



## Executive Director for Corporate Resources

### **Contract Award Approval for Beckenham Place Park East Restoration Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor Services**

**Date:**

**Key decision:** Yes

**Class:** Part 1

**Ward(s) affected:** Downham

**Contributors:**

Mia Agnew, Senior Lawyer, Legal Services

David Austin Director of Finance, Financial Services

Sorcha Rooney, Procurement and Commercial Services Manager

### **Outline and recommendations**

This report is to seek the Executive Director for Corporate Resources' agreement to award a contract to Building Design Partnership Limited for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East following an open tender process at a fee of 10.94% of capital cost in the event of total capital costs of over £1million to £1.9 million, or a fee of 9.47% of capital cost in the event of total capital costs of over £1.9 million, or a fee of 13.59% of capital cost in the event of total capital costs of below £1 million.

## Timeline of engagement and decision-making

In April 2019 Mayor and Cabinet allocated £1,140,000 from the Council's Capital programme to the regeneration of the eastern part of the park, with the understanding that additional funding required is secured from other partner.

On 12 March 2021, the Executive Director for Corporate Services agreed to appoint BDP through a single tender action process to provide landscape architectural services and prepare a design package for Beckenham Place Park East side for submission for planning permission at a cost of £24,750.

On 22 November 2021, the Executive Director for Community Services agreed to tender a contract for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East.

## 1. Summary

- 1.1 This report is to seek the Executive Director for Corporate Resources' agreement to award a contract to Building Design Partnership Limited (BDP) for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East following an open tender process. This contract is for completion of the technical design of the landscape in Beckenham Place Park East and to ensure all aspects of the scheme are delivered to a high quality through to handover and use. All duties, as set out by RIBA, associated with work stages 4 – 7 will be undertaken by the consultant appointed.
- 1.2 The percentage fee rate charged will be as per the rates set out in the pricing schedule of the tender based on the actual capital works costs, namely:
  - a fee of 10.94% of capital cost in the event of total capital costs of over £1million to £1.9 million;
  - or, a fee of 9.47% of capital cost in the event of total capital costs of over £1.9 million;
  - or a fee of 13.59% of capital cost in the event of total capital costs of below £1 million.
- 1.3 The above percentage fees are higher than the original tender estimate, however this pre tender estimate was an approximation only. Across the board construction industry prices have increased in the past year and both of the completed tenders submitted had very similar percentage price rates. Based on an example of a £1.5 million capital cost project the fee of 10.94% of capital cost would translate to a fee of £164,100".

## 2. Recommendation

- 2.1 The Executive Director for Corporate Resources is recommended to approve award of a contract to Building Design Partnership Limited for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East, at a fee of 10.94% of capital cost in the event of total capital costs of over £1million to £1.9 million, or a fee of 9.47% of capital cost in the event of total capital costs of over £1.9 million, or a fee of 13.59% of capital cost in the event of total capital costs of below £1 million.

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

### 3. Background

- 3.1 Since 2016, it has always been the Council's intention that the whole of Beckenham Place Park should be regenerated, and that investment should be spread across both sides of the railway line which divides the park. In order to continue to take forward the restoration of the east side of the park, in April 2019 Mayor and Cabinet allocated £1,140,000 from the Council's Capital programme to the regeneration of the eastern part of the park, with the understanding that additional funding required is secured from other partners.
- 3.2 In July 2019, BDP were commissioned by the London Borough of Lewisham to progress concept design proposals for the eastern side of Beckenham Place Park, including public consultation and work in collaboration with the Environment Agency with view to a potentially more modest flood alleviation scheme. This commission of BDP built on the completion of the restoration of the western side of Beckenham Place Park, which transformed the landscape of the western part through the creation of site wide routes, a public swimming lake, new play areas and enhancement of the historic parklands and gardens.
- 3.3 In parallel with the concept designs, Hydrologic engineers and flood modellers were also commissioned to ensure any work to the rivers function hydraulically, to optimise the potential flood benefits of the scheme and to prepare a funding business case for submission to the Environment Agency.
- 3.4 In December 2020 BDP's commission was extended to take the scheme through to submission of a planning application in December 2021.
- 3.5 On 22 November 2021 officers obtained approval from the Executive Director for Community Services to tender a contract via an open tender process for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East. This contract is for completion of the technical design of the landscape and to ensure all aspects of the scheme are delivered to a high quality through to handover and use. All duties, as set out by RIBA, associated with work stages 4 – 7 will be undertaken by the consultant appointed.
- 3.6 An open tender process was followed, advertised through the London Tenders Portal. Three tenders were submitted. Tenders were assessed as set out in this report. One tender was deemed incomplete and two went to moderation. Based on assessment of price and quality it is recommended that BDP be appointed.
- 3.7 Full analysis of tender proposals is set out in the confidential appendix. In summary, BDP achieved the highest overall score based on a robust assessment of quality and on price. In respect of quality, BDP were the highest scoring tender. It is considered that BDP demonstrated comprehensive skills, processes, abilities, experience and resources to deliver this project. In respect of price BDP submitted a higher percentage price, but only by a small margin, and hence scored lower on price .
- 3.8 Tenderers were asked to submit a price for fees on a percentage of capital cost basis for each of the three bands of capital costs below:
- Under £1 million capital works costs
  - £1 Million to £1.9 million capital works cost
  - £1.9 million to £2.7 million capital works costs
- 3.9 The current estimate of the capital value of works to the east side of the park is in the range of £1,000,000 to £2,700,000. The design has been developed in such a way as to allow for elements of the scheme to be delivered in accordance with funds available.
- 3.10 The middle band, £1 Million to £1.9 million capital works cost, was used to evaluate

#### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

tenders. This band was determined by the amount of capital funding confirmed or deemed likely to be confirmed for the project on the date of evaluation of 7 March 2022. For this middle band, the percentage price submitted by BDP was 10.94%. Based on an example of a £1.5 million capital cost project this would translate to a fee of £164,100 for BDP. It should be noted that for all three bands there was a only a small difference in the percentage prices submitted by the tenderers submitting complete tenders and that the choice of band for evaluation had no overall impact on highest overall score based on quality and on price.

- 3.11 Whilst only one price band was evaluated, the percentage rate charged will be as per the rates set out in the pricing schedule based on the actual capital works costs.

## 4. Beckenham Place Park East designs to date

4.1 The east side of the park is approximately 30 Hectares, bounded by the railway line to the west and the river to the east. It is currently relatively flat mowed grass with mature trees and vegetation along its perimeter. The stretch of the River Ravensbourne which runs through Beckenham Place Park East is the healthiest stretch of river in the borough. However, there is limited visibility and access to the river and it is not widely enjoyed by local people.

4.2 The former playing fields are no longer used for formal pitch sports, but offer a wealth of opportunities for new landscaping of nature ponds, sunken lawns and board-walks, which could offer valuable flood water storage and enrich the ecology of the park, as well as offering new opportunities for recreation and for all ages to engage with nature.

4.3 The designs for the east side of the park seek to take forward the a vision of this space becoing a key community asset, both in its own right, and as a key part of Beckenham Place Park – south east London’s largest open space. The project seeks to make the most of Beckenham Place Park as a river corridor, creating an ecological treasure in the inner city, establishing an educational resource for all ages, and providing valuable storage for flood waters.

4.4 The key strategic components of the overall ambition for the east side of the park reflected in the designs are:

- **Community** - An opportunity to build on existing amenities and introduce new uses for all to enjoy. It is intended that the community will be engaged throughout the design development process.
- **Heritage** - The improvements and restoration of this side of the park will need to be sensitive to existing heritage and the mature trees, many of them of significant value.
- **Nature** - A balance between nature and amenity needs to be at the heart of this project, respecting the existing river corridor and improving the natural processes in the park, including: biodiversity; ecology; ground conditions; and water within the park
- **Outdoor Activity** - Given the scale of the park and the natural flat terrain there is plenty of opportunity to create different activity areas to complement those which exist today.
- **Recreation & Play** - The existing play areas are tired and in need of refurbishment, this project provides the opportunity to improve and create new play areas coupled with open space for recreation and sport.

4.5 These components have been developed into a landscape design concept with the following 10 objectives:

- **Strengthen interaction with the river** - Increase accessibility to the river in a sensitive way that will maintain the natural environment of the river, whilst allowing greater opportunities for interaction with the water and the water’s edge. Identify a

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

series of spaces along the river where openings can be made without disturbing or impacting on existing healthy trees.

- **Enhance opportunities for play** - Improve and enhance provision for both prescriptive and non-prescriptive play for a wide range of ages. Identify areas of opportunity for play to be integrated within the natural landscape that will not only encourage greater interaction with nature, but also inspire learning. Introduce better play equipment in areas specifically dedicated to play. Provide open lawn areas for sports.
- **Introduce water management** - Introduce water management within the park in a natural way, using gentle landforms that will create subtle features within the landscape, increase wildlife and habitat value and diversity, whilst also reducing flood risk to local communities.
- **Retain & increase provision for varying activities** - Establish a variety of experience and interest within the park through a flowing series of spaces and variations to the landscape. Rolling landforms along the perimeter will offer opportunities to diversify walking, running and cycle routes around the park. Retain areas of open space and level access so that the park can also continue to be used as it is.
- **Create interesting views whilst maintaining clear sight lines** - Introduce variation in the landscape that will add visual interest and enhance the park's natural character, without obstructing long distant views.
- **Upgrade footpaths & increase circulation** - Introduce a network of footpaths that will allow more of the park to be explored and enjoyed by everyone. Provide a full circuit path around the park.
- **Create a series of experiences** - Introduce a variety of both formal and informal seating opportunities to accommodate the needs of all users of the park. These will be located along footpaths and integrated within the landscape to offer a series of experiences from tranquil, relaxing spaces through to more social seating/ gathering opportunities.
- **Improve access & connectivity** - Provide improvement of accessibility and legibility by opening up entrances into the park where possible and removing fencing where not deemed appropriate. Open up views and create clear sight lines by relocating obstructing components and structures to increase visibility into the park.
- **Enhance wildlife and introduce re-wilding** - Additional tree planting will enhance the natural character of the park, increase biodiversity, add interest and improve the visual experience. The proposals introduce a route through the wooded landscape at the southern end of the park to increase opportunities for interaction with existing nature.
- **Explore opportunities for facilities** - Opportunity and future aspiration to identify a location for a café and toilet building.

4.6 In addition to the above, if Lewisham is successful in its bid for £750,000 from the Mayor of London's Green and Resilient Spaces Fund additional measures will further engage and reconnect the communities of Bellingham, Downham and Whitefoot and improve walking and cycling connections to the park through a network of cool blue-greenspaces, including along the Downham Woodland Walk and through exemplary rain gardens, tree planting and enhanced legibility. Associated volunteering activities and training will boost confidence and blue-green conservation skills, opening up employment opportunities in the green economy, with additional opportunities for those suffering poor mental and physical health accessible through social-prescribing pathways.

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 5. The Contract

- 5.1 A landscape architecture/ Principal Designer/ Contract Administrator/Supervisor commission is key to taking forward the scheme. All duties as set out by RIBA associated with work stages 4 – 7 will be undertaken by the consultant appointed.
- 5.2 The consultant will report to the project sponsor through the project manager and work with Lewisham Council officers to develop the design and ensure successful implementation through to completion on site and handover. The consultant will work as part of a multi-disciplinary project team, led by the council's project manager and including a lead officer from the Council's Parks Team. Works contractors will become part of this project team once appointed.
- 5.3 Throughout the contract the Contractor will
- Act as Principal Designer (CDM regs. 2015) including the preparation of pre-construction health & safety pack(s).
  - Carry out the role of Contract Administrator/Supervisor or such other role as prescribed by the particular Building Contract being utilised and as set out in the schedule of services in the brief.
  - Provide a CDM Advisor role to enable discharge of Client duties under The Construction (Design and Management) 2015 including Regulation 4, relating to the Client's managing responsibilities on their construction projects.
  - Liaison with the Council's (or other appointed Building Control (BC) provider) to establish BC approval.
  - Supporting Council officers with tender analysis that will seek to appoint the most suitable and economically viable contractors for construction works (Lewisham officers would undertake actual tender processes).
  - Programming of works that might enable tendering to run concurrently with Planning Applications, thus enabling a reduction in the timeframe to achieve works on site.
- 5.4 High level milestones for the East side restoration are:
- Planning application December 2021/ Planning permission June 2022
  - Environment Agency and Mayor of London funding agreed – May 2022
  - Architecture/ Principal Designer/ Contract Administrator appointed Feb 2022
  - Detailed design and works tender packs and procurement of works – March 2022 to September 2022
  - Main works start on site November 2022
  - Completion on site November 2023

## 6. Procurement Approach

- 6.1 The contract was openly tendered through ProContract, the Council's online procurement system that works with the London Tenders Portal.
- 6.2 The tender was issued 28 January 2022 with a tender return date of 12 noon on 2 March 2022 via an open process using the London Due North tenders portal and was also advertised via Contracts Finder. The indicative timetable for procurement is set out below.

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Activity	Proposed Date
Tender Issued	Friday 28 Jan 2022
Clarification Deadline	10 Feb 2022
Clarification Response LBL Deadline	17 Feb 2022
Tender Return Deadline	<b>Midday 2 March 2022</b>
Confirmation of capital works cost band to be evaluated	after 1 March 2022
Tender Evaluation Period	7 March 2022
Moderation Date	8 March 2022
Earliest Award Decision	23 March 2022
Earliest Contract Commencement	28 March 2022

6.3 A 50:50, price:quality weighting was used to evaluate proposals. Quality covered the following areas

- Technical Ability - 5%
- Technical / Service Delivery - 16%
- Capability and Experience - 10%
- Project management – 10%
- Health and Safety - 4%
- Sustainable Procurement and Social Value – 5%

6.4 The pricing evaluation provides the maximum score of 50 for the lowest tenderer with remaining submissions ranked and scored against the lowest submission. The quality element of the returns was assessed via the Method Statements outlined below:

Main Criteria (& Weighting)	Sub-criteria Weighting	Sub-criteria	Evidence	Method Statement
<b>Technical ability</b> A minimum score of 7 is required for this Method Statement response	5%	Please describe your understanding of what is required and how this can be delivered successfully	✓	MS1*

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Main Criteria (& Weighting)	Sub-criteria Weighting	Sub-criteria	Evidence	Method Statement
<b>Technical / Service Delivery</b> A minimum score of 7 is required for this Method Statement response for a& b	8%	Please provide a clear and detailed service delivery proposal to meet the requirements set out in the specification  Detail every step of the process in delivering the project from the initial kick-off meeting, through to completion.	✓	MS2a*
	8%	Please demonstrate your project team has the skills required to successfully deliver the project	✓	MS2b*
<b>Capability and Experience</b> A minimum score of 7 is required for this Method Statement response	10%	Please clearly detail the experience your organisation has in delivering similar requirements to that shown within the specification.  You should also include up to three relevant and recent (3) detailed case studies that demonstrate your experience and capability of meeting the requirements of the Council.	✓	MS3*
<b>Project Management</b> A minimum score of 7 is required for this Method Statement response	10%	Please provide details of your project team and the skills they have that will ensure successful delivery of the project.  You should provide CVs with details of relevant experience, accreditations and qualifications including any proposed specialist sub-contractors.  Please explain how you will meet, or better, the timescales set out in the specification and ITT, and provide a Gantt chart format for the project.	✓	MS4*
<b>Health and Safety</b>	4%	Please explain how you will:  Address health & safety, CDM and Principal Designer responsibilities and manage and monitor health & safety and environmental health issues for site and park users..	✓	MS5

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Main Criteria (& Weighting)	Sub-criteria Weighting	Sub-criteria	Evidence	Method Statement
<b>Social Value</b>	5%	<p>Please detail how you propose to deliver Social Value as part of this project and how you will meet the proposed Social Value targets over the life of the contract; specifically stating the number of outcomes (i.e. the number of apprenticeships, training opportunities or corporate actions) for each key theme and the time period when these will be achieved.</p> <p>Please see Tender Documents Enclosed for a template version of a London Borough of Lewisham Social Value Monitoring Report which provides an example of how the Council structures the tracking of Social Value commitments:</p> <p>Employment, Skills and Economy</p> <p>Greener Lewisham</p> <p>Healthier Lewisham</p> <p>Training Lewisham's Future</p>	✓	MS6
<b>Equality, Diversity &amp; Inclusion</b>	For information only	Please describe how you would implement equal opportunities within the context of the specification clearly setting out how you will promote and safeguard equality, diversity and inclusion throughout the length of the contract.		MS7
<b>Climate Change</b>	For information only	<p>Tenderers are required to report on their corporate carbon emissions as an organisation using an accredited method;</p> <ol style="list-style-type: none"> <li>1. To disclose what those emissions are</li> <li>2. To identify what actions or modifications they have included (if any) in relation to the goods or services tenderers are proposing that will reduce carbon intensity.</li> </ol>		MS8
<b>GDPR and Data Handling</b>	For information only	Please provide a clear description of how you will store and manage data in relation to the proposed services, and how you will comply with GDPR regulations.		MS9

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

Main Criteria (& Weighting)	Sub-criteria Weighting	Sub-criteria	Evidence	Method Statement
COVID-19 Implications	For information only	<p>What are your plans for your organisation to safely deliver the contract services to ensure that their supply chains are able to delivery in line with The Health Protection (Coronavirus) Regulations 2020 and published government advice?</p> <p>This should cover any internal arrangements for staff and your supply chain, as well as where there is any interaction with the public in the delivery of the contract. Please detail any additional services, measures and working arrangements associated with the plans in place (e.g. resource number and assumptions / cleaning products / PPE).</p>		MS10

6.5 Scoring was on a range of 0 to 10 for MS1 to MS6.. A minimum score of 7 was required for MS1, MS2a, MS2b ,MS3 and MS4. Items MS7,MS8, MS9 and MS10 were were specified in the Invitation to Tender as for information only.

6.6 The tender seal was broken after 12 noon on 2 March 2022. Three tenders were submitted. Tenders were assessed as set out in this report. One tender was deemed incomplete and two went to moderation. Details of the tenders are shown in the table below.

Tenderer	Complete	Min. scores met	Price % of capital cost of £1m to £1.9m	Total score	Rank
A.	Y	Y	10.4	89.8	2
B.	N	n/a	n/a	n/a	n/a
BDP	Y	Y	10.94	91.3	1

6.7 Credit scores were requested via 'Creditsafe' for each contractor to identify any contractor who may present a financial risk to the Council.

6.8 Tenders were evaluated by four officers:

- Project Manager, Capital Programme Delivery
- Senior Programme Manager, Capital Programme Delivery
- Service Improvement Manager, Greenscene – Parks & Open Spaces
- Flood Risk Manager, Regeneration and Place

6.9 Following independent analyses by the 4 evaluators a moderation meeting was held and overseen and managed by a Senior Procurement and Contracts officer. Evaluators discussed each practice and their individual responses to the method statements whereby the four parties agreed a consensus score between them. A full synopsis of tenders is included in the confidential appendix to this report.

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 7. Key risks

- 7.1 Surveys have been undertaken, including of contamination, but further surveys may identify issues which might extend the programme or escalate costs.
- 7.2 There is a risk that the full package of funds to deliver the whole scheme may not be available. The design proposals have been packaged in such a way that elements of the scheme can be taken forward in line with the availability of funds and priorities. The percentage rate charged will be as per the rates set out in the pricing schedule based on the actual capital works costs.
- 7.3 Covid-19 could potentially effect supply chains and impact on working practices. Likewise the design of the park will need to be Covid resilient in terms of how the park spaces and facilities are used. Covid 19 measures, will be one of the quality criteria for assessing tenders.
- 7.4 Different uses of the park have different and sometimes conflicting demands. A comprehensive engagement process, involving a wide range of stakeholders and which seeks to reflect the demographic of the area and borough, and a well researched and evidenced design provides justification of design decisions taken. The consultants will be part of the multi-disciplinary project team, led by the council's project manager, which will develop, maintain and oversee a clear and comprehensive communications plan.

## 8. Financial implications

- 8.1 This report recommends that Executive Director for Corporate Resources approves award a contract to Building Design Partnership Limited for the provision of Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor services for the regeneration of Beckenham Place Park East following an open tender process.
- 8.2 The percentage fee rate charged will be as per the rates set out in the pricing schedule of the tender based on the actual capital works costs, namely:
  - a fee of 10.94% of capital cost in the event of total capital costs of over £1million to £1.9 million;
  - or, a fee of 9.47% of capital cost in the event of total capital costs of over £1.9 million;
  - or a fee of 13.59% of capital cost in the event of total capital costs of below £1 million.
- 8.3 The current estimate of the capital value of works to the east side of the park is in the range of £1,000,000 to £2,700,000.
- 8.4 The middle band, £1 Million to £1.9 million capital works cost, was used to evaluate tenders. This band was determined by the amount of capital funding confirmed or deemed likely to be confirmed for the project on the date of evaluation of 7 March 2022. For this middle band, the two percentage prices submitted in completed tenders was 10.4% and 10.94% - with BDP being the highest price. Based on an example of a £1.5 million capital cost project this would translate to fees of £156,000 for the lowest priced tenderer and £164,100 for BDP.
- 8.5 Budget for this work has been approved from the Council's Capital Programme. Mayor and Cabinet on 24 April 2019 allocated £1.9m from the Council's Capital programme to Beckenham Place Park, of which £1.14m was towards the regeneration of the eastern part of the park. The report indicated that funding of £0.8m would be sought from other

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

partners towards the financing of the overall budget. The capital programme for 2022/23 and future years has retained this allocation, it has merely slipped in terms of timing delivery.

- 8.6 A funding bid is being submitted for £750k from the the Mayor of London's Green and Resilient Spaces Fund, following a successful Expression of interest in September 2021. A decision on this is expected March 2022. Likewise a business case to the Environment Agency seeking approximately £1m Environment Agency funding is to be submitted March 2022. EA decision is expected May 2022 . The project has been developed in such a way to allow for elements to be taken forward in line with available budgets hence the consultancy appointment addressed in this report will be on a percentage of capital cost basis rather than a fixed price.

## 9. Legal implications

- 9.1 The Council's Constitution contains requirements about how to procure and manage contracts. These are in the Contract Procedure Rules (Constitution Part IV). Some of the requirements in those Rules are based on the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment) Regulations (EU Exit) Regulations ("the Regulations") with which the Council must comply. Although the estimated contract value was below the financial threshold for the Regulations the process followed complies with the Regulations.
- 9.2 The potential value of the contract is below £500,000, which means that this is a Category B contract for the purposes of the Council's Contract Procedure Rules and one which is to be awarded by the Executive Director. The potential contract value is likely to amount to more than the estimated contract value by more than 10% therefore the Executive Director for Corporate Services must approve the award.
- 9.3 This contract has been externally and openly advertised as required by the Council's Constitution.
- 9.4 The report explains the evaluation approach and process applied to the bid and the reasons for recommending the successful bid for approval. The Invitation to Tender set out that tenderers had to reach specified scores. The process followed, including exclusion of tenderers who did not reach the minimum score, was in compliance with the advertised and required procedures.
- 9.5 This decision is a key decision and must be contained in the Key Decision Plan.
- 9.6 In taking this decision, the Council's public sector equality duty must be taken into account. It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.
- 9.7 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet must

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 9.8 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.

## 10. Equalities implications

- 10.1 The appointed consultant will be expected to comply with the Council's equalities policy in carrying out this work. The consultant will work to achieve a restored and transformed park, which has accessibility for all, and a broader and more diverse audience at its heart. Consultants will be required to seek advice through the new Disability Commission and to ensure that the processes of seeking public engagement reflect the demographic of surrounding wards and the borough as a whole.

## 11. Climate change and environmental implications

- 11.1 The balance between nature and amenity is at the heart of this project, respecting the existing river corridor and improving the natural processes in the park, including: biodiversity and habitat creation; ecology; ground conditions; and water within the park. Key aspects of the scheme include :

### **Greening, rewilding and habitat creation**

- 11.2 Beckenham Park East has remarkable potential to provide and promote an ecologically rich landscape that will boost ecosystem productivity. A more diverse landscape results in greater species diversity that will ensure natural sustainability for all life forms. Nature ponds have been proposed within the landscape one in the north and one in the south, to introduce further opportunities for aquatic ecosystems to thrive and grow, whilst also playing a role in the flood alleviation strategy for the site. Water loving plant species will be planted, creating varying visual stimulation and experience across the park. The ponds will also provide educational opportunities for children.
- 11.3 Native wildflowers meadows and grasses mix will be introduced to promote biodiversity. In case of scarcity of topsoil there will be other opportunities around the park to seed the receiving areas with wildflower mix under clean excavated subsoil.
- 11.4 The park has many valuable trees that are of a great importance and benefit to the environment, these tree will be protected and also celebrated by planting more trees. Dead wood from the park or from removed trees will be reused to create habitat, providing food and shelter and support wildlife . This could be an opportunity to involve the local community such as volunteers, community groups or
- ### **Promotion of walking and cycling**
- 11.5 New paths, and improvements to existing paths will form part of the new design for the Eastern side of the park. This will help emphasise and strengthen connectivity around the park for cyclists and pedestrians. The proposals will look to link paths with the

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

proposed Lewisham cycle plan.

### **Flood water management**

- 11.6 There has been very close work to date with the EA with view to flood management being a significant part of the scheme. There are areas of high and medium risk of flooding within close proximity to the eastern side of Beckenham Place park.

### **Land Contamination**

- 11.7 There is evidence of historic land contamination through the infilling of gravel pits and levelling of land with WW2 rubble. The proposed works include re-use of site won materials to form mounds and flood bunds.

## **12. Crime and disorder implications**

- 12.1 Increasing the use of Beckenham Place Park is key to reducing anti-social behaviour and fear of crime in this open space. Investing in the park will help to deter anti-social behaviour, helping people to feel safer and discouraging casual vandalism. In addition, plans will be developed to engage the community extensively in the park, through volunteering opportunities and environmental education. As volunteers invest in the open space, the sense of ownership and pride in the park will grow. This in turn moves them to actively look after the space and deters anti-social behaviour.
- 12.2 The appointed landscape architects will be expected to take on board the crime and disorder implications of improvements to the park and will be asked to demonstrate this as part of the tender process.

## **13. Health and wellbeing implications**

- 12.3 Renovation and regeneration of the park will provide significant health and well being opportunities. The appointed landscape architects will be expected to design and deliver a COVID resilient scheme, including consideration of how active spaces and an increased intensity of use is designed for.

## **14. Social Value implications**

- 12.4 Tenderers were asked to detail in their submissions how they propose to deliver social value as part of this project and how they will meet the social value targets over the life of the contract; specifically stating the number of outcomes (i.e. the number of apprenticeships, training opportunities or corporate actions) for each key theme and the time period when these will be achieved.
- 12.5 A template version of a London Borough of Lewisham Social Value Monitoring Report was included as part of tender documentation which provided an example of how the Council structures the tracking of Social Value commitments of Employment, Skills and Economy; Greener Lewisham; Healthier Lewisham; and Training Lewisham's Future,
- 12.6 The consultant proposed to be appointed set out a clear understanding of potential for and a commitment to social value in Lewisham and a comprehensive range of specific targets were detailed with reference to Lewisham social value monitoring tool and key performance indicators.
- 12.7 The Project Manager, Capital Programme Delivery and the Council's Local Labour and Business Scheme Project Officer will monitor delivery of social value.

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 15. Contract Management

- 15.1 A Contract Classification is determined by a combination of the level of contract risk, criticality and financial value. The classification for this contract requires a minimum of monthly contract management meetings with the provider and quarterly meetings for output monitoring.

## 16. Background Papers

Permission to Procure Report



Permission to  
tender report BPP RI

**I approve / the recommendations in this report**

**Signed:**

A handwritten signature in blue ink, appearing to read 'D. Austin', with a horizontal line underneath.

**David Austin, Director of Finance (Deputy s151)**

**for and on behalf of:**

**Executive Director for Corporate Resources**

**Date: 18 March 2022**

## 17. Report author and contact

Adam Platts, Project Manager, [adam.platts@lewisham.gov.uk](mailto:adam.platts@lewisham.gov.uk)

Mob: 07392 860 444

**Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

# Contract Award Approval for Beckenham Place Park East Restoration Landscape Architecture/ Principal Designer/ Contract Administrator/Supervisor Services

Date: 9 March 2022

## PART 2: CONFIDENTIAL APPENDIX

A full synopsis of tenders is set out below:

### A. Chris Blandford Associates Limited

- Minimum scores met: yes
- Financial Score: 50
- Quality Score: 39.8
- Combined Score: 89.8
- Overall ranked position: Second

MS 1. This was a good response demonstrating a reasonable understanding of what is required. A clear approach is set out of how to ensure project goals are met. Lacking some understanding of the technical constraints of the project - water and levels, flood defences, contamination - which are key parts of the scheme. Limited information set out regarding biodiversity. No climate change information included. Limited reference to play and recreation – again key parts of the scheme.

Standard project delivery measures outlined but does not really relate to the specifics of and demonstrate an understanding of what is required in BPP. The matter of uncertainty around funding is not addressed.

MS2: A good description of the process highlighting key stages, although contamination should have been referred to **as this is one of the challenges of the site and referred to in background documents provided in the tender pack**. Compromised by a list of exclusions not included in their service towards the end of the submission including planning conditions, cut and fill calculations etc. , a number of which the Council would expect to be included as part of the service.

Role of architect is unclear apart from bringing local knowledge to the project.

MS3. A very good response. Full team described - contains all expected elements. Limited information provided regarding engineering roles. Limited detail provided re. Principal Designer role. Team members have history of working on similar projects.

MS4. Provided good details of the skills, experience and capability of the project team that will be involved. Programme is good with an understanding of some

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

of the local authority challenges. Sound approach to tender, sign offs etc. but concern that only refers to monthly meetings and no other visits.

MS5. A good but fairly generic health and safety response. Demonstrates understanding of H&S issues on site and provides information on how to manage risks but more direct reference to BPP would have been beneficial.

MS6. A very good range of detail of possibilities for social value set out with specific reference to Lewisham context. However, a major omission is that no specific targets are set out. Lewisham social value monitoring tool and KPIs are referred to but no detail is specified.

MS7,MS8, MS9 and MS10. These items were specified in the Invitation to Tender as for information only. Adequate information and details were provided.

#### B. Atelier Design & Build Di Lazzara Ltd

- Minimum scores met: no
- Financial Score: n/a
- Quality Score: n/a
- Combined Score: n/a
- Overall ranked position: n/a

Submission was incomplete. They failed to submit any Method Statements.

#### C. Building Design Partnership Limited

- Minimum scores met: yes
- Financial Score: 47.53
- Quality Score: 43.6
- Combined Score: 91.13
- Overall ranked position: First

MS 1. An excellent response. Proposal meets and exceeds in some areas. It builds a level of confidence that the tenderer can deliver the requirements through evidence of relevant ability, understanding, skills, resources and quality measures. Comprehensive range of issues identified including

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

nature/biodiversity with only very minor reservations. Probes very well into specifics of projects in setting out how it can be delivered.

MS2: A comprehensive and detailed and very clear service delivery programme is set out covering all expected areas. Refers to involvement of schools but not other partners in inception – though through their current role in the project, as explained in the tender, BDP have a full understanding of range of partners and relationships with different partners. Clear and very comprehensive breakdown of steps involved including principal designer. Includes contamination management. Good to see weekly site visits are included, this will be necessary to supervise works on site efficiently

MS3. A proven project team with very comprehensive experience. They offer a skilled team and one which is fully integrated/used to working together effectively within the practice. The QS attached to the project has good open space project experience and the MTB expert is a bonus. Would have been good to see people from other bigger/prestigious park project. Lots of prestigious urban realm project not so much parks.

MS4. Excellent experience and competences of team demonstrated. An appropriately skilled team with some good background working on rivers, SUDS etc. A sensible and comprehensive programme is offered. A mid tender contractor day is offered to help avoid any confusion amongst tenderers. Lead Landscape Architect role is highly valuable providing great context and years of high-level landscape architecture work. Supporting landscape architects are very experienced again with proven track record. Very clear and highly experienced civil engineer, principal designer and lighting engineer personnel detailed. Very experienced cost consultant. MTB expertise included. This section recognises need for flexibility of program regarding funding. One member of the team has specific experience of constructing flood bunds.

MS5. This section is specific about the issues in BPP. Good example of phasing plan set out. meets requirements with an appropriate description of risks at all stages of the project including post completion.

MS6. Social value submission very strong. A very good range of examples of social value set. Clear understanding of potential for and a commitment to social value in Lewisham set out. Good offers in respect of local schools. Range of specific target set out with reference to Lewisham social value monitoring tool and KPIs.

MS7,MS8, MS9 and MS10. These items were specified in the Invitation to Tender as for information only. Adequate information and details were provided.

## **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>