimming pool facilities.

Legal

4.2 With a project of this complexity, there are a number of potential legal risks that could arise relating to procurement, planning and property. On-going legal support and advice will be required to mitigate any risks that might arise throughout the duration of this project, including the use of specialist external advisers where appropriate.

Financial

4.3 The budget allocated at £300k and was agreed by Council on the 26 March 2013. The funding sources for this cost are £154k from New Homes Bonus in 2013/14, and £150k from the Butts Depot capital receipt (£1.15m in total). It should be noted that if, following the procurement exercise, the swimming pool project does not proceed, then these costs are aborted, and the capital receipts funding would not be available for utilisation and an alternative revenue funding source would be required.

Risk management

4.4 The risk register associated with this project is contained in Appendix H of DRE's report. In addition to these risks the Council has the risk of not providing a municipal swimming offer to residents, if the existing pool plant or building infrastructure breaks down before a viable alternative plan has been shaped, resourced and implemented.

5. Comments of the Managing Director

5.1 The approach taken related to the procurement of a lead consultant (design) team for the new swimming pool is supported because it ensures the project is kept as close to the timetable as contained within the Feasibility Report agreed by Council.

6. THE CABINET MEMBER FOR SAFER AND STRONGER COMMUNITIES, COUNCILLOR ROGER BERRY, RECOMMENDS:

1. Cabinet agree Turner Townsend be appointed to provide Lead Consultant, Project Management and Design Services for the new Swimming Pool complex on the basis that;

- a. **the initial appointment is for work up to and including RIBA Stage H Tender Evaluation (Phase 1) at a cost of £286,783. Work beyond this stage is dependant on the Council agreeing to the scheme(s) submitted and deciding to proceed with the project and;**
 - b. **in the event of the Council deciding to progress the project they continue to provide Lead Consultant, Project Management and Design Services up to RIBA Stage L1 Administration of the building contract following Practical Completion and making final inspections at a cost of £145,016.**
2. **Cabinet agree to delegate to the Corporate Director, Service Delivery and Section105 Officer authority to agree any necessary agreements and financial arrangements with the Lead Consultant.**
 3. **Cabinet agree any balance from the budget allocated for work up to and including RIBA Stage H Tender Evaluation (Phase 1), (£300,000)is set aside as a contingency for any unforeseen costs that may arise.**
 4. **Cabinet to note that the total cost of the pool design fees based on the figures submitted as part of the tender process will be £656,819 this broken down as follows;**

Phase 1	£286,783
Phase 2 (up to Project Completion)	£145,016
Costs novated to contractor	£225,020

Ward(s): All

Contact Officer: Ruth Mullen,Corporate Director, Service Delivery 01905 722010

Background Papers:

Worcester Swimming Pool Feasibility Study -Deloitte Real EstateFebruary 2013

Invitation to Tender, Mini-competition GPS Framework RM457, 'Project Management & Full Design Team Services' for the Construction of a new Worcester Swimming Pool Complex - 26 April 2013

Appendix 1

GPS – Framework Contract

Project Management & Full Design Team Services Contractor Details

Bovis Lend Lease International Ltd

Capita Symonds Ltd

Deloitte Real Estate

E C Harris LLP

Faithful + Gould Ltd

Gardiner & Theobald LLP

Jacobs U.K. Ltd

Mace Ltd

Mott Macdonald Ltd

Pick Everard

Rider LevettBucknall Ltd

Turner & Townsend