

Report of: Senior Projects Manager

Report to: Chief Officer Parks and Countryside

Date: 13.7.2016

Subject: Award of Whinmoor Grange Horticultural Nursery Development Contract

Are specific electoral wards affected? If relevant, name(s) of ward(s): Crossgates and Whinmoor, Harewood	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: 10.4 (3) Appendix number: 1 NPS Tender Report	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

In October 2015 Executive Board approved an injection of £6.5m into the capital programme (scheme no 32415) to fund the relocation of the Redhall Nursery to Whinmoor Grange. Executive Board also authorised expenditure up to £6.5m.

Following tender evaluation a preferred contractor has been identified, and this report seeks authority to appoint HBS to supply and construct the specialist horticultural glass house. Details of the procurement are contained in confidential appendix 1.

Recommendations

1. The Chief Officer Parks and Countryside is recommended to approve the appointment of HBS as the main contractor to supply and construct a horticultural glasshouse and associated facilities at Whinmoor Grange

1 Purpose of this report

- 1.1 The purpose of this report is to document in detail the procurement processes undertaken to identify the preferred provider to deliver this provision, details are contained in the Tender Report prepared by NPS (confidential appendix 1).
- 1.2 To seek approval from the Director of Environment and Housing to appoint HBS as the principal contractor to supply and construct a horticultural glasshouse at Whinmoor Grange.

2 Background information

2.1 On 21st October 2015 Executive Board;

- Approved an injection of £6.5m into capital scheme 32415/000/000;
- Approved expenditure of up to £6.5m to design and build a replacement horticultural nursery for LCC Parks and Countryside at Whinmoor Grange and re-locate other services from the existing Red Hall depot subject to planning approval and the Local Growth Fund loan agreement.
- Approved in accordance with CPR 3.1.8, the selection of a single stage develop and construct procurement approach via an open non-EU procurement to obtain a specialist contractor to undertake the proposed construction of a horticultural nursery glasshouse at Whinmoor Grange, and the evaluation criteria of 70% of marks for the lowest compliant cost and 30% of marks for quality criteria.
- Approved the designs and costs for Whinmoor Grange nursery, subject to planning approval.

2.2 Complete tender documentation was issued to the market under an Open Procedure procurement, following this two tender submissions were received.

2.3 Both organisations passed the first stage of the assessment which was to meet the standards of the Pre-Qualification Questionnaire, subsequently both organisations formal tender submissions were scored with a 30% quality, 70% price split. Tenders were evaluated by an evaluation panel from the client service in Parks and Countryside, and Asset Management, City Development. NPS evaluated the tender submissions (price) from a commercial aspect,

2.4 The evaluation process was overseen by a Senior Procurement Projects Officer from PPPU. All information relating to this process and the associated weightings were detailed in full within the published tender documentation.

- 2.5 Both tenderers successfully attained the minimum quality thresholds outlined within the tender documentation.
- 2.6 Following the evaluation process the preferred tenderer HBS has been identified as the most economically advantageous.
- 2.7 HBS will deliver the glasshouse as the lead contractor in a consortium with two other specialist horticultural providers, Luiten and Saarlucken.
- 2.8 The overall evaluation / due diligence and tender clarification process has not identified any significant risks in terms of awarding this contract.
- 2.9 Norfolk Property Services were approached as consultees to the evaluation process to provide advice to the scoring panel

3 Main Issues

- 3.1 Works have already commenced on site to prepare the ground for a glasshouse and provide electrical and water services to the site. These works are being carried out by Parks and Countryside as in-service providers.
- 3.2 The cost of the works being carried out by Parks and Countryside is allowed for and contained within the £6.5m approved by Executive Board.
- 3.3 The glass-house contractor needs to work with Parks and Countryside to ensure that their respective works are fully coordinated to meet the employers requirements. It is therefore important to procure the glasshouse contractor as soon as possible.
- 3.4 The current timetable for the works is;
- Contractor appointment – July 2016
 - Contractor Design – July – Sept 2016
 - Start on site – September 2016
 - Completion – June 2017
- 3.5 Prior to the conclusion of the tender evaluation both tenderers were advised of the Council's proposals that it is prepared to accept tenders on the following basis:
- 1) The 50 year design life requirement set out in Structural - HBS Designs Tender Design Proposals-Whinmoor Grange-FINAL Version 1.00 26-04-2015.pdf (2.1.2 – Glass house & Steel Structure) has been replaced with a minimum 15 (fifteen) year design life.
 - 2) The insulated roof as shown on drawing "Indicative Roof Plan NPS – DR – A – (00) – 005 P2.0" must meet a U value of 0.17W/m².

Bidders were advised that both of these amendments are to bring the Council's requirements in line with commercially available industry standard products and that they now have a final opportunity to withdraw any qualifications that were included in their tender submission accordingly.

- 3.6 One tenderer responded to confirm their agreement with the proposed alterations 1) and 2) which bring the Council's requirements in line with commercially available industry standard products. Further that their tender submission is fully compliant with these amended requirements and confirmed that their responses to the "Tender Submissions Clarifications" document previously issued remain valid and that their Tender Submission does not include any further qualifications.
- 3.7 The other tenderer responded to accept the changes and the withdrawal of all other qualifications; however they also indicated that the revision to the specification and withdrawal / deletion of all qualifications would mean that they would have to increase their tender offer by £581,646.

3.1 Consultation and engagement

- 3.1.1 Harewood along with Crossgates and Whinmoor ward members have been consulted on the proposals for the new horticultural nursery at Whinmoor Grange and no adverse comments have been received.
- 3.1.2 As part of the planning process members of the public had the opportunity to comment on the proposals, no adverse comments were received
- 3.1.3 Furthermore, local Parish Councils, including Barwick and Scholes and Thorer, were contacted and invited to an open day to view plans and discuss proposals with officers.
- 3.1.4 Planning permission was approved in October 2015.
- 3.1.5 During the procurement process interested tenderers were invited to a clarification session and site visit. The tenderers who returned accepted the invitation to meet with the project team and visit site.

3.2 Equality and diversity / cohesion and integration

- 3.2.1 A screening document is not appropriate for the approvals sought in this report.

3.3 Council policies and best council plan

- 3.3.1 The proposals to develop the horticultural nursery at Whinmoor Grange contribute to the Best Council Plan 2015/2016 objective of becoming a more efficient and enterprising council through the creation of fit for purpose bespoke operational facilities that will offer significant efficiencies in the delivery of the Parks and Countryside service.
- 3.3.2 Delivery of the Whinmoor Grange scheme will also contribute to the objective of promoting sustainable and inclusive economic growth, by facilitating the release of land at Red Hall estate for use in housing and transport infrastructure

improvements through the East Leeds Extension and East Leeds Orbital Road proposals.

3.4 Resources and value for money

3.4.1 HBS have provided a tender which is within both the budget allowed for the glasshouse, and the pre-tender estimate provided by NPS.

3.5 Legal Implications, access to information and call In

3.5.1 The decision to award this contract is a Significant Operational Decision and not subject to call in.

3.5.2 The tender has been evaluated in accordance with the evaluation criteria set out in the tender documents and therefore, provided the works are still required and affordable; the contract must be awarded to the winning bidder. Thus, in making the final decision, the Chief Officer Parks and Countryside should be satisfied that awarding this contract represents best value.

3.5.3 The information contained in appendix 1(NPS Tender report) is confidential under Access to Information Procedure Rules 10.4 (3), as it contains information relating to the financial and business affairs of the bidders for this contract and of the Council

3.6 Risk management

3.6.1 There is a risk of co-ordination issues arising between the ISP and the preferred provider. This will be mitigated by use of a whole project approach and early involvement of the glasshouse contractor through this design and build contract. In addition NPS will be retained throughout the project as technical advisors.

3.6.2 A risk register was prepared prior to the issue of tenders and will be maintained by the Senior Asset Management Officer for the duration of the works.

4 Conclusions

4.1 The procurement process has been undertaken in accordance with the CPR's and with full guidance and support from PPPU.

4.2 The proposals in this report have identified the most economically advantageous tender to deliver this provision.

5 Recommendations

5.1 The Chief Officer Parks and Countryside is recommended to approve the appointment of HBS as the main contractor to supply and construct a horticultural glasshouse and associated facilities at Whinmoor Grange

Background documents¹

¹ The background documents listed in this section are available to download from the Council's website,

None

unless they contain confidential or exempt information. The list of background documents does not include published works.