

Report for: The Cabinet Member for Placemaking, and Local Economy

Title: Award of contract for Employers Agent services for Phase 1 (Selby Centre + Sports Facilities) and Phase 2 (Housing of the Selby Urban Village Project)

Report authorised by: Sarah Lovell, Head of Area Regeneration, North Tottenham

Lead Officer: Azza Rahman, Senior Development Manager, Selby Urban Village, North Tottenham Regeneration
E: azza.rahman@haringey.gov.uk
M: 07816 119918

Ward(s) affected: Bruce Castle

Report for Key / Non-Key Decision: Key Decision.

1. Describe the issue under consideration.

- 1.1. This report seeks approval to appoint Tenderer A to provide Employer's Agent Consultancy services to support the delivery of the Selby Urban Village Project. The Selby Urban Village Project is an innovative collaboration between the Council and the Selby Trust, which seeks to deliver 202 new council homes, a new community centre, new sporting facilities and a new public park across two phases- Phase1 Bull Lane and Phase 2, the existing Selby Centre Site.
- 1.2 The Employer's Agent will act as the Council's lead consultant on the masterplan project. They will provide advice on buildability and risks, procurement and construction strategy, compile the building works tender documents and support the contract procurement exercise. Once contractor has been selected they will also act as the contract administrator, manage the contractor's performance and that the project complies with all relevant laws and regulations, is delivered on time, to funding providers' requirements and within budget.

2. Recommendations

- 2.1. The Cabinet Member for Placemaking and Inclusive Economy agrees to:
 - i. Approve the award of contract for Employers Agent services for Phase 1 (Selby Centre + Sports Facilities) and Phase 2 (Housing of the Selby Urban Village Project) to **Tenderer A** for the sum of **£624,050.00** pursuant to Contract

Standing Orders 9.07.1(d) and 16.02 (Bid Acceptance & Contract Award), comprising Phase 1 (GF) fee: £254,450 and Phase 2 (HRA): £369,600.

3. Reasons for decision

- 3.1 The Selby Urban Village Project is a key project for the Council being delivered in partnership with the Selby Trust. The Project has secured £20m of Levelling Up Funding for Phase 1 and has secured Affordable Housing Grant for Phase 2. The Project now requires Employers Agent Services to provide advice, including construction and delivery strategy advice and contract development and management to ensure that the project is delivered on time, to funding providers' requirements and is delivered within budget.
- 3.2 Following an Invitation to Tender (ITT) process conducted via The Adam Procure DPS System (DPS), Airey Miller Ltd. were identified by the Tender Evaluation Panel as the Best Value Tenderer in terms of Quality and Price. They have submitted a compliant tender response and met the criteria for the assessment scoring. As such, it is recommended that the contract for Employer's Agent services be awarded to Airey Miller Ltd.

4. Alternative options considered

- 4.1 There are currently no resources within the Council that has the capacity, specialist expertise or qualifications to deliver this service. Consequently, there is no option to do this using in-house Council staff and so the Council needed to procure EA services.
- 4.2 The Regeneration and Housing Delivery Teams have worked with colleagues from Procurement and Regeneration to review the best route to procure ES services for the Project and it was agreed following an assessment of the options that Adam Procure DPS was the best route for securing the required services.

5. Background information

Background to the Project

- 5.1 In March 2019, the Council and the Selby Trust signed a Memorandum of Understanding (MOU) that outlined the shared aspirations and agreed on ways of working between the partners to ensure the successful redevelopment of the Selby site.
- 5.2 The Project is part of our commitment to make Haringey a greener and fairer place for all. Through the partnership we are working to strengthen our communities, tackle health inequality and maximise opportunities for our residents. The Project aims to:
- **Strengthen communities and cultures-** by investing in a new Selby Trust community building at the heart of the new village, which will support and empower our diverse communities, provide space for culture to be celebrated and provide and foster opportunities, enterprise and innovation.

- **Inspire a generation through sport-** by providing high quality, accessible and affordable sporting facilities (3G pitch, cricket wickets, Multi-use Games Area, Sports hall, outdoor football pitch) and improved green space, we have an opportunity to inspire a generation of young people, especially girls, into active lifestyles and tackle key issues in the area such as childhood inactivity and obesity.
- **Promote health and wellbeing-** by connecting communities through new foot and cycle routes that increase access to local facilities, such as the sports centre, playground and green spaces and promoting sustainability.
- **Deliver homes for the future** -by providing over 206 high-quality council homes, including family sized homes, within the new village. Our aim is to achieve the very best in design standards and energy efficiency.

5.2 Since signing the MOU the Council and the Selby Trust have been working together to develop a masterplan for the site and secure funding to deliver the project and the agreed objectives. The Project received a considerable boost in 2022 when it was granted £20M in funding from the central government's Levelling Up Fund. The Levelling Up Funding requires spend of the funding by March 25, with the ability to extend until March 26- something the Council is seeking permission to do. Another key funder is the Football Foundation, who the Council is working closely with to ensure that funding can be secured in 2025. Phase 2 of the Project, which will deliver over 200 council homes, is subject to Affordable Housing Grant.

5.3 To meet funders' timescales and funding requirements the RIBA stage 3 designs for the Project are currently being developed with the view to submit a planning application in the Summer 2024. A procurement process for a contractor to deliver Phase 1- the new community centre and sports facilities on Bull Lane, will need to commence later this year. A contractor for Phase 2 will be sought soon after to meet the GLA's start of site criteria. All of this work will need to be supported by an Employer's Agent (EA) to ensure that the RIBA Stage 3 designs are affordable, buildable and meets the required standards and to support the procurement processes for a contractor for Phase 1 and then subsequently Phase 2 of the Project.

Procurement Process

5.4 With the support of Strategic Procurement, an ITT was published on the DPS under the Professional Services category. Seven no. responses were received and evaluated. During the evaluation process, post tender clarifications were sought and fully responded to.

5.5 A competitive tender exercise for the provision of Employer's Agent Services for the Selby Urban Village project has been completed with tender returns evaluated on a 70:30 (Quality / Cost) basis.

5.6 A quality assessment was conducted by an Evaluation Panel – facilitated by Strategic Procurement, comprising the Senior Development Manager from Regeneration, Senior Project Manager and Phase 2 Project Manager from the Housing Team. A pre agreed list of questions relevant to this project was included

in the tender as part of the Qualitative Delivery Proposals (QDP). Each question was offered a score between 0 (for questions not answered) to 5 (excellent) together with a weighted score.

- 5.7 Tender costs were evaluated on all seven respondents, however, there was a minimum quality threshold of 35% out of 70% (50% of the total quality score). Two out of seven Tenderers did not achieve the minimum quality score and were eliminated from the procurement process. Therefore, their cost submissions were not taken into consideration in the final evaluation. The table below sets out the scores for the 7 Tenderers:

Company	Quality Score	Price Score	Total Score
Tenderer A	51.8%	21.84%	73.64%
Tenderer B	47.6%	17.29%	64.89%
Tenderer C	42%	17.41%	59.41%
Tenderer D	37.8%	11.89%	49.69%
Tenderer E	37.1%	30%	67.10%
Tenderer F	34.3%	N/A	Eliminated
Tenderer G	34.3%	N/A	Eliminated

- 5.8 Tenderer A, Airey Miller Ltd. has been identified as the most economically advantageous tender, achieving the highest overall score with the highest quality score and the second highest price score. This report therefore recommends that they are awarded the contract for supplying Employers' Agent Services.
- 5.9 It should be noted that the Council will ensure that the contract will have the relevant break clauses for each RIBA/project stage so that should the Project not continue the Council is not tied to the contract.
- 5.10 This is particularly relevant for Project, as whilst the Project has secured £20m of Levelling Up funding Phase 1 this phase still has a funding gap. The Project Team will be working with the Employer's Agent and the Quality Surveyor to seek to reduce the costs of the scheme and the level of funding required. The team are also reviewing the funding strategy and working with funders such as the Football Foundation and Greater London Authority to maximise funding opportunities.

6. **Contribution to strategic outcomes**

- 6.1 The Project will have far-reaching outcomes, which will make a significant contribution not only to Haringey's strategic objectives. The Corporate Delivery Plan (CPD) sets out how the Council will build a 'fairer, greener Haringey'. This Project will support the delivery of almost all the themes within the CDP.

- 6.2 **Homes for the Future** – The Project will:
- Deliver over 202 new council homes at 100% social rent that meets the council’s strategic housing requirements.
 - Provide 88 two-bedroom and 65 three- and four-bedroom homes, significantly contributing to the need for larger family homes.
- 6.3 **Responding to the Climate Emergency** – The Project will:
- Effectively re-use previously developed brownfield land by turning an inefficient, unsustainable old school site into a new residential neighbourhood.
 - Support sustainable forms of transport - provision of cycle parking spaces and 860m of new cycle paths through the masterplan.
 - Achieve inclusion of low carbon and renewable technologies through the connection to the Meridian Waste Heat Network and photovoltaics.
 - Achieve a net increase in biodiversity via the introduction of landscaped areas and planting on land that is currently covered with hard surfacing or existing buildings.
- 6.4 **Adults, Health and Welfare** – This Project will:
- Improved leisure and wellbeing space, including the refurbishment of the Sports Hall; a 3G football pitch; two children’s grass football pitches; a multi-use games area for a variety of sports, a cricket pitch and nets, an adventure playground, community growing space. The number of visits to the sports facilities will increase to 274,484 visits p/a.
 - Provide new health space within the community building
 - New space for services/businesses offering employment support to the local community to help them access employment opportunities.
 - 200 new safe and affordable council homes which meet residents’ and their families’ needs.
 - Flexible community rooms/space and a community café to support community cohesion and culture.
- 6.5 **A Safer Borough** – The Project will deliver:
- New sporting facilities, including an improved boxing club, which will actively seek to protect young people from crime and violence.
 - c.3500 sqm of enhanced community space which includes a community café and community rooms to encourage community cohesion.
 - Improved passive and active surveillance and lighting from the intervention will reduce the likelihood of crimes like robbery and antisocial behaviour.
- 6.6 **Placemaking and Economy** - The Project will deliver:
- A placemaking masterplan, which will seek to make best use of under utilised land, provide better connectivity, promote the local economy, and stimulate further investment to the area.

- 1200 sqm of multipurpose office space illustratively split across 39 private, 173 semi-private and 16 co-working spaces.
- New employment/skills support services in new community centre to support local people into employment.
- Opportunities for young and disadvantaged local groups to gain work experience, or upskilling opportunities in construction through our procurement process. Owing to the nature of the required enabling works – the Council would look to procure a specialist demolition contractor from the borough.
- Targeted investment in an area of high need but significant opportunity-ensuring that the investment will complement investment happening around the area, including investment in the Tottenham Hotspur Football Club and High Road West.

7.0 Carbon and Climate Change

7.1 This Project will:

- Effectively re-use previously developed brownfield land by turning an inefficient, unsustainable old school site into a new residential neighbourhood.
- Support sustainable forms of transport - provision of cycle parking spaces and 860m of new cycle paths through the masterplan.
- Achieve inclusion of low carbon and renewable technologies through the connection to the Meridian Waste Heat Network and photovoltaics.
- Achieve a net increase in biodiversity via the introduction of landscaped areas and planting on land that is currently covered with hard surfacing or existing buildings.

8.0 Statutory Officers comments (Director of Finance, Procurement, Head of Legal and Governance, Equalities)

Finance

- 8.1 The recommendation of the report is to award a contract to Tenderer A for Employers Agent services for Phase 1 (Selby Centre + Sports Facilities) and Phase 2 (Housing). for the sum of £0.624m plus a contingency set out in the part b report.
- 8.2 The cost of the contract is to be split between phase 1 General Fund to a value of £0.254m plus a contingency. This will be funded from the Levelling Up grant of £20.0m within the approved General Fund capital programme. In the report it is noted that the scheme has not reached viability. The terms of the Levelling Up Grant are such that, should this scheme not reach viability, this expenditure is still covered by the grant, so no Council resources are at risk.
- 8.3 The second phase will be funded through the HRA to the value of £0.37m plus a contingency as set out in the part b report.

Procurement

- 8.4 Strategic Procurement (SP) note that this report relates to the approval to award a contract to Tenderer A to provide Employer's Agent Consultancy services to support the delivery of the Selby Urban Village Project
- 8.5 SP note that a competitive tender was launched via the LCP's DPS for Professional Services. The adopted procurement is in line with Contract Standing Order (CSO) 9.04.1(b) and Regulation 34 of the Public Contracts Regulations
- 8.6 The Tenderers' bid submissions were evaluated in accordance with the scoring methodology contained within the published Invitation to tender document.
- 8.7 Bid evaluation was based on price and quality and the preferred bidder's submission demonstrates value for money.
- 8.8 SP supports the recommendation to approve the award in accordance with CSO's. 9.07.1 (d) and 16.02

Legal

- 8.9 The Assistant Director of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report which is proposing the award of a contract to Tenderer A to provide Employer's Agent Consultancy services to support the delivery of the Selby Urban Village Project.
- 8.10 Under CSO 9.07.1(d), contracts valued over £500,000 must ordinarily be awarded by Cabinet but in accordance with CSO 16.02 the relevant lead Cabinet Member may be allocated by the Leader to make the decision.
- 8.11 The Assistant Director of Legal and Governance (Monitoring Officer) notes the comments from Strategic Procurement that the adopted procurement is in line with Contract Standing Order 9.04.1.b and Regulation 34 of the Public Contract Regulations.
- 8.12 The Assistant Director of Legal and Governance (Monitoring Officer) is not aware of any legal reasons preventing the Cabinet Member for Placemaking and Local Economy from approving the recommendations made in this report.

Equality

- 8.13 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
 - A. Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - B. Advance equality of opportunity between people who share protected characteristics and people who do not

- C. Foster good relations between people who share those characteristics and people who do not
- 8.14 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 8.15 The decision in this report seeks to appoint an EA to support the delivery of the Selby Urban Village Project. The Project itself will provide substantial new sporting and community facilities alongside 202 social rented homes and 1 commercial unit will also be delivered.
- 8.16 The decision to appoint an EA has a neutral impact on the protected characteristics. However, the Project itself with the delivery of new community and sporting facilities is likely to have a significantly positive impact on nearly all of the protected characteristics as there will be more accessible community spaces and resources for groups to network, develop, and empower themselves and live healthy lifestyles. The 200 new council homes will have a positive impact on individuals in temporary accommodation as well as those who are vulnerable to homelessness. Data held by the council suggests that women, young people, BAME people and those from a lower socio-economic background are over-represented among those living in temporary accommodation. Furthermore, individuals with these protected characteristics, as well as those who identify as LGBT+ and individuals with disabilities are known to have an increased vulnerability to homelessness, as detailed in the Equalities Impact Assessment of the council's Homelessness Strategy. As such, it is reasonable to anticipate a positive impact on residents with these protected characteristics.
- 8.17 As an organisation carrying out a public function on behalf of a public body, Tenderer A will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

9 Use of Appendices

- 9.1 Exempt Report- Award of contract for Employers Agent services for Phase 1 (Selby Centre + Sports Facilities) and Phase 2 (Housing of the Selby Urban Village Project)

10 Local Government (Access to Information) Act 1985

N/A

