

Report of: Housing Growth Team

Report to: Director of Resources and Housing

Date: 26 April 2018

Subject: Council Housing Growth Programme: Appointment of a Stage 1 DSA (Design Services Agreement) Contractor as part of a two stage procurement to deliver new build Council Housing at the Beeches (Gipton) and Nevilles (Osmondthorpe) sites.

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Gipton and Harehills, Temple Newsam		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input 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?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number: 1 & 2		
Appendices 1 & 2 to this report have been marked as confidential under Access to Information Procedure Rules 10.4 (3) on the basis that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) which, if disclosed to the public, would, or would be likely to prejudice the commercial interests of that person or of the Council.		

Summary of main issues

1. The Beeches (Gipton area) and Nevilles (Osmondthorpe area) sites form part of a number of sites being developed under the Council Housing Growth Programme. These two schemes have been combined to be delivered through one procurement exercise.
2. The schemes are being procured using a two stage competitive process within a cost ceiling via the YORbuild2 framework. The first stage of the process has been undertaken by the Housing Growth Team on behalf of Resources and Housing. Tenders have been evaluated against price and quality criteria (including bidders' designs). This has resulted in the selection of Willmott Partnership Homes Limited as the proposed Stage 1 Design Services Agreement (DSA) Contractor. The DSA Contractor will work with the Housing Growth Team, during the Stage 2 of the tender process to develop the designs, submit a planning application for each of the two sites and following planning approval will be awarded the building contracts.

3. On 6th October 2017, tender documentation was issued to 4 shortlisted contractors from Lot 7 (10+ units New Build Housing) of the YORbuild2 Framework. Two tender submissions were received.
4. Upon review of the tenders, the evaluation panel identified issues with both tenders that would prevent either bidder from being appointed. To resolve this, the project team agreed to undertake a partial re-run of the selection process to enable the Council's requirements to be clarified and refined and to allow bids to be submitted which meet the Council's requirements. Both bidders were given the opportunity to review and re-submit their bids and both bidders submitted revised tender submissions.

Recommendations

It is recommended that the Director of Resources and Housing approves the decision to enter into the written Stage 1 Design Services Agreement (DSA) with Willmott Partnership Homes Limited and the continuation of the two stage tender process to further develop the schemes.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval to appoint a DSA Contractor and for them to proceed to Stage 2 of the procurement process to develop the designs and submit planning applications for each of the two schemes. A separate building contract will be awarded for each scheme subject to approval via further DDNs.

2 Background information

- 2.1 The Council House Growth programme has total funding available of £109.3m. Since the initial injection into the capital programme in 2013/14 the CHGP has gained authority to spend of £69.5m through various Executive Board reports and delegated decisions by the Director of Resources and Housing. The current authority to spend on the new build and acquisition element of the programme is £55.2m which includes estimates for the new build on the Beeches and Nevilles.
- 2.2 The Beeches and Nevilles sites form part of a number of sites being developed under the Council Housing Growth Programme which was approved at Executive Board on 9th January and 17th July 2013. The Beeches and Nevilles project is the seventh new build site to be developed under the Council Housing Growth Programme. Three schemes (Railway Close, The Plantation and Wharfedale View) have been completed, two schemes (Broadleas, The Garnets) are almost complete and are being handed over in phases and one scheme (Whinmoor) is currently on site. The YORbuild1 framework was used for all these procurements and has now been superseded by the YORbuild2 framework.
- 2.3 The Beeches forms part of a successful funding bid for a grant contribution from the Homes and Communities Agency's Affordable Homes Programme 2018-19.
- 2.4 The Beeches is made up of two adjacent sites, Beech Walk and Beech Mount in Gipton. The scheme is expected to deliver 27 new homes across the two sites. Two of the properties will be designed and built to the Building Regulations Part M M4(3) (Wheelchair Accessible Dwellings) standard. These properties are being built for families with accessibility needs and are being designed so that specialist equipment can be easily be installed to suit the specific needs of the families who will be identified during the construction phase of the project. All properties will have parking and private gardens. The mix of properties is set out below. This has not changed since the procurement strategy was approved.

Property Type	Number of units	Notes
4 bed house	2	M4(2) Accessible and Adaptable Dwelling - General Needs
3 bed house	8	M4(2) Accessible and Adaptable Dwelling - General Needs
2 bed house	7	M4(2) Accessible and Adaptable Dwelling - General Needs
2 bed bungalow	4	M4(2) Accessible and Adaptable Dwelling - General Needs
1 bed bungalow	4	M4(2) Accessible and Adaptable Dwelling - General Needs
3 bed bungalow	1	Wheelchair accessible dwelling – Building Regulations Part M M4(3)
4 bed house	1	Wheelchair accessible dwelling – Building Regulations Part M M4(3)
Total	27	

2.5 The Nevilles is made up of three sites in Osmondthorpe. The scheme is expected to deliver 32 new homes across three sites. All properties will have parking and private gardens. The mix of properties is set out below. This has not changed since the procurement strategy was approved.

Property Type	Number of units	Notes
3 bed house	19	M4(2) Accessible and Adaptable Dwelling - General Needs
2 bed house	5	M4(2) Accessible and Adaptable Dwelling - General Needs
2 bed bungalow	4	M4(2) Accessible and Adaptable Dwelling - General Needs
1 bed bungalow	4	M4(2) Accessible and Adaptable Dwelling - General Needs
Total	32	

2.6 NPS Leeds were commissioned to provide Feasibility Reports and to provide technical advisory services throughout the procurement and contract management services during the construction period. NPS have supported in developing the output specification and tender documentation.

2.7 Excellence and innovation are central to the council house growth programme. New council homes will be delivered to the Leeds Standard, which requires high quality homes to be designed to meet current and future demand and support the wellbeing of tenants through good use of space and energy efficient designs which reduce running costs for tenants.

2.8 Lessons learned from the earlier Housing Growth schemes were incorporated into the tender documents for the Beeches and Nevilles.

2.9 As outlined in the Authority to Procure report to the Director of Resources and Housing in September 2017, it was agreed following the market sounding exercise undertaken in September 2015, to combine the three sites at the Nevilles with the two sites at the Beeches and deliver them through one procurement exercise using the YORbuild2 Framework. This would make the schemes more attractive to the construction market and would avoid two separate procurement processes being undertaken.

2.10 A further market sounding exercise was undertaken in July/August 2017 with contractors from Lot 7 of the framework (10+ units New Build Housing) to gauge interest in the scheme and obtain feedback on the project. Eight of the ten contractors on the lot expressed an interest in tendering and their feedback was assessed and incorporated into the tender documents where appropriate.

2.11 This procurement involves bidders developing designs within their tender which is done at risk. Experience from similar schemes suggested that the tender list needed to be restricted to ensure the scheme was attractive. An enhanced Expression of Interest (EOI) process was therefore undertaken on the Beeches and Nevilles Council House New Build project. The purpose of the exercise was to agree a short list of four bidders to invite to tender for the scheme. The project team agreed that this was the fastest and most efficient method to shortlist the eight bidders who responded to the market sounding exercise.

- 2.12 Approval under CPR 3.1.8 to procure a framework contractor using a two stage competitive process via the YORbuild2 framework for the two sites was given by the Director of Resources and Housing via DDN on 26 September 2017. When this decision was taken, the Director of Resources and Housing delegated decision making authority for approving the shortlist of four bidders to be invited to tender to the Housing Growth Programme Manager.
- 2.13 Eight EOI submissions were received by 28th September 2017. These were evaluated by a panel which included technical, planning, highways and project management staff. NPS Leeds also provided input to this evaluation as a consultee under their role as technical advisor. A short list of four bidders was formed which was agreed by the Housing Growth Programme Manager on 2nd October 2018.
- 2.14 The selected bidders were:
- Willmott Partnership Homes Limited
 - United Living
 - ENGIE (Keepmoat)
 - Kier
- 2.15 The Director of Resources and Housing approved the evaluation methodology and criteria on 3 October 2017, prior to the procurement commencing, in line with CPR 15.1.
- 2.16 The Invitation to Tender for the Stage 1 procurement was issued to the four shortlisted bidders on 6th October 2017.
- 2.17 During tender stage 1, bidders were asked to submit a tender containing a price and quality submission which were evaluated using a 60% price, 40% quality split. All information relating to this process and the weightings applied to the scoring were detailed in full within the published tender documentation.
- 2.18 A cost ceiling of £9,317,460 (Beeches £4,379,362, Nevilles £4,938,098) was set. The cost ceiling was set using historical costs and benchmarks. Quality submissions included responses to the questions set out in the Instructions for Tendering including a design for each scheme to Royal Institute of British Architects (RIBA) Stage 2.
- 2.19 An output specification was developed by the project team and provided as part of the tender documents. This sets out the quality requirements to be met by the DSA Contractor reflecting the Leeds Standard to which all new council housing will be built.
- 2.20 The DSA Contractor will deliver the two schemes, subject to successful completion of the Stage 2 procurement exercise. A separate building contract will be awarded for each scheme subject to approval via DDN.

3 Main issues

Stage 1 Procurement Process

- 3.1 Following the issue of the tender documents, two tender clarification sessions were held for bidders to ask questions about the scheme on a one to one basis. This gave bidders the opportunity to ask questions about the output specification and to discuss the development of their designs with the Planning and Highways Departments. Non-commercially sensitive questions and answers were circulated to all bidders following the sessions to ensure that the Council was operating in an open and transparent way.
- 3.2 During the tender period, the following two organisations opted out of this opportunity.
- United Living
 - Kier
- 3.3 The decision was taken by the Housing Growth Programme Manager to continue with the procurement with the two bidders remaining in order to allow the project to continue to programme and to ensure that the design work which had already undertaken by the bidders was not wasted.
- 3.4 Two Stage 1 tender submissions were received on 20th December 2017 and were assessed in line with the evaluation methodology published in the Instructions to Tender.
- 3.5 The core quality evaluation panel comprised of the following Resources and Housing officers; Liz Milne (Project Manager), Robert Munden (Technical Manager) and Dan Callaghan (Regeneration Officer). This core panel was joined and supported by guest scorers and consultees for specific scoring criteria where appropriate. A separate Design Evaluation Panel comprised of Planning and Highways officers reviewed bidders' designs only. Consultees, guest scorers and design panel members are listed below with the area of the evaluation they participated in.
- Jill Rann, Principal Planning Officer (Scorer: Design Panel)
 - Nigel Wren, Planning Services (Scorer: Design Panel)
 - Dan Kinghorn, Senior Design Officer (Scorer: Design Panel)
 - Naz Malik, Group Engineer (Scorer: Design Panel)
 - Bill Cooper, Planning Landscape Architect (Scorer: Design Panel)
 - Ian Frobisher, Senior Technical Manager (Scorer: Design Panel)
 - Matthew Lalley, NPS Technical Advisor (Consultee)
 - Mick Field, Technical Services Manager, Housing Property and Contracts (Consultee)
 - John Ogilvie, Area Manager, Housing Management (Consultee)
 - Simon Swift, Area Manager, Housing Management (Consultee)
 - Claire Smith, Housing Manager, Housing Management (Consultee)
 - Jamie Martin, Housing Manager (Consultee)

- Simon Frosdick, Business Development Manager, Parks & Countryside (Consultee - Landscape Design)
- Kirsty Reeves, Occupational Therapist, Children's Services (Consultee - Wheelchair User Dwellings)
- John Brosnan, Principal Surveyor, Health & Housing (Consultee - Wheelchair User Dwellings)
- Tracey Greig, Employment Access & Growth Manager, Social Value – Employment and Skills (Guest Scorer):
- Tenant Procurement Group (Consultees - Resident communication and engagement).

- 3.6 The price evaluation was undertaken by the Quantity Surveyor (QS) from NPS Barnsley Ltd and was checked by the project team. Some arithmetical errors were identified by the QS and were checked by the bidders and the tender prices were adjusted following confirmation of the bidders' acceptance of the corrected figure.
- 3.7 The Core Panel and Design Evaluation Panel assessed the bidders' quality submissions individually before coming together with procurement support to arrive at a consensus score and consider the consultees' feedback.
- 3.8 Upon review of the tenders, the evaluation panel identified issues with both tenders that would prevent either bidder from being appointed. The issues and the recommended action were set out in a confidential briefing note to the Director of Resources and Housing who took the decision to exercise the Council's discretion to use the option within the YORbuild2 framework not to make a selection and to re-run the selection process. The re-run of the selection process commenced on 28th February 2018 and involved the Council re-issuing the tender documentation and inviting tenders from the two remaining bidders. As part of this, the Council clarified and refined the tender documents and held two further clarification sessions with bidders.
- 3.9 Two tender re-submissions were received on 29th March 2018 and were assessed in line with the evaluation methodology published in the Instructions to Tender. An Evaluation Matrix which details all scores is attached as confidential Appendix 1.
- 3.10 Jill Rann (Principal Planning Officer) left the Council in February 2018. A new Planning Lead (Nigel Wren) was identified for the project who participated in the re-run of the selection process including the additional tender clarification session and as a scorer on the Design Evaluation Panel.
- 3.11 The review of the tenders resulted in ENGIE's (Keepmoat) tender being rejected on the grounds that their designs submitted did not comply with the Output Specification in relation to key planning policy guidance, and that the bid therefore did not comply with the Council's requirements. No evaluation scores were recorded for this bidder in line with the Instructions for Tendering.
- 3.12 The price evaluation for the remaining bidder was undertaken by the Quantity Surveyor (QS) from NPS Barnsley Ltd and has been checked by the project team. Some arithmetical errors were identified by the QS and these have been checked by the bidder and the tender price was adjusted following confirmation of the bidder's acceptance of the corrected figure. Full details of this price evaluation is

set out in the tender report which accompanies this report as confidential Appendix 2 – NPS Stage 1 Tender Report (Pricing).

3.13 The Core Panel and Design Evaluation Panel assessed the remaining bidder's quality re-submission individually before coming together with procurement support to arrive at a consensus score. The scoring criteria for quality and weightings are set out below.

3.14 The evaluation panel are satisfied that a competitive procurement has been undertaken despite there being only one of the four bidders remaining at the end of the process. The remaining bidder's designs and quality submission meets the Council's requirements and NPS have undertaken an assessment of the pricing submission which is within the cost ceiling.

Quality Scoring Criteria

3.15 The standard YORbuild2 framework headers for the quality criteria were used. These are listed in the table below. Minimum thresholds applied to all of the quality questions (if a bidder scored 4 or less out of 10, the Council reserves the right to disqualify the bid).

Question No.	Heading and Questions	Marks (out of 1.0)
1	The Supplier's proposed team	0.15
2	The Supplier's resources and supply chain	0.4625
3	The notified completion date	Pass/Fail
4	The notified estimate for the Works	0.0375
5	Potential to deliver added value	0.275
6	The Supplier's initial assessment of contract risks and proposals to mitigate these.	0.05
7	Employment and Skills	0.025
Total		1.0

The total weighted scores are then multiplied by the weighting of 0.4.

3.16 Following completion of the evaluation, a summary of the evaluation scores is below. ENGIE's (Keepmoat) submission was rejected, see section 3.11 above.

Rank	Organisation	Price score 0.6 / 60%	Quality Score 0.4 / 40%	Total Score
1.	Willmott Partnership Homes Limited	0.6 / 60%	0.4 / 40%	1.0 / 100%
2.	Engie Regeneration Limited (trading as	N/A Rejected	N/A Rejected	N/A Rejected

	Keepmoat Regeneration)			
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- 3.17 The total tender figure submitted by the successful tenderer, Willmott Partnership Homes Limited, is £9,317,447 and NPS have confirmed that the tender price is arithmetically correct and within the cost ceiling, see Appendix 2.
- 3.18 The unsuccessful bidder will be informed of the outcome in accordance with the standstill procedures, subject to approval of the recommendation in this report.
- 3.19 The overall evaluation/due diligence process has not identified any significant risks in terms of awarding the contract to the successful bidder. They have the capacity, resource and experience within this operational field of work deemed necessary to deliver the service requirement. See also section 4.7 of this report.
- 3.20 Prior to contract award, a financial check will be carried out to ensure the preferred organisation is not a risk to the authority. Results of this process will be kept on file.

Stage 2 Procurement Process

- 3.21 Subject to the approval to appoint Willmott Partnership Homes Limited as the Council's DSA Contractor, a Design Services Agreement (DSA) will be awarded to them. The DSA will set the terms for the design development period until the work starts on site. The price of the contract will not be permitted to increase during this stage, but the Council may permit a limited number of compensation events (which may lead to an increase in price) based on the NEC standard contract. These will only be agreed in the event that changes are required due to the discovery of additional site issues or that the designs need to be amended.
- 3.22 This stage of the procurement process will involve working in partnership with Willmott Partnership Homes Limited to develop the designs and submit the planning applications. The contractor will be responsible for consulting ward members and other stakeholders on their proposals. There will be one planning application for the Beeches and one for the Nevilles. Once planning approval has been granted and the detailed design has been developed, an NEC4 Engineering and Construction contract (Option A) will be awarded for each scheme and the contractor will construct them (subject to approval via a further DDN at award of contract).
- 3.23 The Council will use a gateway approach to managing this stage of the procurement process, with approvals taking place at key milestones. These key stages include the submission of planning applications and the award of the construction contracts and will provide LCC with assurance that the contractor has met its requirements before moving to the next stage. The DSA allows the Council to withhold payment of fees and/or terminate the DSA if the contractor's performance during this period is not satisfactory.
- 3.24 In the event that final agreement cannot be reached with Willmott Partnership Homes Limited on their design proposals, the Council has the option of terminating the agreement and going back out to the market.

- 3.25 HCA funding has been secured for the Beeches sites and the Council will keep the HCA updated on progress.
- 3.26 The indicative timescales for construction are as follows:
- Contract Start – February 2019
 - Scheme Completion – March 2020
- 3.27 As with previous schemes within the Council Housing Growth Programme, NPS will be providing post contract services which include cost control and contract management for these schemes, NPS will also provide a Technical Advisor role during the Stage 2 procurement process.
- 3.28 A Contract Management Plan will be produced by the Housing Growth Team to manage the delivery of each of the two schemes.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1. A communication plan has been developed for the project which outlines the process for consulting and engaging with key stakeholders. People in neighbouring properties will be consulted appropriately as will other local residents/stakeholders through the life of the project. Opportunities for involving tenants and local tenant groups in the design development and detailed design process are being explored.
- 4.1.2. A tenant procurement group has been set up and following tender submissions a group of tenants were engaged as consultees to the evaluation panel on specific elements of the tender. The membership of the group included representatives from each project area (Beeches and Nevilles). Their comments were considered by the evaluation panel and integrated into the scores and accompanying commentary where appropriate.
- 4.1.3. Regular updates on progress across the whole programme are presented at Council Housing Growth Programme Board.
- 4.1.4. To support the delivery of this scheme, the Housing Growth Team will engage with local members at the following points in the scheme development / procurement process:
- Design Development – Site specific briefings will be arranged with the contractor's architect when the DSA is signed and prior to planning submission.
 - Contract Award – Briefings will be held to inform local members about the decision.
 - Construction Phase – Local members will be informed of the start on site date and briefed on progress regularly throughout the construction phase.
- 4.1.5. Pre-planning meetings will be held with officers from Planning, Highways and building control prior to the submission of the planning application.

4.1.6. A local consultation event will be arranged prior to submission of the planning applications.

4.2. Equality and Diversity / Cohesion and Integration

4.2.1. An Equality, Diversity, Cohesion and Integration screening was undertaken for the Council House Growth Programme and determined that the proposals have a positive impact in terms of Equality and Diversity and that a full assessment is not required.

4.2.2. The screening document has been updated for this scheme and sets out how the requirements of certain groups have been considered in the specification. The updated screening document is attached as Appendix 3.

4.3. Council Policies and Best Council Plan

4.3.1. The development of new council housing will address priorities within the City Priority Plan to provide additional affordable housing and to support housing growth, and in contributing to the delivery of one of the Council's Breakthrough Projects, 'Housing Growth and Jobs'.

4.3.2. The construction of new homes will help to create training and employment opportunities within the local community. Social value requirements are included as part of the YORbuild2 requirements. In their response to Quality Question 7.1, bidders confirmed that they could meet the YORbuild2 employment and skills requirements for a scheme of this size and provided a methodology for meeting the requirements. The requirements include the following:

- 2 new apprentices
- 1 graduate apprentice
- Use of existing apprentices for 60 weeks.

These requirements were drafted by a specialist company engaged by YORhub (who administer the YORbuild2 framework) who assess the value and duration of the scheme to identify what can be achieved. In their response to Question 2.2b, bidders explained how they will offer opportunities to the local supply chain. Willmott Partnership Homes Limited's response to both of these questions will become part of the contract.

4.4. Resources and value for money

4.4.1. The tender that is recommended for acceptance is within the cost ceiling of £9,317,460.

4.4.2. The programme and budget is managed through the Housing Growth Team in conjunction with Corporate Resources and Housing Finance Teams.

4.4.3. The current total funding available for the Council Housing Growth Programme is £108.3m. Overall authority to spend is £80.18m which includes estimates for the delivery of The Beeches and Nevilles schemes.

4.4.4. NPS on behalf of the Council will review the appointed contractor's design

proposals as they develop and validate their costs. An NEC4 Engineering and Construction contract (Option A) for each individual scheme will only be entered into once the designs have been agreed with the Council.

- 4.4.5. NPS will be commissioned to provide post contract services for each of the individual schemes once in contract which will include cost control and contract management during the build programme.

4.5. Revenue Effects

- 4.5.1. There are no revenue implications associated with this report.

4.6. Legal Implications, Access to Information and Call In

- 4.6.1. This report is a subsequent decision of a previous Key Decision and is therefore a Significant Operational Decision which is not subject to call in.
- 4.6.2. The legal and contractual obligations of the Council and bidders will be managed through the YORbuild2 framework and a DSA produced by the Procurement and Commercial Services. The legal and contractual implications of this project are set out throughout this report particularly in section 4.7 (risk management) below.
- 4.6.3. A 10 day standstill period will be carried out in accordance with the procurement regulations to allow the unsuccessful bidder to view the outcome of the procurement exercise in an open and transparent manner.

4.7. Risk Management

- 4.7.1. In April 2017 a workshop was facilitated to identify any risks specifically related to this procurement strategy which were added to the programme risk log. This is reviewed on a monthly basis and any high or very high risks are reported to the Council Housing Growth Programme Board so that the mitigating action can be reviewed. The project team will continue to monitor the identified risks and consider any new risks moving forward through the design development phase, contract award and mobilisation.
- 4.7.2. Risks specific to this procurement route / scheme are as follows:
- 4.7.3. HCA funding has been allocated to The Beeches scheme on the basis that work starts on site by Q4 2018-19. If the start on site date is not met, there is a risk that this funding could be withdrawn. This is a small risk as Willmott Partnership Homes Limited have committed to meeting this date in their tender. The Housing Growth Programme Manager meets with the HCA regularly and will justify any delays to the start on site date to minimise this risk.
- 4.7.4. The risk allocation to the contractor is managed under the terms of the NEC4 Engineering and Construction contract (Option A). Under this contract, the contractor may be entitled to compensation events, in the form of more time or a more money, under certain circumstances. There is a risk of compensation events in relation to site conditions. If ground conditions are discovered during construction that a survey could not have been expected to uncover or if there is an error in the survey data that the Council has commissioned that a reasonably experienced

contractor would not have spotted, the Council will be responsible for the cost and any loss of time as a result of this. The Council has minimised this risk by undertaking a comprehensive set of site surveys which has been issued to contractors as part of the tender information. During Stage 2 compensation events may be permitted in the event that changes are required due to the discovery of additional site issues during this stage, and will be based on the NEC standard and in accordance with the DSA awarded to the successful contractor.

- 4.7.5. There is a risk that a new substation is required on the Beech Walk site to cater for the increased demand that the development would bring. At this stage, Northern Power Grid have advised that a substation is not needed, but this position could change and will not be known until the contractor submits their application for the new connection during Stage 2. If the substation is required, the contractor would be responsible for liaising with Northern Power Grid and designing and building the substation, but the Council will be responsible for the cost. There is also a risk that additional work is required to excavate and remove contaminated ground and to remove the existing and unused sewer network. Costs for all these items have been included in the Council's risk sum which is outside of the cost ceiling.

5 Conclusions

- 5.1 A procurement exercise has been conducted by the Housing Growth Team and NPS Quantity Surveyor in accordance with the Regulations and the Council's Contracts Procedure Rules using the YORbuild2 framework.
- 5.2 A price/quality evaluation of the tender submissions using the published evaluation criteria has resulted in Willmott Partnership Homes Limited achieving the highest overall score
- 5.3 NPS have confirmed that the tender sum of £9,317,447 submitted by Willmott Partnership Homes Limited is arithmetically correct. NPS have undertaken the necessary checks and are satisfied that the costs are reasonable for the RIBA Stage 2 design and for the Council's requirements.
- 5.4 A NEC4 Engineering and Construction contract (Option A) for each scheme will be entered into with Willmott Partnership Homes Limited at the end of the Stage 2 process (subject to approval via a further DDN at award of contract). The building contract will be based on the final designs submitted by Willmott Partnership Homes Limited during Stage 2 of the tender process.

6 Recommendations

It is recommended that the Director of Resources and Housing approves the decision to enter into the written DSA with Willmott Partnership Homes Limited and the continuation of the two stage process to further develop the schemes.

7 Background documents¹

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

None.

8 Appendices

Appendix 1 – Evaluation Matrix (CONFIDENTIAL)

Appendix 2 – NPS Stage 1 Tender Report (Pricing) (CONFIDENTIAL)

Appendix 3 - Equality, Diversity, Cohesion and Integration Screening