

FORM 1

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Marcus Hart, as Strong Leader, delegate the decision to commence the procurement through a competitive tender exercise for the construction of the Worcester Street Connectivity Public Realm Works project as part of the Future High Street Fund programme to the Cabinet Member detailed below:

Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda

Dated: 13.09.2023

Signed: *M. J. Hart*

Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Construction Tender for the Worcester Street Connectivity Public Realm as part of the Future High Street Fund programme.	Approval of the evaluation model; and Grant delegated authority to the Head of North Worcestershire Economic Development and Regeneration, Head of Resources and Cabinet Member for Economic Regeneration, Planning and Green Agenda to evaluate the tender submissions received and to award the contract for the construction of the Worcester Street Connectivity Public Realm Works project as part of the Future High Streets Fund programme	To progress the procurement of a suitable contractor for the construction of the Worcester Street Connectivity Public Realm as part of the Future High Streets Fund programme	13 September 2023

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 13.09.2023



Signed:

Councillor: Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda

WYRE FOREST DISTRICT COUNCIL

CABINET DECISION FOR STRONG LEADER APPROVAL

13 September 2023

Procurement of a suitable contractor for the construction of the Worcester Street Connectivity Public Realm Works Project

Open	
CABINET MEMBER:	Councillor Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda
RESPONSIBLE OFFICER	Ostap Paparega, Head of NWedR Ostap.paparega@nwedr.org.uk
CONTACT OFFICER:	Clayton Maponga clayton.maponga@nwedr.org.uk

1. PURPOSE OF REPORT

- 1.1 To seek approval for the procurement of a suitable contractor for the Worcester Street Connectivity Public Realm Works project, as required by the Contract Procedure Rules where the value of the purchase is over £175,000.
- 1.2 The report seeks to gain approval to advertise the contract, for the tender evaluation model proposed for the procurement of a suitable contractor for the construction of the Worcester Street Connectivity Public Realm Works project.

2. RECOMMENDATION

- 2.1 **That the Leader delegates to the Cabinet Member for Economic Regeneration, Planning and the Green Agenda:**
 - 2.1.1 authority to approve the procurement exercise and the tender evaluation model contained in Section 4 of this report; and
 - 2.1.2 authority to grant delegated authority to the Head of NWedR, in consultation with the Solicitor of the Council, the Head of Resources and the Cabinet Member for Economic Regeneration, Planning & Green Agenda to award the contract for the construction of the Worcester Street Connectivity Public Realm Works project having applied the agreed evaluation model.

3. BACKGROUND

- 3.1 At its meeting on 12th July 2016, Cabinet approved a new vision and preferred development option for the Kidderminster Eastern Gateway area (now known as Lion Fields) as part of an overall Development Framework. The Development Framework

is intended to guide and inform the comprehensive regeneration of the Kidderminster Eastern Gateway area.

- 3.2 The Development Framework splits the site up into six development parcels, which could come forward to the market in phases and independently of each other yet complementing each other to achieve the comprehensive redevelopment of the Kidderminster Eastern Gateway area as a whole.
- 3.3 The purpose of this report is purely in relation to what is known as Worcester Street Connectivity Project, which is part of the Future High Streets Fund program that includes the former Magistrates Court.
- 3.4 An integral part of the Future High Streets Fund is the strategic reconnection of the east and west sides of the town to rebalance the shift towards Weavers Wharf, to increase permeability through the town and to diversify the retail floor space concentration. A key element of this approach is the strategic acquisition and demolition of properties on Worcester Street to transform connectivity of the town on an east to west axis, from the former Magistrates Court and indoor market on Worcester Street across the former Glades leisure centre site and Bromsgrove Street carpark to the Bull Ring and from Worcester Street to Exchange Square outside the Town Hall. The demolished properties on Worcester Street will be re-purposed for improved public access as well as opening potential redevelopment opportunities.
- 3.5 Given the above context and the viability issues associated with delivering the improved access links and redevelopment sites the Council have sought to secure public sector support to realise the intended ambition. In that sense, the Council was awarded £20.5m in December 2020 from the Future High Streets Fund.
- 3.6 The Council now needs to secure further professional support for the construction of the Public Realm works on the footprint of 1 – 6 Worcester Street (formerly Woolworth & Littlewoods Buildings). This will require the procurement of a suitably qualified and experienced construction contractor.
- 3.7 The Council has access to the Crown Commercial Services (CCS) Framework which is sponsored by the Cabinet Office. The framework comprises a list of Lots and suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The contract will be procured using the Crown Commercial Services Lot 2.3: Construction Works and Associated Services. The framework is compliant with the advertising requirements of the Public Contracts Regulations and requires users to undertake a mini competition between the pre-approved suppliers.
- 3.8 The proposed tender timetable is as follows:

Task		Date
Demolition of Worcester Street properties (by others)	Currently underway	June 2023 to February 2024
Approval of Tender Process, including evaluation model and delegation to award contract	1 Week	8 th 2023 to 15 th September 2023
Worcester Street Urban Park Expression of Interest and Shortlist Questionnaire	3 weeks	15 th September 2023 to 6 th October 2023
Shortlist Questionnaire Review	2 weeks	6 th October 2023 to 20 th October 2023
Worcester Street Urban Park Tender	6 weeks	23 th October 2023 to 1 st December 2023
Tender Evaluation	2 weeks	4 th December 2023 to 18 th December 2023
Standstill Period	10 days	18 th December 2023 to 29 th December 2023
Mobilisation	4 weeks	22 nd January 2024 to 16 th February 2024
Construction	26 weeks	19 th February 2024 to 16 th August 2024

4. EVALUATION CRITERIA AND SCORING METHODOLOGY

4.1 All Tenders will be evaluated on a 70/30 split in favour of price over quality.

4.1.1 Price

The Tenderer with the lowest tender price will score the maximum score of 70%.

The other tenders will be scored pro rata as a percentage of their tender sum compared with the lowest tender.

$$\frac{\text{Lowest submitted total price}}{\text{Tenderer's submitted total price}} \times 70$$

5. QUALITY ASSESSMENT

5.1 All first stage and subsequent tender submissions will be evaluated on the quality criteria listed below. Subsequent Tenders will be evaluated on a 70/30 split in favour of quality over price. The detailed questionnaires for both stages are included in Appendix 1.

Summary Criteria – Shortlist Stage	Weighting (100%)
Q1: Case Studies	30%
Q2: Resourcing and Personnel	20%
Q3: Health & Safety Policy	15%
Q4: Management Strategy	15%
Q5: Supply chain Strategy	10%
Q6: Social Value	10%

Summary Criteria – Tender Stage	Weighting (70%)
Q1: Methodology	20%
Q2: Qualifications and Experience	20%
Q3: Stakeholder Management	10%
Q4: Sustainability and Innovation	10%
Q5: Social Value	10%

5.2 The following matrix illustrates how response to questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the percentage weightings listed above.

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below average	4
Below expectations	Poor	3
Well below expectations	Weak	2
Almost Unacceptable	Very Weak	1
Unacceptable		0

5.3 Following the Tender stage, the quality score achieved will be added to the financial score and a final decision made.

6. FINANCIAL IMPLICATIONS

- 6.1 The funding for this work is being provided from an existing capital funding that has already been secured through the Future High Streets Fund.

7. LEGAL AND POLICY IMPLICATIONS

- 7.1 Given that the value of the contract exceeds £175,000, Cabinet approval is required for the procurement and evaluation criteria, as outlined in paragraph 9 of the Contract Procedure Rules.
- 7.2 The successful contractor will be required to enter into a formal contract prepared by the Solicitor to the Council using terms and conditions permitted by the CCS Framework.

8. CONCLUSION

- 8.1 Due to the value of the contract proposed, authorisation is required for the proposed evaluation model that will be used to assess the tenders. This model has been provided in section 4 and section 5 of this report.
- 8.2 The successful appointment of a suitably qualified and experienced contractor will allow for work to continue in relation to the re-imagining of this part of Kidderminster Town Centre. This is in line with the Council's bid to the Future High Streets Fund

9. RISK MANAGEMENT

- 9.1 A Project Board has already been established to oversee the next stages of the Future High Streets Fund Bid. The appointed contractor will be required to report into the Project Board to ensure that the work is delivered in line with the specification included within the brief.

10. EQUALITY IMPACT NEEDS ASSESSMENT

- 10.1 This report relates solely to the procurement of a contractor to provide services in relation to the construction of the Worcester Street Connectivity Public Realm project. The fundamental principles of no discrimination and transparency relate to all procurement exercises; there is no requirement for an Equality Impact Assessment

11. CONSULTEES

- CLT

12. BACKGROUND PAPERS

- ReWyre Initiative: A Prospectus for Regenerating Kidderminster, September 2009
- Kidderminster Central Area Action Plan, July 2014
- Kidderminster Eastern Gateway, Delivery Framework, July 2016

13. EXPRESSION OF INTEREST AND SHORTLIST QUESTIONNAIRE

Expression of Interest and Shortlist Questionnaire

To demonstrate suitability to undertake the work, tenderers must provide the following to be evaluated as part of the Quality Criteria:

1. Case Studies

- 3 examples of previous work commensurate in scale and type in a town centre environment

2. Resourcing and Personnel

- Provide an overview of in house resources and personnel you would propose to engage on a project of this scale and type
- Provide an overview of your approach to sub-contracting

3. Health and Safety policy

- Provide details of your health and safety policy including a summary of notifiable events in the last 12 months

4. Management Strategy

- Provide an organogram of your senior management structure
- Provide an overview of your approach to site management for a project of this scale and type

5. Supply Chain Strategy

- Provide details of your supply chain strategy

6. Social Value

- Provide details of your approach to Social Value initiatives including examples undertaken in the last 5 years

Tender Stage Questionnaire

To demonstrate suitability to undertake the work, tenderers must provide the following to be evaluated as part of the Quality Criteria:

1. Methodology

- Provide details of your methodology and approach to providing these works

2. Qualifications and Experience

- Provide details of key staff you would propose to engage on the project, including relevant experience and qualifications. These should include the following (or equivalent) as a minimum:
 - Project Director
 - Site Agent
 - Health and Safety Manager
 - Senior Quantity Surveyor
 - Customer Liaison Manager
 - Senior Foreman

3. Stakeholder Management

- Provide details of your proposals for Stakeholder management for this project

4. Sustainability and Innovation

- Provide details of your proposals for sustainability to be used on this project
- Provide details and previous examples of innovation you would propose for this project

5. Social Value

- Provide details of Social Value initiatives you would propose to use on this project