

Report Title: **Chestnuts Park Improvements (Part A): Award of contract**

Report of: **Director of Adult, Culture and Community Services**

Ward(s) affected: **St. Ann's ward**

Report for: **Non-Key Decision Procurement Committee**

1. Purpose

1.1 To seek Member agreement to award the contract in principle for landscape improvements in Chestnuts Park to the Contractor named in Part B of this report.

2. Introduction by Cabinet Member

2.1 Through this report we are being asked to award a contract, subject to confirmation of full funding, for improvement works to Chestnuts Park.

2.2 These works include: a new play facility, new facilities for teenagers, improvements to the café terrace area, and other landscaping works.

2.3 The project will benefit from partnership funding from the NDC, London Marathon Trust and hopefully, the Big Lottery Fund, and represents excellent value for money for the Council.

2.4 I therefore recommend to my colleagues that the contract for Chestnuts Park be awarded to the contractor identified in Part B of this report.

3. Recommendations

3.1 That Members agree in principle to award the contract for Chestnuts Park, as allowed under Contract Standing Order (CSO) 11, to the contractor identified in Part B of this report up to a maximum value stated in Part B of the report.

3.2 That Members agree to grant the Director of Adults, Culture and Community Service delegated authority to finalise the contract price with the Contractor named in Part B of this report, not to exceed the maximum price stated in Part B of the report.

Report Authorised by: **Mun Thong Phung, Director of Adult, Culture and Community Services**

4. Executive Summary

- 4.1 There has been substantial investment by the Council and from external sources in upgrading Haringey's parks in recent years. This has led to 7 Green Flags being awarded to the Borough in 2006.
- 4.2 There was a 72% satisfaction rating in BVPI 119 in 2006, which is a 5% increase from 2003.
- 4.3 The Council has a target of 12 Green Flags in the LAA and a 77% satisfaction target by 2010.
- 4.4 There is good partnership working with the Friends of Chestnuts Park and the NDC and the anticipated Big Lottery Fund support has enabled this scheme to be developed. This should produce a further Green Flag for this site.
- 4.5 The works contract has been competitively tendered and the lowest tender sum represents value for money.
- 4.6 The works are scheduled to take 16 weeks with a projected start on site date of early August.

5. Reasons for any change in policy or for new policy development (if applicable)

5.1 n/a

6. Local Government (Access to Information) Act 1985

6.1 List of background documents:

- A management plan was prepared by Parklife in 2001.
- Proposals for a new family centre were developed by Cadre Architects in 2002.
- A playground schematic design was produced by Circling the Square in 2005.
- Land Use Consultants produced a masterplan for the park in February 2006.
- Wynne Williams were commissioned in October 2006 to develop community and Council priorities in the masterplan in order to obtain external funding. A stage 1 masterplan was then produced which comprises of all the elements in this project which will go forward for implementation.

6.2 This report contains exempt and non-exempt information. Exempt information is contained under the following category (identified in amended Schedule 12A of the Local Government Act 1972) - (3) information relating to financial or business affairs of any particular person (including the authority holding that information).

7. Background

- 7.1 The Council has had aspirations to improve Chestnuts Park for many years but until now, it has not been possible because the funding has not been available.
- 7.2 The NDC included improvements to Chestnuts Park in their original programme of works and are therefore keen to progress the project.
- 7.3 NDC commissioned a masterplan that was produced by Land Use Consultants in 2005. This shows the pavilion building (currently being used as a nursery by Children's Services) as being removed from the park. The full construction costs of implementing the masterplan are £1.4 million.
- 7.4 This scheme is the first phase of works and includes a new children's playground, multi use games area, café terrace and the re-landscaping of the northern corner of the park to include a wildlife area. These elements are seen as priority items by the local community and they therefore fully support the scheme.
- 7.5 No definite plans are currently in place for progressing the remainder of the masterplan. This will be considered in 2008/09.

8. Budget

- 8.1 Funding has been secured from the NDC (£300,000), Haringey capital resources (£120,000) and London Marathon Charitable Trust (£20,000). A further funding application has been made to the Big Lottery Fund's borough allocation (£120,000) for the work. This gives a total budget of £560,000. The fees to the landscape architect are in addition to the capital costs and will be paid directly by the NDC.
- 8.2 £440,000 has already been secured for the scheme. The funding from the Big Lottery Fund (£780k) has been allocated to Haringey as every local authority in the country was given an allocation. However, Children's Services still had to submit a portfolio of projects to be assessed, this was done in March. They were submitted along with the Play Strategy, and Chestnuts Park was part of this submission. We expect a decision on this funding in June.
- 8.3 The NDC funding has been approved on the basis that the stage 1 scheme will go ahead in its entirety. If the funding is not confirmed from the Big Lottery Fund, discussions will take place with the NDC on how they wish to proceed with the funding they are contributing to the project.

9. Description of Procurement Process

- 9.1 This is set out in Part B of the report.

10 Consultation

10.1 All the designs for the park have been subject to public consultation with local residents, schools and the Friends of Chestnuts Park. The local community are in full support of the plans. Children's Services are also aware of our intentions in the park as they have been consulted on the plans as they run a play centre in the park. Local councillors and other local organisations have all been consulted as part of the Chestnuts Park Strategic Forum. The NDC are in support of the scheme as they have already awarded it £300,000.

11 Key Benefits and Risks

11.1 When the improvements have been completed, an application for a Green Flag will be made for Chestnuts Park. This is part of the LAA target.

11.2 There is a clear benefit to the park and the people who use Chestnuts Park in implementing the scheme. The playground in Chestnuts is a very well used facility despite the fact that it is old and the equipment offers little in terms of educational benefit to the children. These works represent the first stage of works from the park's masterplan that was finalised in spring 2006.

11.3 The outstanding risk associated with the project is that the £120,000 from the Big Lottery Fund is still to be secured. We should know the decision on this money in June. If there is a delay in hearing the decision we will alter the programme accordingly and will start works on the rest of the park first. If the money is not forthcoming, we will reduce the scope of works proposed.

12 Contract and Performance Management

12.1 Overall contract and performance management is overseen by the Construction Procurement Group. The landscape architects who have overall management of the implementation of this phase of the masterplan, Wynne Williams Associates, will monitor the progress of the project and report back to officers from Recreation Services and the NDC.

13 Summary and Conclusions

13.1 This report seeks to obtain Member approval to award the contract in principle to the contractor identified in Part B of this report to carry out the landscaping works in Chestnuts Park in accordance with the agreed masterplan for the park, and for the finalisation of the contract to be delegated to the director. Their tender represents best value for money within the available budget. The entrance works have been omitted to bring the tender within budget but they may be undertaken in a separate contract in 2007/08 via TFL's funding for the Greenways cycling initiative.

14 Recommendations

14.1 That Members agree in principle to award the contract for Chestnuts Park, as allowed under Contract Standing Order (CSO) 11, to the contractor and to the value identified in Part B of this report.

14.2 That Members agree to grant the Director of Adults, Culture and Community Services delegated authority to finalise the contract price with the Contractor named in Part B of this report, not to exceed the price stated in Part B of this report.

15 Equalities Implications

15.1 The contractors on Haringey's framework all comply with the Council's criteria for Equalities.

15.2 When the works are complete the park will have better access for disabled users and the playground will contain pieces of play equipment that are suitable for children with disabilities.

16 Health and Safety Implications

16.1 The contractors on Haringey's framework all comply with the Council's criteria for Health and Safety.

16.2 The contractor will have responsibility for compliance with CDM regulations. A CDM Co-ordinator will be appointed and will be paid for by the NDC.

17 Sustainability Implications

17.1 The contractors on Haringey's framework are requested to consider on an ongoing basis, sustainable solutions within their designs wherever they are practically and economically possible.

17.2 Sustainability issues will be addressed through the utilisation of recycled plastic products in bins and benches wherever possible.

18 Financial Implications

18.1 £440,000 is already in place for the works. The remaining £120,000 should be secured by the summer. The NDC will be paying consultant fees on the project.

18.2 The ongoing management and maintenance costs will be met from within existing revenue budgets.

19 Comments of the Director of Finance

19.1 The timing of the decisions of the Big Lottery means that funding for this project is not fully in place. The contract cannot be awarded until the remaining funding of £120k is firmly secured either from the Big Lottery or from alternative sources proposed by the Service. At this point in time, the decision can only be made in principle pending final confirmation that resources of £560k to fund the project is available in full.

20 Comments of the Acting Head of Legal Services

20.1 Adults, Culture and Community Services Directorate wishes to award a contract for Improvements (Part A) at Chestnuts Park.

20.2 The contract is below the threshold where a European tendering exercise is required under the Public Contracts Regulations 2006 (£3,611,319.00).

20.3 Three tenderers were selected from a Council Approved List in accordance with Contract Standing Order 8.03 (e).

20.4 The Directorate requests an award in principle to the contractor identified in Part B with the finalisation of the contract price delegated to the Director. The price is not to exceed the price stated in Part B of this report.

20.5 Because of the value of the contract, the award must be approved by the Procurement Committee in accordance with Contract Standing Order 11.03.

20.6 Members have power under Section 15 of the Local Government Act 2000 and the Council's Constitution to delegate any of their powers to Members.

20.7 The Acting Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations contained in this report.

21 Comments of the Head of Procurement

21.1 As this procurement is below the threshold needed to undertake a full EU procurement, the process of selecting three contractors off the Construction Procurement Group approved list is acceptable for the project.

21.2 The selection of the contractor was made on the lowest price basis, one of two selection criteria which the Council may use (the other being most economically advantageous tender). Given the nature of this procurement, it is most appropriate to select on the basis of the lowest price tender.

21.3 It is in the Council's interest to ensure that the provisional sums quoted in the bid from the selected contractor are finalised early on in the procurement process, to avoid cost uncertainty and to ensure tight budgetary control.

21.4 The Head of Procurement supports the recommendation to Members outlined at paragraph 14.

22 Use of Appendices / Tables / Photographs

22.1 [List any appendices and their titles.]