

Report Title: **Rectory Gardens Landscaping Work, High Street Hornsey, London N8**

Forward Plan reference no: **None.**

Report of: **Anne Fisher, Director of Environmental Services**

Wards(s) affected: **Hornsey**

Report for: **Non-Key Decision**

1. Purpose

- 1.1 To seek Procurement Committee approval to award a works contract for the soft and hard landscaping of the Rectory Gardens open space on Hornsey High Street.

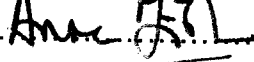
2. Introduction by Executive Lead Member

- 2.1 None.

3. Recommendations

- 3.1 That Members approve the award of contract for the soft and hard landscaping works at Rectory Gardens on Hornsey High Street, in accordance with the recommendations in paragraph 11 and section 6 of the Appendix.

Report Authorised by: **Anne Fisher, Director of Environmental Services**

Signed:  Date: **19/3/06**

Contact Officer: Jimmy Jemal, Team Leader Projects, Strategic Sites and Projects Group

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4. Executive Summary

- 4.1 The proposed re-design and landscaping of the Rectory Gardens open space is the largest of four projects that make up the Hornsey Environmental Improvements programme: a programme designed to regenerate the Hornsey High Street whilst retaining its heritage. The programme is entirely funded using Section 106 Planning Obligation monies in connection with the New River Village Development.
- 4.2 The Rectory Gardens open space creates a sense of arrival onto Hornsey High Street and represents a major opportunity for public realm improvements in the area. The project has strong community support and will implement major improvements to the open space, enhancing the area's green identity and improving the area's functionality.

5. Reasons for any change in policy or for new policy development

- 5.1 Not applicable.

6. Local Government (Access to Information) Act 1985

- 6.1 The following background documents were used in the production of this report:

- S106 Legal Agreement planning reference no. HGY/2002/0247 dated 19th November 2002, in respect of development at the former Water Works site, Hornsey, N8.
- Hornsey High Street Regeneration Study Final Report – December 2004.

- 6.2 This report contains exempt and non-exempt information. Exempt information is contained in the appendix and is **not for publication**. The exempt information is under the following categories:

- (viii) The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
- (ix) Any items proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- (x) The identity of any person offering any particular tender for a contract for the supply of goods or services.

7. Background

- 7.1 The re-design and landscaping of the Rectory Gardens open space is a central component of the Hornsey Environmental Improvements Programme: a regeneration programme funded via the New River Village development through Section 106 obligation monies. The Section 106 provided £400,000 for the programme and an additional £120,000 for management purposes.
- 7.2 The four projects that make up this programme were short-listed from a masterplan after extensive public consultation including local residents, businesses, community groups and other stakeholders. The re-design and landscaping of Rectory Gardens forms the largest of these projects.
- 7.3 A Steering Group, comprising local residents, businesses and Ward Councillors, has been overseeing the programme from its inception and have provided input into the proposed design for the Rectory Gardens open space. The project has strong community support and will implement major improvements to the open space, enhancing the area's green identity and improving its functionality.

8. Report

8.1 The Tenders

- 8.2 Competitive tenders were invited from four firms, which were selected from the Council's approved list of contractors. All contractors on the tender list are landscape contractors who have a proven track record of construction of both hard and soft works. These are listed in section 1.1 of the Appendix. They were invited to implement the new landscape design for the Rectory Gardens open space, which includes the following:
- Re-exposing existing granite sets on Rectory Gardens and raising them to pavement level.
 - Replacing pedestrian quad railings and improving walking routes through the gardens.
 - Planting new trees and replacing those that are ailing or unsafe.
 - Introducing new soft planting.
 - Introducing feature lighting along new footway/walking route.
- 8.3 Three contractors submitted tenders for the recommended project construction programme of 16 weeks. The defects liability period is for a period of 12 months. The returned tenders were evaluated in consultation with our project consultants Farrer Huxley Associates. Bids were assessed on the basis of the lowest price. Details of the tenders received are listed in section 2 of the Appendix.
- 8.4 One of the contractors did not submit a tender. The reason given was confusion as to the return date of the tender.
- 8.5 None of the tenders received are qualified in any way.
- 8.6 The overall range of the tenders was 134%.

8.7 All tenders are open for acceptance for a period of three months from 22nd February 2006, the date for the submission of the tenders. Consequently a tender should be accepted not later than 22nd May 2006.

8.8 Examination of the Lowest Tender

8.9 The tender documents submitted by the lowest fixed price tenderer, was examined by our consultant who advised that the pricing is consistent and competitive. This is considered to represent the best within budget solution because it meets the project's requirements and is at the lowest price. It is considered satisfactory as the basis for a contract.

8.10 Programme

8.11 Within the tender the contractor has confirmed that they are able to complete the works within the 16 week programme. A more detailed programme of works is yet to be received and approved.

8.12 Sustainability

8.13 Rectory Gardens is currently underused and parts of it are not accessible to the public. This project will improve and bring back into use an important area of public open space, which will enable the existing space to be used more efficiently and help support a more sustainable community. The proposed open space have followed the principles of designing out crime in terms of its layout and the materials used. The proposed new lighting will increase the usage of the open space at night. This will increase social interaction, support cultural diversity and ensure safer pedestrian links. The proposed improvements will provide for a more safer and secure environment for children and the elderly.

8.14 The following detailed items have also been allowed within the project/specification

- Re-use of existing stone copings.
- All furniture to be removed is to be delivered to the council store for re-use elsewhere.
- All paving is to be natural stone.
- Proposed lighting will be modern and efficient, using less energy than existing lighting systems (using low voltage LEDs).
- Planting and replacing defective trees.
- Increased biodiversity by introducing a greater variety of trees and planting, including a meadow, which will increase the existing range of flora and fauna.
- There will be no increased hard surfacing. Much of the pavement drainage will be via surface runoff directly into the ground and will not discharge into the drainage system. The proposals have therefore safeguarded the required groundwater for the existing and new planting.

8.15 Conclusions

- 8.16 The lowest Fixed Price tender received, with a Contract Period of 16 weeks, represents the best within-budget solution by a capable contractor, and is suitable basis on which to award the contract.
- 8.17 The current assessment of increased costs likely to occur during the course of the contract is £Nil. There is a 10% contingency contained within the tender sum.
- 8.18 Following discussions with the recommended contractors the consultant confirmed that omitting the works to the existing cope stones will provide a substantial saving, which is detailed in section 5.2 of the Appendix .

9. **Public Consultation**

- 9.1 The Hornsey Environmental Improvements programme is the result of extensive development work, which has included area user surveys and public consultation. The programme is based upon issues raised in initial consultation undertaken in August and September 2003. Approximately 5,300 leaflets were sent out to Hornsey residents and just under 300 replies were returned.
- 9.2 More specifically, a penultimate design of the proposed Rectory Gardens landscaping was exhibited at St Mary's Junior School in Hornsey in March 2005. Attendees were asked to comment on landscape designs to which over 200 comments were received. Further, a meeting was also held in March 2005 where local residents offered comments which were noted by the architect. The final design reflects the feedback received from these exercises.

10. **Financial Implications**

- 10.1 The financial implications of this project are detailed in sections 3 and 4 of the Appendix.

11. **Recommendations**

- 11.1 That members approve the award of contract to the contractor for the tender at the lowest price, for the soft and hard landscaping works at Rectory Gardens on Hornsey High Street. (Refer to section 6 of the Appendix for the recommended contractor.)

12. **Equalities and Health & Safety implications**

- 12.1 This project has been developed in line with the Council's statutory requirements in relation to the Disability Discrimination Act 1995 (DDA).
- 12.2 The landscaping of Rectory Gardens will enable Hornsey's diverse community to use the open space for community functions and will contribute to community development.
- 12.3 The contractor has been vetted with regard to equality issues such as race relations, the Equal Pay Act and the Sex Discrimination Act. Extensive discussions and

consultation have taken place with local residents, businesses and community representatives.

12.4 The construction (Design and Management) Regulations 1994 apply to this project and the contractor's construction phase health and safety plan will be checked and approved by the planning supervisor before works begin on site. All invited tender contractors have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. These also comply with the requirements of the council's health and safety policy.

13. Comments of the Director of Finance

13.1 A Section 106 planning gain in the sum of £400k was negotiated for Hornsey environmental improvements involving a total of four projects including re-design and landscaping works for Rectory Gardens. A sum of £263,459 is available for the latter.

13.2 The cost of the recommended tender is within the funding available for this project. If the tender is awarded, the scheme will be included in the Environmental Services capital budget for 2006/07. Any on-going maintenance costs will need to be contained within existing approved parks and open spaces maintenance budgets.

13. Comments of the Head of Legal Services

13.1 The estimated value of the contract is below the threshold for tendering in the EU under the Public Works Contracts Regulations 1991. The threshold is £3,611,474.

13.2 Paragraph 8.2 of the report states that the Contract was tendered in accordance with Contract Standing Orders in that tenderers from the Council's Approved Lists were invited to tender as per CSO 8.02. d). The tenders were evaluated on the basis of the lowest price.

13.3 The value of the contract as stated in the report is below £250,000, which the Director may award under CSO 11.02, or may be approved by Members.

13.4 The recommendation is to award the contract on the basis of the lowest price in accordance with Contract Standing Order 11.01. (a).

13.5 No Leaseholder issues are applicable to the recommendations in this report.

13.6 The Head of Legal Services confirms that there are no reasons preventing the Members from approving the recommendations in Paragraph 11 and section 6 of the Appendix of this report.

14. Comments of the Head of Procurement

14.1 The contractors considered for this work have been selected from the Council's approved and pre-qualified list of contractors.

- 14.2 The evaluation of the contractors has been undertaken on the basis of the contractor's capability to carry out the work required at the lowest price, which is an acceptable evaluation method for the appointment of contractors.
- 14.3 Further, a value engineering exercise has ensured affordability, by removing an element of the work which is not deemed to be essential to the project; the project still delivers it's aims and objectives.
- 14.4 The contractor is also able to complete the work within the required timescale.
- 14.5 There has been a significant amount of consultation which has taken into account the views of the 'end user' of the project. This is particularly important to a project with such a high community impact.
- 14.6 The Head of Procurement therefore supports the recommendations made in the Appendix for the appointment of the stated contractor.