

# Authority to Award a contract for the development of a community garden on Lindsey Road in Lincoln Green.

Date: 18<sup>th</sup> November 2022

Report of: Head of Property Management

Report to: Director of Communities, Housing and Environment

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

Appendix 1 Tender Analysis Report under access to information rule 10.4.3

## Brief summary

- This report addresses the tender evaluation process and seeks approval to award a contract to Horticon Limited for the redevelopment works of a community garden including resurfacing, tree planting and street furniture installation
- Five contractors were invited to tender and upon the tender deadline two bids were received. Following the evaluation of the tenders based on price/quality separated approach, Horticon Limited has been identified as the winning bidder
- Funding of £71,000 has been secured for this scheme from Veolia and this will be injected into the HRA to support the funding with the remaining £54,530 funded from the Housing Revenue Accounts (HRA) Environmental Budget.
- The works are required to be completed by 30<sup>th</sup> April 2023.
- These works contribute to the programme of public realm improvements as part of the Lincoln Green wider regeneration investment plan.

## Recommendations

The Director of Communities, Housing and Environment is asked to:

- a) Approve the award of a contract to Horticon Limited to the value of £125,530 to deliver a community garden in Lincoln Green.
- b) Recognise that Appendix 1 – Tender Analysis Report – should be designated exempt from publication in accordance with information procedure rule 10.4(3).

## What is this report about?

- 1 This report provides details of the tender evaluation process and seeks approval from the Director of Communities, Housing and Environment to award the construction contract to Horticon Limited for delivery of a community garden in Lincoln Green
- 2 This report is a subsequent decision from a Significant Operational Decision authority to procure report decision taken on 15<sup>th</sup> September 2022 giving approval to procure a contractor following an open and competitive procedure utilising and inviting specialist landscaping contractors from Constructionline.
- 3 An open, transparent tender process has been undertaken. Five contractors who expressed interest via Constructionline were invited to tender through the YorTender portal. Two bids were received from Horticon Limited and N.T. Killingley Ltd prior to the tender deadline. Their submissions were evaluated as outlined in the tender documentation and Horticon Limited has been identified as providing Best Value.
- 4 The table below shows a summary of the tender evaluation scores:

| <b>Tenderer</b>      | <b>Quality Pass/Fail</b> | <b>Total Score</b> | <b>Rank</b> |
|----------------------|--------------------------|--------------------|-------------|
| Horticon Limited     | Pass                     | 1000               | 1           |
| N. T. Killingley Ltd | Pass                     | 626.40             | 2           |

- 5 Three contractors withdrew from the process due to the timescales associated with meeting the deadline requirements and the impact the current construction market would have achieving these deadlines due to difficulty obtaining materials and labour.

## What impact will this proposal have?

- 6 The proposal will provide a quality multifunctional outdoor space in the inner-city neighbourhood of Lincoln Green that will support resident well-being.
- 7 It will inspire and empower the residents of Lincoln Green by building their confidence and skills through a variety of mediums, particularly through art and growing/gardening activities, which will in turn, encourage participation and engagement which are key to decision making through the regeneration work underway.
- 8 This project will create opportunities and space for residents to meet, promoting social cohesion and resilience, reducing social isolation, and improving mental health.
- 9 It will also demonstrate how community space can be transformed and used creatively and how community involvement can shape the local environment giving residents an appetite for more environmental improvements led by the community.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 10 The project will contribute to the Best Council Plan outcomes of Health and Wellbeing supporting healthy physically active lifestyle; Sustainable Infrastructure improving the natural environment; Child Friendly City supporting families giving children the best start in life and enhancing the City now and for future generations; Age Friendly Leeds making Leeds public space accessible, clean and welcoming; Culture, ensuring culture can be created and experienced by everyone; Safe and strong communities being responsive to local need and building thriving communities

- 11 The new community space will encourage inclusive growth of the community through providing an area for a wide range of activities benefitting and including all demographics, therefore contributing to inclusive growth of the area.

### What consultation and engagement has taken place?

Wards affected: Burmantofts and Richmond Hill

Have ward members been consulted?  Yes  No

- 12 Tenants and residents have been consulted through several community events and have fed back that they want more quality green space where they can sit and meet, and where children can safely play. Residents have been consulted on the design and choice of materials to be used in the space and they have expressed a strong support for the proposals.
- 13 Burmantofts and Richmond Hill Ward members are aware of the work taking place in Lincoln Green and of the partnership work with Mafwa. They have been regularly kept up to date throughout the design period and will remain so.

### What are the resource implications?

- 14 The procurement has been carried out in an open, transparent and competitive manner and evaluated using the quality price separated approach to identify best value. Due diligence checks have been carried out on the successful contractor including the submission of technical references, insurance certificates, Health and Safety certificates and financial statements to satisfy the Council of the capability and stability of the successful contractor.
- 15 The value of the construction contract is a total of £125,530. £71,000 of this will be provided by the funding secured from Veolia. The remaining £54,530 will be provided through council capital funding from the Housing Revenue Account. In making the final decision, the decision maker should be satisfied that this contract represents Best Value for the Council.
- 16 The contract will be managed by the Housing Strategy & Investment team. A contract management plan will be developed in line with Contract Procedure Rule 3.1.17.

### What are the key risks and how are they being managed?

- 17 A risk register for the project is in place and will continue to be managed to monitor, mitigate, and identify any new risks as they arise. Once a contractor is in place the council will work with them to review risks regularly. Notable key risks include:
- 18 Health & Safety – The health and safety of residents, staff and its contractors are the council's priority.
- 19 Timescales for delivery – The project team is working to deliver against the agreed timescales, with work to complete the detailed design starting in December and all works are to be completed on site by the 30<sup>th</sup> April 2023.
- 20 Supply Chain – Due to nationwide supply chain difficulties for building materials there is a risk that this may cause delays in the construction or that construction may take longer than anticipated. This will be regularly reviewed with the contractor and mitigating action put in place where they are deemed appropriate
- 21 Over budget – The risk of the project exceeding the allocated budget has been managed by the production of robust costings taking in to account the current construction market conditions

## **What are the legal implications?**

- 22 The decision set out in this report is a Significant Operational Decision, and is not subject to call-in. Except for the Tender Analysis Report (Appendix 1) which is to be kept confidential, there are no other grounds for keeping the contents of this report confidential under the Access to Information Rules.
- 23 Appendix 1 information of this report has been identified as exempt/confidential under the Access to Information rules 10.4(3). The public interest in maintaining the exemption outweighs the public interest in disclosing the information and financial details, which could adversely affect the business of the Council and the business affairs of several individual other companies.
- 24 The procurement has been undertaken in line with the Council's Contract Procedure Rules. The tender has been evaluated in accordance with the evaluation criteria set out in the tender documents. Following the tender evaluation, the successful contractor has been identified as Horticon Limited.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 25 Other options for this scheme were considered as part of the Authority to Procure report. See Background Papers.

### **How will success be measured?**

- 26 Key benefits will include improved resident satisfaction with their environment and increased resident engagement. These will be measured through future survey questionnaires post installation works, through anecdotal feedback, the number of events delivered in the refurbished space, including attendance levels, and through the Housing STAR survey which is undertaken every two years.

### **What is the timetable and who will be responsible for implementation?**

- 27 It is anticipated that the contract will commence in December 2022 with completion by 30<sup>th</sup> April 2023.
- 28 The Investment Strategy team will be responsible for the implementation of the project.

## **Appendices**

- Appendix 1 – Tender Analysis Report (Confidential)

## **Background papers**

- [Authority to Spend and Procure report](#)