

MAIDSTONE BOROUGH COUNCIL

**RECORD OF DECISION OF THE CABINET MEMBER FOR COMMUNITY
AND LEISURE SERVICES**

Decision Made: 05 August 2011

**MOTE PARK REGENERATION PROJECT – APPOINTMENT OF
CONTRACTOR AND FINAL APPROVAL OF SCHEME**

Issue for Decision

To consider the appointment of the preferred contractor for the Mote Park Regeneration Project and the final approval of the scheme.

Decision Made

1. That Contractor A (as set out in the exempt Appendix to the Report of the Assistant Director for Environment and Regulatory Services) be agreed as the Council's preferred contractor, to implement the Mote Park Regeneration Project capital works as approved by The Heritage Lottery Fund.
2. That the final scheme for the Mote Park Regeneration Project capital construction works as set out in Appendix A to the report of the Assistant Director for Environment and Regulatory Services, be agreed.
3. That delegated authority be given to the Assistant Director of Environment and Regulatory Services, in consultation with myself, to agree any design changes required during the construction period, in order to keep the project within budget, if unforeseen circumstances arise.

Reasons for Decision

Appointment of Contractor

Following the Cabinet Member for Leisure and Culture's decision in October 2010 to "progress to the implementation stage of the Mote Park Regeneration Project and the issuing of the tender documents in January 2011 for the works", the Council has undertaken a tender process as detailed below:

The procurement of a contractor to carry out the Capital works for the Mote Park Regeneration Project was not subject to a full OJEU (Official Journal of the European Union) procurement process, but was over the Council's threshold for a tender process to be required.

A restricted tendering process was used, requiring a Pre- Qualification Questionnaire (PQQ) to select a short list of contractors to take part in the actual invitation to tender process (ITT).

The opportunity was advertised via a BIPS (BIP Solutions) Competitive Contract Notice and entries in the IESE (Improvement Efficiency South East) Portal and the Councils own website.

Some fifty-two contractors submitted an expression of interest, and twenty-three completed submissions were received by the deadline of 31st August 2011.

Following evaluation by Council Officers, seven contractors were selected to take part in the full tendering stage and all of these returned submissions by the deadline of 01 April 2011.

These submissions were evaluated by a team of officers and the landscape architect for the project.

All bills of quantities were checked by a quantity surveyor for obvious errors and general compliance.

The responses were extensively analysed based on the pre published criteria and a quality/cost weighting of 60%/40% respectively. This included the overall approach to the project, their plans, methods and team structure to deliver the brief.

As a result the four leading suppliers at this stage were invited for clarification interview during the week beginning 18 April 2011. These were held over two days and attended by Council Officers, the Landscape Architect and the Quantity Surveyor assigned to the project.

Following the interview, suppliers were re-scored against the agreed criteria and the quantity surveyor undertook a detailed check of the bill of quantities and identified a number of mathematical errors, these were notified to the suppliers and their scores adjusted accordingly. However, all of the bids came in over the agreed budget and although it was clear that by a process of value engineering the highest scoring contractor could deliver the project within budget, the Council was not comfortable signing off the project until it had a full bona fide submission within the budget.

A revised set of requirements were then agreed internally and with the Lottery. To ensure fairness a supplement to the ITT was issued to all seven original tenderers requesting a revision to the contract.

The revised bids were received on 06 July 2011 and checked for uniformity. The original pre-interview quality scores were added to the revised price scores based on the pre published criteria and a quality/cost weighting of 60%/40% respectively.

The four contractors that submitted bids within the budget were invited for clarification interviews on the 14 July 2011.

Following the interview contractors were re-scored against the agreed quality criteria.

The following table shows the final evaluated scores following the interviews and written confirmation from the bidders of their revised contract values.

| Supplier | Price Score 40% | Quality Score 60% | Total Score 100% |
|------------|--------------------|----------------------|---------------------|
| Supplier A | 39.5 | 49.4 | 88.9 |
| Supplier B | 38.7 | 47.6 | 86.3 |
| Supplier E | 39.8 | 46.2 | 86.0 |
| Supplier G | 40.0 | 45.6 | 85.6 |

Each company had its own special expertise, however Supplier A was judged to have the best overall proposal in terms of project control and cost scoring the highest combined Price/Quality score.

Delegated authority is given to Assistant Director for Environment and Regulatory Services to approve Supplier A as the preferred supplier and award the works (subject to contract). The work programme is to be completed by June 2012.

Approval of Final Scheme and Permission to Progress

Following considerable consultation with local people, the Friends of Mote Park and other stakeholders, a set of proposals was produced and submitted to the Heritage Lottery Fund for the Stage 2 application in June 2010. Following approval by the HLF further development to the plans has taken place to ensure that the proposals are achievable financially and practically. These changes have been minimal and the overall scheme remains unchanged.

The Master Plan for the Construction Phase of the project can be seen in Appendix A to the report of the Assistant Director for Environment and Regulatory Services; as the more detailed plans are very large and bulky they have not been included in this report, but are available from the Parks and Leisure Department of Maidstone Borough Council at Maidstone House, King Street, Maidstone. The following is a summary of the works proposed in Project Capital Construction Works:

1. Improved pedestrian access, with new DDA compliant footpaths comprising an inner (around the lake) and outer circuit, enabling safe wheelchair and pushchair access throughout.
2. Works to manage the outflow of the lake to reduce lake edge flooding.
3. Repair of the lake crossing causeway with a natural reed bed treatment to prevent erosion.
4. New bridge construction in order to provide an accessible pedestrian route across the lake.
5. Refurbishment of Mote Avenue and School Lane car parks.
6. New parking facilities via Willington Street entrance.
7. Installation of electronically controlled gates to prevent unauthorised vehicular access in the park.

8. Reconstruction of the historic waterfall.
9. Construction of a boathouse promenade and the relocation of the model boat club platform.
10. Restoration works to the historic pavilion.
11. Information points at the entrances and historic park features enhancing user's knowledge and interest of the park.
12. New way finding signage throughout.
13. New and refurbished park furniture, including litter bins, seating and cycle stands.
14. Security improvements including the provision of additional CCTV cameras at key locations agreed with the Police.
15. Fishing swims, including some for anglers with disabilities.
16. Two additional local park centres with play equipment (including facilities for children with disabilities) and potential for catering facilities.
17. Improved seating throughout, providing rest points in the park.
18. Improvements to park entrances enabling safe access.
19. Kiosk improvements including external cladding and internal improvements.

It is likely that during the construction phase of the Mote Park Regeneration Project it will be necessary to make minor design adjustments to maximize resources and to keep the project within budget. Delegated authority is given to the Assistant Director of Environment and Regulatory Services to agree these minor changes, as to report back would result in lengthy delays to the project programme.

Alternatives considered and why rejected

Alternative action that could be taken could be to choose an alternative supplier to Supplier A. This is not recommended as it would go against the tendering process carried out by officers and the scoring, which found Supplier A to offer the best overall proposal.

I could choose not to approve the final scheme for the Mote Park Regeneration Project capital construction works as set out at Appendix A to the report of the Assistant Director for Environment and Regulatory Services, and not give permission to progress with the work. This is not recommended as the whole scheme has been consulted on and agreed over several years by a large number of park users and stakeholders; to change the plans would be going against what has been agreed with these stakeholders.

Delegated authority to the Assistant Director of Environment and Regulatory Services to agree any design changes required during the construction period could not be given, but this would likely result in delays to the programme because of the time that it would take to produce reports for minor changes.

Background Papers

Tender documentation produced by suppliers.

Scoring documents.

Mote Park Regeneration Project Stage 1 and 2 Heritage Lottery Applications.

Cabinet Record of Decision, 22nd December 2010. Mote Park Improvement Project.

Cabinet Member for Leisure and Culture Record of Decision, 5th November 2010. Progressing Mote Park Improvements Project

All of these documents are held at Maidstone Borough Council, Maidstone House, King Street, Maidstone MW15 6JQ.

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| <p>Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: 12 August 2011</p> |
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