



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every week and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decision detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Paul Barnard, Service Director for Strategic Planning and Infrastructure:

- I.1. Contract Award: Short Form Delivery Agreement for the establishment of site welfare establishment and works for Armada Way 'Better Places' public realm improvement project **(Pages 1 - 20)**

EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD27 22/23

Decision	
1	Title of decision: Contract Award: Short Form Delivery Agreement for the establishment of site welfare establishment and works for Armada Way 'Better Places' public realm improvement project
2	Decision Maker: Paul Barnard, Service Director for Strategic Planning & Infrastructure
3	Report author and contact details: : Martin Ivatt, City Centre Regeneration Co-ordinator, Tel: 01752 398434 martin.ivatt@plymouth.gov.uk
4a	<p>Decision to be taken:</p> <p>To award a Short Form Delivery Agreement to undertake welfare establishment, compound and Knowledge Hub, including groundworks, associated with Armada Way 'Better Places' public realm improvements project to Morgan Sindall. Knowledge Hub to cover all City Centre public realm projects and be in place until March 2024 at completion of Armada Way. Details of the engaged supplier are set out in the Contract Award Report.</p> <p>It is intended to award the contract using the SCAPE Framework.</p>
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Executive Decision L43 19/20 03.07.20
5	<p>Reasons for decision:</p> <p>The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.</p> <p>Undertaking the phase of enabling works is necessary in order for the Council to maintain its commitments to expended central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.</p> <p>Armada Way is identified as a priority project which reinforces the Council's actions to regenerate key areas of Plymouth's city centre. The project has a total value of £12.7m, with £2.7m of this being TCF funds to be spent by March 2023, with the remainder being majority PCC match-funding (as part of both Better Places and wider TCF schemes match funding) and a small amount from CIL.</p>

6	<p>Alternative options considered and rejected:</p> <p>Option 1: Do Nothing – This is not an option as Armada Way is a key element of the transformation of the City Centre through the Better Places programme</p> <p>Option 2: Do Nothing and await the award of the main contract- If the Council doesn't commence these works now, serious delays will result to the construction programme for the project.</p> <p>Not completing the schemes in a timely manner may lead to the loss of external funding for the project and will seriously damage the current good reputation the Council has established for the delivery of high quality public realm schemes.</p>																
7	<p>Financial implications and risks:</p> <p>The value of the Short Form Delivery Agreement activities are £827,498.35. £2,751,524 of funding has been secured for the project from the Transforming Cities Fund which needs to be spent by March 2023.</p>																
8	<table border="1"> <thead> <tr> <th data-bbox="245 757 759 869">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="759 757 852 869">Yes</th> <th data-bbox="852 757 1007 869">No</th> <th data-bbox="1007 757 1498 869">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="245 869 759 1032"></td> <td data-bbox="759 869 852 1032"></td> <td data-bbox="852 869 1007 1032">x</td> <td data-bbox="1007 869 1498 1032">in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</td> </tr> <tr> <td data-bbox="245 1032 759 1218"></td> <td data-bbox="759 1032 852 1218"></td> <td data-bbox="852 1032 1007 1218">x</td> <td data-bbox="1007 1032 1498 1218">in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million</td> </tr> <tr> <td data-bbox="245 1218 759 1361"></td> <td data-bbox="759 1218 852 1361"></td> <td data-bbox="852 1218 1007 1361">x</td> <td data-bbox="1007 1218 1498 1361">is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</td> </tr> </tbody> </table>	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
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8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	n/a															
9	<p>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</p>	<p>Growing Plymouth - The outcomes of this project will help support a growing city by encouraging inward investment in the retail, leisure and cultural offer of Plymouth city centre and supporting the diversification of uses including residential and office.</p> <p>Providing aesthetically attractive and inviting city centre streets and spaces that function better through day and into evening will attract increased visitors to the city centre for prolonged periods of time resulting in higher spend, more viable businesses and a more competitive city centre further establishing Plymouth's position as a premier retail and shopping destination for the South West.</p> <p>Caring Plymouth - The project will support the creation of positive spaces for residents from across the city, supporting the achievement of health and wellbeing outcomes and promoting social inclusion.</p>															

		This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.
10	Please specify any direct environmental implications of the decision (carbon impact)	The project aims to deliver significant environmental improvements to the city centre and futureproof it for future generations. It is proposed to increase the total number of trees in Armada Way by circa 50% and provide a circa 20% Biodiversity Net Gain. The scheme will allow for improved bio-resilience and climate change through appropriate tree planting for a city centre environment, and will include biodiversity net gain through the introduction of new species, including those that support pollinating insects. The scheme will deliver a new Sustainable Urban Drainage (SUDs) system that will form part of a wider strategic network in the city centre. The SUDs systems includes 'rain gardens' and swales which integrate the drainage system with the cities green infrastructure to make the best use of surface water. Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint. Reuse of some existing materials from Armada Way will be integrated into the design to reduce the carbon footprint of hard surfacing.

Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	x	(If no, go to section 13a)


12a	Reason for urgency: n/a
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12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation

13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drean, Cabinet Member for Transport		
13c	Date Cabinet member consulted	04/10/2022		

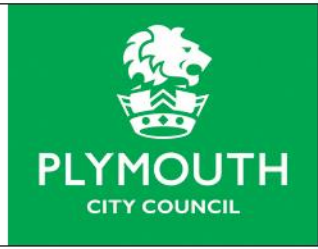
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	x					
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for Place					
		Date consulted	13/10/2022					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS62 22/23					
		Finance (mandatory)	pl.22.23.242.					
		Legal (mandatory)	MS/39333					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	N/A					
Appendices								
17	Re f.	Title of appendix						
	A	Contract Award Report Part 1						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						

		1	2	3	4	5	6	7
Council Officer Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.							
Signature				Date of decision	21/10/2022			
Print Name	Paul Barnard, Service Director for Strategic Planning & Infrastructure							

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**PROCUREMENT GATEWAY 3 -
CONTRACT AWARD REPORT - PART I**

Armada Way Public Realm



1. INTRODUCTION

2. BACKGROUND

3. PROCUREMENT PROCESS

4. TENDER EVALUATION CRITERIA

5. SUMMARY OF EVALUATION

6. FINANCIAL IMPLICATIONS

7. RECOMMENDATIONS

8. APPROVAL

I. INTRODUCTION

This contract award report is in relation to the procurement of a short form delivery agreement (SDA) associated with Armada Way public realm. The SDA allows for the establishment of a compound for the Armada Way scheme, also to be utilised by the Old Town Street / New George Street and Civic Square public realm projects, together with establishment of the Knowledge Hub:

The SDA includes allowance for the following:

- Staff Prelims
Contractor staff costs for the duration of the SDA.
- Site Establishment:
Establish welfare boundaries using solid timber hoarding with branding. Create foundations for the cabins (4 stacked on 4), levelling to compound area including the removal of trees. Site Welfare Units including the Knowledge Hub - Use of one cabin to be used as an information hub for members of the public to learn about the Better Places / Public Realm scheme; as well as to be used as an interactive / learning centre for information about local businesses, apprenticeships and career guidance in partnership with PCC and Builder Plymouth. Also includes appropriate fire and security measures including monitored CCTV to reduce likely-hood of break-in and damage to the hoarding.

Contract Duration: 7 weeks for activities under the SDA. Covers hire period to completion of Armada Way project.

Anticipated Commencement:	17th October 2022
On-Going Hires to Proposed Contract Date:	28th November 2022
Duration:	14 Weeks
On-Going Hires To Provision During Contract:	6th March 2023
Duration:	83 Weeks

2. BACKGROUND

The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.

The contractor has being procured via the SCAPE framework and there is an option to undertake a short form delivery agreement for pre-construction works prior to the construction contract commencing. This is necessary in order to develop more detailed designs for the scheme and for the Council to maintain its commitments to expend central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm

improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.

Armada Way is the priority project within the Better Places programme of work, which reinforces the Council's objectives to regenerate key areas of Plymouth's city centre.

3. PROCUREMENT PROCESS

The SCAPE Construction Framework is being utilised to procure this requirement, which is specifically for public sector bodies' use. The chosen framework delivery partner is Morgan Sindall, via a direct award appointment. Morgan Sindall is a delivery partner on the construction framework for projects valued up to £75 million.

This framework route has been chosen, following a thorough review of the procurement options available for this project. This review concluded that the best option is to utilise the SCAPE Construction framework.

SCAPE is a public-sector partnership. This framework enables construction works suited to the requirement of this project.

The applicable terms and conditions for this stage of the project will be NEC4 Engineering and Construction Short Contract 2017 (with necessary amendments)

4. TENDER EVALUATION CRITERIA

The SDA is to be awarded to Morgan Sindall who were already selected to undertake a Professional Services Agreement for design services associated with the project. This procurement path ensured value for money as the SCAPE framework is an OJEU compliant procurement process, which was subject to EU wide competition when it was set up.

Framework delivery partners have already been suitability pre-qualified and are performance monitored on a regular basis. SCAPE have a project process map which outlines all the necessary steps and documentation that need to be completed throughout the procurement process.

The fee has been reviewed by the Council's Quantity and Cost Surveyors, Currie & Brown, to check appropriateness of the fee and deliverables in line with commercial rates.

5. SUMMARY OF EVALUATION

The outcome of this review is contained within the confidential Part II paper.

6. FINANCIAL IMPLICATIONS

Financial provision has been made for this contract within the project budget. Details of the contractual pricing are contained within the Part II paper.

7. RECOMMENDATIONS

It is recommended that the SDA be awarded to Morgan Sindall.

The Construction Phase (works) contract will be subject of a separate award report.

There is no guarantee Morgan Sindall will be awarded the construction contract, however, under this procurement process, provided Morgan Sindall meet all the necessary requirements, the

Council can direct award the construction contract to them.

8. APPROVAL

Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)			
Name:	Martin Ivatt		
Job Title:	City Centre Regeneration Coordinator		
Additional Comments (Optional):			
Signature:		Date:	11.10.22
Service Director [Signature provides authorisation to this award report and award of Contract]			
Name:	Paul Barnard		
Job Title:	Service Director SP&I		
Additional Comments (Optional):			
Signature:		Date:	21/10/2022

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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