

NORTH SOMERSET COUNCIL DECISION

DECISION OF: THE DIRECTOR OF PLACE

IN CONSULTATION WITH: SECTION 151 OFFICER AND
HEAD OF STRATEGIC PROCUREMENT



DECISION NO: 23/24 DP 83

SUBJECT: CONTRACT AWARD FOR ARCHITECT LED DESIGN TEAM SERVICES
FOR THE BIRNBECK PIER

KEY DECISION: YES

REASON: Value is over £500,000

BACKGROUND:

The restoration of Birnbeck Pier is one of the transformational objectives in the Place Directorate Plan 2022/23. The Council has been successful in securing a Development Phase grant from the National Lottery Heritage fund (NLHF), supported by a further grant from Historic England, to fund a variety of feasibility work leading to a second round application to the NLHF which, if successful will see the release of around £4.5m of capital funding (a Delivery Phase grant) from the NLHF.

The “Birnbeck back from the Brink” project will create a nationally unique destination that will support the regeneration of Weston-Super-Mare. Birnbeck is the only pier in the country that connects to an island and the only pier in the country with 130 years of service with the RNLI, who will be proudly reinstated as part of this project. Across several phases of work spanning between 4 – 6 years, the vision is to save the pier and carefully bring the island and foreshore back to life in a way that acknowledges historic significance whilst giving visitors a truly unique experience.

In order to undertake this work, an Architect led Design Team has been commissioned.

DECISION:

It is requested that the contract for Design Services be awarded to Haverstock Associates LLP, Studio 10 Cliff Road Studios, Cliff Road, London, NW1 9AN (Company Reg no. OC323168) at a value of £698,296 for 13 months plus a possible 5 year extension. The contract is made of two stages: Development and Delivery. The Delivery element is dependent on receiving Round Two funding so the contract has incorporated this.

REASONS:

Introduction

The Design team requirement is for specialist architectural and design services incorporating advice and recommendations relating to listed buildings/structures repair and use of materials and structural and marine engineering for the Birnbeck heritage asset site. This will support the Council to produce the detailed Round Two application to the NLHF and the majority of material necessary to prepare a Planning Application and Listed Building consent application. If the Round Two application is successful, the council will be awarded £4.75m Delivery Phase grant from the NLHF. Subject a performance review the Design Team will then provide services for the Delivery Phase through to project completion.

In addition and dovetailed to the Lottery funded works is a similar repair and reuse of existing building and structures grant funding from the Governments Levelling Up Fund. The design development work will be part of the overall package.

A draft brief for this procurement was prepared and submitted to the NLHF as part of the grant application. The brief for the Design Team was informed by the requirements for preparing a Delivery Phase application and any feedback from the Development Phase application, as well as the LUF requirements. In summary, their role will be to develop design options and a preferred option for the Birnbeck Pier to RIBA Stage 3 taking account of conservation, structural design, service systems, landscape, outline specifications, environmental, energy and access issues. As part of this, the Design Team will be required to produce a Conservation Plan and Management and Maintenance Plan for the Birnbeck Pier.

The Design Teams will include:

- Accredited conservation architects including an identified Lead Designer
- Landscape architects
- Interpretation designers
- Cost consultants
- CDM advisors
- Planners
- Structural engineers
- Surveys – multiple

The Lead Designer will attend Core Team Meetings and coordinate the attendance of other Design Team members as necessary. Officers from NSC (Development Control, Building Control, Environmental Services, Conservation etc.) will form part of the Design Team as the work progresses into greater detail.

The Design Team will be responsible for identifying, procuring and managing a comprehensive range of additional specialist surveys as required. The Design Team will be responsible for engaging the community and local stakeholders in the design development. It will also be responsible for engaging in formal pre-planning consultation with Weston-super-Mare Town Council, Historic England and other relevant bodies.

The joint Commissioning and Procurement Plan was approved on 2 March 2023.

The contract term is made up of the following: Lottery Development Phase: August 2023 to September 2024. Delivery Phase: February 2025 to 2030 Delivery of LUF funded

elements will need to proceed on a shorter timescale to meet the LUF programme timetable for spend by April 2025.

Procurement procedure

Due to the attractive nature of the commission, the project team decided a restricted procedure would be most appropriate with a pre-qualification stage and then a shortlisted number of 5 bidders being invited to tender. The bidders were required to demonstrate that they have relevant experience of the contract scope in order to be shortlisted.

In accordance with the PCR 2015 a Find a Tender notice (Ref: 2023/S 000-007438) was published on 14 March 2023.

The procurement was published on 14 March 2023 and 30 bidders submitted Selection Questionnaires via the council's procurement portal. An evaluation panel consisting of:

- Heritage & Design Manager & Project Sponsor
- Principal Project Officer
- Ingham Pinnock Associates – Project Coordinator

evaluated the submissions and the top 5 scoring bidders were invited to tender on 28 April, and 5 bids were received on 30 May. A moderation session was held, followed by bidder interviews which were used to moderate the scores, and give the evaluation panel reassurance that the appointed Design Team have the skills and experience to carry out this high profile project. The Strategic Procurement Team facilitated the moderation.

The weightings used were 70% quality, 10% social value and 20% price. The available budget was stated in the tender docs.

Quality was assessed using three main questions, covering the following areas:

- Key issues that will affect delivery of the project
- Method and Programme for delivery
- Details of proposed Project Team & capability

For evaluating the overall price from each supplier, the standard cost evaluation method, which is widely used within the Council was used. The tender with the lowest total price received the maximum score of 100 (weighted at 20%) and the prices of all other tenders were expressed as a percentage of the maximum score.

Bidders were asked to complete a pricing schedule that set out in detail the amount of time that will be committed by different individuals for different tasks. This gives the Council the opportunity to understand the total amount of resource that is being purchased in person-days and a mechanism that can be referred back to if in due course it is felt that the contractor is under-resourcing the project. Suppliers were asked to provide a fixed price for both development and delivery phases. In order for suppliers to price the delivery stage, we shared the budget in the brief for the delivery phase, which includes a reasonable indication of the scope of work. This approach has been taken by IPA previously and bidders have understood it and responded well to it.

The scores are shown below:

	Haverstock Associates LLP	<i>supplier 2</i>	<i>supplier 3</i>	<i>supplier 4</i>	<i>supplier 5</i>
<i>Quality Score</i>	56.0%	48.3%	46.9%	42.0%	37.1%
<i>Social Value</i>	9.0%	4.39%	1.12%	3.46%	3.74%
<i>Price Score</i>	18.3%	18.3%	19.0%	20.0%	18.6%
<i>Total Score</i>	83.3%	71.0%	67.0%	65.5%	59.4%

Quality questions were scored using the standard NSC scoring matrix set out in the table below.

Score	Classification	Award Criteria
5	Excellent	A response that inspires confidence; specification is fully met and is robustly and clearly demonstrated and evidenced. Full evidence as to how the contract will be fulfilled either by demonstrating past experience or through a clear process of implementation.
4	Good	A response supported by good evidence/examples of the Bidders' relevant ability and/or gives the council a good level of confidence in the Bidders' ability. All requirements are met, and evidence is provided to support the answers demonstrating sufficiency, compliance and either actual experience or a process of implementation.
3	Satisfactory	A response that is acceptable and meets the minimum requirement but remains limited and could have been expanded upon.
2	Weak	A response only partially satisfying the requirement with deficiencies apparent. Not supported by sufficient breadth or sufficient quality of evidence/examples and provides the council a limited level of confidence in the Bidders' ability to deliver the specification.
1	Inadequate	A response that has material omissions not supported by sufficient breadth and sufficient quality of evidence/examples. Overall the response provides the council with a very low level of confidence in the Bidders' ability to deliver the specification.

0	Unsatisfactory	No response or response does not provide any relevant information and does not answer the question.
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Social Value

Haverstock have committed to the following social value measures:

- No. of local people (FTE) on contract employed - 3 full time equivalent (FTE) for duration of the construction period from the contractor 0.5 FTE for a year for the local CAD partner for the supply chain partner RHB.
- School/college Careers Workshop x 3 for 160 hours.
- Supporting unemployed people into work sessions – 8 attendees (hours 16).
- Work placements (unpaid) - 10 weeks (5 placements) Contractor 1 x 2 week placement Design Team 3 x 2 week placement Architect 1 x 2 week placement.
- £7k to be spent in local supply chain throughout contract.
- Number and type of initiatives put in place to reduce the gender pay gap – adaptation of subconsultant questionnaire & signposting.
- Net zero carbon target year 2030.
- Car miles saved 8400 by use of public transport.
- Innovative measures to promote local skills and employment -2 hr workshops with local community members.

Contract Management

This contract, in addition to the contract for the Technical Project Manager and Quantity Surveyor, will be managed by Ingham Pinnock Associates (IPA), who are externally appointed specialists in this area. IPA will perform the role of Project Coordinator with the Design Team, QS and Technical Project Manager reporting to them. IPA will report to the council’s Project Sponsor and the wider Project Team as set out in the Project Management Plan.,

The management of the performance of the contracts will be framed overall by an established and agreed programme for the project Development Phase. This is an agreed period of time during which an agreed set of outputs will be delivered such as a Design and Cost Report to RIBA Stage 3.

Day-to-day, the appointed Design Team will establish and manage a Design Team Sub-Group that will include various officers from NSC, the QS and Technical Project Manager and Project Coordinator. This will be the principal forum for the development of the design work for Birnbeck Pier. This Sub-Group will meet monthly and provide reports to the Project Team which also meets monthly. Between formal meetings, the Project Coordinator will work closely with the Project Sponsor and is expected to be in almost daily contact about performance.

The project as a whole will be required to provide detailed quarterly progress reports to the NLHF as the principal funder. It will also be subject to a formal mid-term review by the NLHF. These progress reports will be available for the Council to review.

Implementation of contract

Contract Award	July 2023
Contract Commences	25/07/23
Lottery Development stage	August 2023 – Sept 2024
Round Two Funding application	By September 2024
Decision on Delivery Stage funding?	By December 2024
LUF design development	August 2023-March 2024
LUF delivery	April 2024 – March 2025

OPTIONS CONSIDERED:

Option 1: Internal provision of services

This was discounted as the Council does not have a) sufficient officers with all the skill sets and experience required, and b) it is a more efficient use of Council resources to have those officers experienced in this level of project management to focus on the overall delivery of the wider project

Option 2: Utilise existing Framework Agreements which NSC have access to

This was discounted because this work is of a specialist nature and given the high profile of the project, we believe it will attract significant interest from suitably qualified organisations.

FINANCIAL IMPLICATIONS:

This work is 100% funded via external sources at no cost to North Somerset Council.

Costs:

Contract	Development Phase	Delivery Phase	Total
Design Team	£208,856	£489,440	£698,296

The Delivery phase will be subject to a successful second application to the NLHF.

Funding:

Revenue grant funding has been secured for the development phase of the project from NLHF (£234,761) and from LUF (£300,000). The delivery phase of the Lottery capital grant funding remains unsecured and is subject to a successful second application to the NLHF to which the work being commissioned will contribute. The LUF funding is secured.

Grant funding will be claimed from the NLHF and LUF quarterly in arrears following the completion of a standard grant claim forms and copies of invoices that the Council has paid; this is the standard method of grant payment.

LEGAL POWERS AND IMPLICATIONS

The procurement has been compliant with the Public Contract Regulations 2015. The RIBA Professional Services Contract will be used.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The work that will be delivered by this contract will promote environmental sustainability in the Birnbeck Pier project. One of the key aims of the project is to deliver a scheme that is highly sustainable and the brief for the design team in particular will seek to incorporate measures into the site that minimise negative environmental impacts.

A Climate Emergency Risk Assessment was carried out and risks were identified, primarily around the use of building materials, sourcing of materials and future proofing/adaptations of the scheme. The specification reflects sustainability as a key pillar of this project.

CONSULTATION

The Birnbeck Regeneration Trust, who ultimately are envisaged will take responsibility for the day to day management of the site, were consulted before and during the procurement process and we invited to sit in as observers during the selection process. The individual nominated by the Trust brings extensive experience of similar appointments at Clevedon Pier so was able to fully engage and offer constructive advice.

RISK MANAGEMENT

Risk	Mitigation
Reputational damage due to poor design	An experienced Design Team will be appointed; the procurement stipulated a high quality weighting, clear sub criteria on relevant experience, and interviews were carried out. Professional indemnity insurance has been required at £5million.
Capital budget for the project exceeded	The appointment of a quantity surveyor to ensure the design team is being actively monitored in terms of cost risk is planned.
Design team failure to deliver	Early procurement of the technical project management to provide additional support and rigour to the work of the design team
Failure to win Round Two funding	All funding is provided by external sources to the council, and the contract is divided into two stages so that the council has not committed to the Delivery Stage without the funding being in place.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? Yes

A Stage 1 EIA has been completed. No risks were flagged for any groups. A detailed Stage 2 EIA will be developed and prepared as part of the general Development Phase work. As well as complying with NSC EIA policy requirements, this will include any additional outcomes required by the National Lottery Heritage Fund.

CORPORATE IMPLICATIONS

This project will deliver on the Council's Placemaking objectives for Weston-super-Mare. NSC has a ten-year plan for Weston based on consultation with thousands of businesses, visitors and residents. The strategy aims to reposition Weston, addressing the long-term decline in the traditional retail-led high street and changes to visitor patterns. The plan focuses on wellbeing and recreation, being green and low carbon, a great place to live, work and study, and critically helping the visitor economy.

The regeneration of Birnbeck Pier is a central part of this plan, recognised as being capable of having a major impact on the town by creating a visitor attraction that is higher-quality and higher value added helping to develop higher skilled, higher wage jobs.

APPENDICES

[Click here to enter Appendices

BACKGROUND PAPERS

Commissioning and Procurement Plan 22/23 DP430 and Birnbeck Pier Development Phase grant award 22/23 DP 389.

SIGNATORIES:

DECISION MAKER(S):

Signed:  Director of Place

Date: 14 July 2023

In consultation with:

Signed:  S151 Officer

Date: 14 July 2023

Signed:  Head of Strategic Procurement

Date: 14 July 2023