



**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

Ballard House

Plymouth PL1 3BJ

T 01752 305155

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

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## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published 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 non-key Officer Delegated Decision detailed below may be implemented immediately.

## **Delegated Decisions**

### **I. Anthony Payne (Strategic Director for Place):**

- I.a. COD18 24/25 Contract Award for Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) **(Pages 1 - 34)**

# EXECUTIVE DECISION

made by a Council Officer



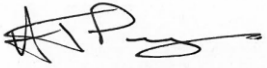
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD18 24/25

Decision	
1	<b>Title of decision:</b> Contract award for Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development)
2	<b>Decision maker:</b> Anthony Payne (Strategic Director for Place)
3	<b>Report author and contact details:</b> Robert McGuffie (Senior Technical Estates Surveyor) Tel. 01752 304627 E. <a href="mailto:robert.mcguffie@plymouth.gov.uk">robert.mcguffie@plymouth.gov.uk</a>
4a	<b>Decision to be taken:</b> 1. To award a contract to appoint Devon Contractors Ltd as main contractor to construct c.50,000sqft of commercial workspace at Langage South, at a value of £5,942,360.
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b> L22 23/24 - Plymouth and South Devon Freeport Direct Development (28/09/2023)  This decision: 1. Approved the Part II Business Case to construct 50,000 sq ft of employment accommodation within the Langage Tax Site at the Plymouth and South Devon Freeport; 2. Approved the allocation of the sum set out in the Part II Business Case for the project to the Capital Programme comprising Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors) and service borrowing; 3. Authorised the procurement process to identify and select the main contractor; 4. Delegated to the Strategic Director for Place to approve business cases and award contracts relating to this project where they would otherwise not have authority to do so; 5. Delegated to the Section 151 Officer to sign off claims and release funding in connection with the Freeport Seed Capital Funding, where they would otherwise not have authority to do so.
5	<b>Reasons for decision:</b>  Following approval of the Business Case, a robust procurement, tender and evaluation process has been undertaken and Devon Contractors Ltd are the highest scoring tenderer.  The award of this contract to construct c50,000sqft of high quality and sustainable workspace will lead to economic development and employment growth. Furthermore, it will provide the catalyst to kickstart delivery of this important site within the Plymouth and South Devon Freeport.  The proposed scheme is within the Langage Tax Site at the Plymouth and South Devon Freeport and will result in securing external grant funding of upto £4m through Freeport Seed Capital. This will be matched through PCC service borrowing of upto £4.65m.
6	<b>Alternative options considered and rejected:</b>

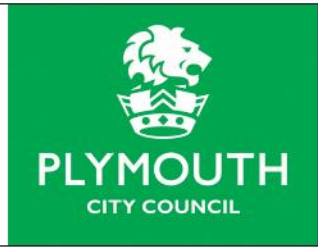
	<ol style="list-style-type: none"> <li>1. Not to award the contract – this would mean the scheme would not proceed and the opportunity of securing upto £4m of external grant funding via the Freeport Seed Capital would be lost. Furthermore, there would be no positive outputs in terms of economic development, job creation and associated spin off benefits within the Plymouth TTWA and wider region.</li> <li>2. Award contract to another contractor – a robust procurement and evaluation process (based on quality and price) has taken place which clearly identifies the successful contractor.</li> <li>3. Sale of land to third party – it would be unlikely that the proposed high quality and sustainable development would be implemented due to the cost value / viability gap of the development. There would be significant delay and the council would lose the opportunity for long term revenue income through rental income and the associated benefits and linkages to the delivery of the Plymouth and South Devon Freeport objectives could be lost.</li> </ol>			
<b>7</b>	<b>Financial implications and risks:</b> The contract sum (£5,942,360) is to be paid for from the approved capital budget as agreed and approved in the previous business case. The scheme has been awarded upto £4m of grant funding via the Freeport Capital Seed Funding and upto £4.65m service borrowing. We will seek to use any underspend to reduce the amount of service borrowing.			
<b>8</b>	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			<b>X</b>	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			<b>X</b>	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b>
			<b>X</b>	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
<b>8b</b>	<b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>	N/A. This business case and financial commitment was agreed as a Key Decision in decision: L22 23/24 - Plymouth and South Devon Freeport Direct Development (28/09/2023)		
<b>9</b>	<b>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:</b>	This project will contribute towards the Corporate Plan priority of Green investment, jobs, skills and better education. Under the Corporate Plan, this will be delivered by: Spending money wisely. The project also contributes to the delivery of the Plymouth and South Devon Freeport policies and objectives.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	The scheme is targeting BREEAM Excellent and / or Net Zero Carbon Outcomes. A climate Impact Assessment is attached.		
<b>Urgent decisions</b>				
<b>11</b>	<b>Is the decision urgent and to be implemented immediately in the</b>	<b>Yes</b>		(If yes, please contact <a href="#">Democratic Support</a> for advice)

	interests of the Council or the public?	No	X	(If no, go to section I3a)
I2a	Reason for urgency:			
I2b	Scrutiny Chair signature:		Date	
	Scrutiny Committee:			
	Print Name:			
<b>Consultation</b>				
I3a	Which Cabinet Member's portfolio does this decision relate to?	Councillor Mark Lowry (Cabinet Member for Finance)		
I3b	Date Cabinet Member consulted	13/08/24		
I3c	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section I4)
I3d	Which other Cabinet member's portfolio is affected by the decision?	N/A		
I3e	Date other Cabinet member(s) consulted	N/A		
I4	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	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	13/08/24	
<b>Sign-off</b>				
I6	Sign off codes from the relevant departments consulted:	Democratic Support	DS33 24/25	
		Finance	DJN.24.25.064	
		Legal	LS/00001312/1/A C/15/8/24	
		Human Resources	N/A	
		Corporate property	JW 0123 09/08/24	
		Procurement	SN/PS/747/ED/08 24	
<b>Appendices</b>				
	Ref.	Title of appendix		

<b>17</b>	A	Contract Award Report Part I						
	B	Equalities Impact Assessment						
	C	Climate Impact Assessment						
<b>Confidential/exempt information</b>								
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>	<input checked="" type="checkbox"/>	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 <b>18b</b> below.				
		<b>No</b>	<input type="checkbox"/>					
		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>			<b>X</b>				
	<b>Contract Award Report Part I I</b>							
<b>Background Papers</b>								
<b>19</b>	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.							
<b>Title of background paper(s)</b>		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Council Officer Signature</b>								
<b>20</b>	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. For further details please see the EIA attached.							
<b>Signature</b>			<b>Date of decision</b>	19.8.24				
<b>Print Name</b>	Anthony Payne (Strategic Director for Place)							

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

21146 – Langage South Commercial Workspace Development



**1. INTRODUCTION**

**2. BACKGROUND**

**3. PROCUREMENT PROCESS**

**4. PRE TENDER SELECTION CRITERIA & EVALUATION**

**5. TENDER EVALUATION CRITERIA**

**6. SUMMARY OF EVALUATION**

**7. FINANCIAL IMPLICATIONS**

**8. RECOMMENDATIONS**

**9. APPROVAL**



## 1. INTRODUCTION

This contract award report is in relation to the procurement for the Design and Build of a commercial / industrial workspace scheme located off Beaumont Way, Langage South Business Park, Plympton, Plymouth, PL7 5FL.

The anticipated duration of the contract is estimated to be 9 to 12 months construction stage and 12 months from Practical Completion to end of defects period.

The proposal comprises the design and construction of four high quality, sustainable and flexible commercial units with offices and welfare at ground and first floor. More specifically the scheme encompasses the extension of an estate service road, service yard and parking areas for each unit, external works including services and the construction of the following:

**Unit 1** – a semi-detached unit measuring 653sqm (7,028sqft) with an additional 104sqm (1,119sqft) of first floor office and welfare accommodation.

**Unit 2** - a semi-detached unit measuring 653sqm (7,028sqft) with an additional 104sqm (1,119sqft) of first floor office and welfare accommodation.

NB: Units 1 and 2 form a semi-detached pair of units separated by a party wall but subject to demand could be occupied as a single detached facility.

**Unit 3** – a detached unit measuring 933sqm (10,043sqft) with an additional 104sqm (1,119sqft) of first floor office and welfare accommodation.

**Unit 4** – a detached unit measuring 1,890sqm (20,343sqft) with an additional 174sqm (2,873sqft) of first floor office and welfare accommodation.

The scheme will be funded by both Plymouth City Council and Plymouth and South Devon Freeport who are providing vital grant funding to support the viability of the scheme.

## 2. BACKGROUND

In April 2021 approval was given to progress the design stage of a new high quality, sustainable c4,645 sqm (50,000 sqft) commercial employment space scheme at Langage South, Plymouth. Design Developments Ltd and their wider team of sub consultants then progressed the feasibility and design work - leading to a planning application being made in December 2021. Planning permission was subsequently granted by South Hams District Council in March 2022 and PCC now benefits from an extant planning consent due to the commencement of part of the landscape strategy.

## 3. PROCUREMENT PROCESS

A Prior Information Notice (PIN) published on Find a Tender Service (FTS) reference number 2024/S 000-007294 was dispatched on 07 March 2024. The aim of this notice was to introduce and explain the nature of the project, with indicative programme, and giving advance notice of the intended procurement.

A competitive procurement was run following the 'Restricted' procedure, in accordance with the Public Contracts Regulations 2015. A Contract Notice published on Find a Tender Service (FTS) reference number 2024/S 000-010172 was dispatched on 28 March 2024.

The 'Restricted' procedure is a two stage process. The first stage is known as the pre-qualification or selection stage and the second as the tender or award stage.

## 4. PRE TENDER SELECTION CRITERIA AND EVALUATION

Stage 1 – Supplier Selection documentation was dispatched to the market on 28 March 2024, with a submission deadline of 29 April 2024.

Stage 1 consisted of an assessment of the Potential Supplier's characteristics and suitability in principle to provide our contract requirement and checking that all required documents are completed and submitted. The purpose of this selection process is to provide the Council with sufficient information to allow Suppliers to be selected for Stage 2- ITT stage. Potential Suppliers short-listed from the selection process will be invited to participate in a competitive tender process.

The questions included in this Schedule, as advised in PPN Action Note 8/16 09 September 2016, have been informed by the Publicly Available Specification (PAS) PAS 91:2013+A1:2017 under licence from the British Standards Institution.

Each module within the Return Document was clearly identified as being evaluated on a; for information only, pass/fail or scored basis.

**For Information Only Questions** - Questions identified as for information only are for this purpose only and will not be evaluated.

**Pass/Fail Questions** - Questions identified as PASS/FAIL will be evaluated on a pass/fail basis. Each question will clearly indicate what response constitutes as PASS and what response constitutes as FAIL. In the event of the Potential Supplier being awarded a 'fail' on any of the criteria, the remainder of your SQ will not be evaluated and you will be eliminated from the process. Your company will be disqualified if you do not submit these completed questions.

<b>Pass/Fail Criteria</b>
Table 1: Supplier identity
Table 2: Financial information
Table 2: Insurances
Table 3: Grounds for mandatory and discretionary exclusion and non-payment of tax and social security contributions
Table 4: Health and safety policy and capability
Table 5: Equalities and diversity
Table 6: Environmental Management
Table 7: Quality Management
Table 9: Technical Ability (previous experience, business contingency, construction industry blacklists, modern slavery)
Supplier Selection Declaration

In accordance with the regulations, wherever possible the Council is permitting Potential Suppliers to self-certify they meet the minimum PASS/FAIL requirements without the need to attached evidence or supporting information. However where the Council regards the review of certain evidence and supporting information, as critical to the success of the procurement this will be specifically requested.

Where Tenderers are permitted to self-certify, evidence will be sought from the **successful Tenderer at contract award stage**. Please note the successful Tenderer must be able to provide all evidence to the satisfaction of the Council at contract award stage within a reasonable period, if the successful Tenderer is unable to provide this information the Council reserves the right to amend the contract award decision and award to the next compliant Tenderer.

**Scored Questions** - Questions identified as SCORED will be evaluated in accordance with the following sub-criteria and weightings:

Section	Weighting
Table 9 – SI-Q1 - Technical Ability – Project Example 1	27%
Table 9 – SI-Q1 - Technical Ability – Project Example 2	27%
Table 9 – SI-Q1 - Technical Ability – Project Example 3	27%
Table 9 – SI-Q2 - Technical Ability	19%
<b>Total</b>	<b>100%</b>

Where individual questions carry either more or less importance than others they have been grouped and weighted accordingly. Section weightings are identified at the top of each group of questions and sub-weightings are identified against individual questions. The question or group of questions will be allocated a score and the appropriate weightings will then be applied. The weighted score will be rounded to **2** decimal places.

Questions identified as SCORED will be evaluated using the Scoring Table 2 below:

**Scoring Table 2**

Response	Score	Definition
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a broad depth of relevant experience and excellent level of expertise with all areas covered to a very high standard.
Very good	4	Response is very relevant and very good. The response is precisely detailed to demonstrate a very good amount of experience and expertise covering all aspects.
Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience and expertise covering all aspects.
Satisfactory	2	Response is relevant and acceptable. Demonstrates a reasonable amount of experience and adequate level of expertise but lacks detail in certain areas or with some aspects missing.
Poor	1	Response is partially relevant and poor. Provides little or limited evidence of experience and competence in the required field.
Unacceptable	0	No response, an unacceptable or irrelevant response provided.

Potential Suppliers must achieve a score of 3 or more for each scored item. Any scored criteria item receiving a less than 3 will result in the Tender being rejected and Potential Supplier being disqualified from the process.

The Council has decided to take a '**consensus**' scoring evaluation approach to this procurement. This means that, following the independent evaluation of submissions where there is a difference in individual evaluator scoring for one or more individual questions, a moderation session will take place to arrive at an agreed, consensus score. In the event that the evaluators cannot agree on a final score, the score awarded by the majority will be the consensus score.

In compliance with the Public Contract Regulations 2015 65(3) it is intended that the Five (5) highest scoring Potential Suppliers will be invited to submit tenders. Where a Potential Supplier or Suppliers receive the exact same score as the 5th highest scoring Potential Supplier, they will also be invited through to submit a tender.

Please Note: That in accordance with Public Contracts Regulations 2015 65(7) & 65(8) where the number of potential suppliers meeting the selection criteria and the minimum levels of ability as referred to in regulation 58(19) is below that minimum number, PCC may continue the procurement by inviting only the candidates with the required capabilities.

In the context of the same procedure, PCC shall not include potential suppliers that do not have the required capabilities.

Suppliers will then be ranked from highest scoring to lowest scoring in order to determine who will invited through to Stage 2-Invitation To Tender.

#### Summary of Stage 1 evaluation

Financial information was evaluated by the Finance department. The pass/fail and scored questions were evaluated by the evaluation panel.

Stage 1 submissions were received from 5 suppliers. 3 suppliers passed all of the pass/fail criteria and were invited to Stage 2.

## 5. TENDER EVALUATION CRITERIA

Stage 2 is the award stage and considers the merits of the eligible Tenders in order to assess which is the most economically advantageous. In this part only quality, price and social value criteria that are linked to the subject matter of the contract are used.

The high level award criteria is as follows:

Criteria	Weighting
Price	47.5%
Quality	45%
Social Value	7.5%
<b>TOTAL</b>	<b>100%</b>

#### Evaluation Methodology

##### **PRICE (Schedule 1)**

Evaluation made against comparison of pricing in 2.0-General Summary and associated documents.

##### **PRI Total Tender Sum**

The Tenderer's Total Tender Sum in 2.0-General Summary will be evaluated using the scoring system below:

$$\left( \frac{\text{Lowest Total Tender Sum}}{\text{Tenderer's Tender Sum}} \right) \times \text{Weighting} = \text{Weighted score}$$

##### **QUALITY (Schedule 2 and Schedules 4-5)**

Strength of proposals to comply with the Council's specification - evaluation made on contract delivery proposals submitted in response to the requirements set out in specification and taking into consideration the Council's aims for the service.

Each question was clearly identified as being evaluated on a pass/fail or scored basis.

**Pass/Fail Questions-** Questions identified as PASS/FAIL were evaluated on a pass/fail basis. Each question will clearly indicate what response constitutes as PASS and what response constitutes as FAIL. In the event of the Tenderer being awarded a 'fail' on any of the criteria, the remainder of your Tender will not be evaluated and you will be eliminated from the process. Your company will be disqualified if you do not submit these completed questions.

<b>Pass/Fail Criteria</b>
MS7: National Skills Academy
Schedule 4 – Form of Tender
Schedule 5: Declarations

**Scored Questions -** Questions identified as SCORED will be evaluated in accordance with the following sub-criteria and weightings:

<b>Section</b>	<b>Weighting</b>
MS1: Proposed Team	10.00%
MS2: Collaboration, Partnerships and Sub Contracting	7.50%
MS3: Project Delivery and Risks	7.50%
MS4: Project Programming and Controls	5.00%
MS5: Sustainability, BREEAM and Net Zero Carbon	10.00%
MS6: Project Completion, handover and aftercare	5.00%
SV1: Total Social Value Commitment	3.50%
SV2: Social Value Method Statement	4.00%

Where individual questions carry either more or less importance than others they have been grouped and weighted accordingly. Section weightings are identified at the top of each group of questions and sub-weightings are identified against individual questions. The question or group of questions will be allocated a score and the appropriate weightings will then be applied. The weighted score will be rounded to **2** decimal places.

Questions identified as SCORED will be evaluated using the Scoring Table I below:

**Scoring Table I**

<b>Response</b>	<b>Score</b>	<b>Definition</b>
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement/outcomes and provides details of how the requirement/outcomes will be met in full.
Very good	4	Response is particularly relevant. The response is precisely detailed to demonstrate a very good understanding of the requirements and provides details on how these will be fulfilled.

Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements/outcomes will be fulfilled.
Satisfactory	2	Response is relevant and acceptable. The response addresses a broad understanding of the requirements/outcomes but lacks details on how the requirement/outcomes will be fulfilled in certain areas.
Poor	1	Response is partially relevant and/or poor. The response addresses some elements of the requirements/outcomes but contains insufficient/limited detail and explanation to demonstrate how the requirements/outcomes will be fulfilled.
Unacceptable	0	No or inadequate response. Fails to demonstrate an ability to meet the requirement/deliver the required outcomes.

Tenderers must achieve a score of 3 or more for each scored item. Any scored criteria item receiving less than 3 will result in the Tender being rejected and Tenderer being disqualified from the process.

The Council has decided to take a '**consensus**' scoring evaluation approach to this procurement. This means that, following the independent evaluation of submissions where there is a difference in individual evaluator scoring for one or more individual questions, a moderation session will take place to arrive at an agreed, consensus score. In the event that the evaluators cannot agree on a final score, the score awarded by the majority will be the consensus score.

## POST-TENDER CLARIFICATIONS

All post-tender clarifications will either be sent via the messaging facility on the portal or we may request Tenderers to attend a clarification meeting, if deemed necessary.

## SOCIAL VALUE (Schedule 3)

Social value commitments will be assessed based on a combination of quantitative and qualitative assessment. Weightings are contained within the Return Document.

### SVI- Total Social Value Commitment (£)

The Tenderer's Total Social Value Commitment will be evaluated using the quantitative scoring system below:

$$\left( \frac{\text{Tenderer's Total Social Value Commitment (£)}}{\text{Highest Total Social Value Commitment (£)}} \right) \times \text{Weighting} = \text{Weighted score}$$

### SV2 – Social Value Method Statements

The method statements submitted in support of the social value commitments made in SVI will be allocated a single score **for all method statements** and the appropriate weighting will then be applied. The weighted score will be rounded to **2** decimal places.

The qualitative responses will be evaluated using **Scoring Table I**.

Tenderers must achieve an average score of 2 or more for each scored item. Any scored criteria item receiving an average of less than 2 will result in the Tender being rejected and Tenderer being disqualified from the process.

The Council has decided to take a '**consensus**' scoring evaluation approach to this procurement. This means that, following the independent evaluation of submissions, where there is a difference in individual evaluator scoring for one or more individual questions, a moderation session will take place to arrive at an agreed, consensus score. In the event that the evaluators cannot agree on a final score, the score awarded by the majority will be the consensus score

## **6. SUMMARY OF EVALUATION**

Stage 2 was dispatched on 23<sup>rd</sup> May 2024 with a submission deadline of noon 8<sup>th</sup> July 2024 to the 3 shortlisted suppliers. Submissions were received from 3 suppliers.

The tender submissions were independently evaluated by Council Officers and external consultants to the project, all of whom have the appropriate skills and experience, in order to ensure transparency and robustness in the process.

In order to ensure fairness of the process the evaluation of Quality and Price were split, with Price information being held back from the Quality evaluators.

Price clarifications were evaluated by the external Quantity Surveyor and managed through The Supplying the South West Portal.

The resulting quality and financial scores are contained in the confidential paper

## **7. FINANCIAL IMPLICATIONS**

Financial provision has been made for this contract within the project budget. The submitted contract sum for this project is £5,942,360.

The Works are to be executed in accordance with the JCT Design and Build Contract 2016. Any post contract amendments to Works are required to be instructed by The Employer's Agent who will assess and agree any resulting adjustments to the Contract Sum with the Contractor. This may include for any reasonably unforeseen changes to the Works in the context of the Design & Build obligations on the Contractor. The Contractor is required to provide all necessary substantiation of both the change and the associated costs in a timeous manner to allow time for formal instruction (or not) prior to those Works being carried out on site. This can include any Works perceived by the Contractor to represent material changes to the Employer's Requirements on which the Contract Sum is based as well as any changes or clarifications made by the Employer which result in a change to those Employer's Requirements. In both cases an Employer's Agent Instruction will be required prior to carrying out the Works with the intention of not delaying the progress of the Works on site. Adjustments to Contract Sum will be carried out in accordance with Schedule 4-Payment of the Contract.

Details of further contractual pricing information is contained in the confidential paper.

## **8. RECOMMENDATIONS**

It is recommended that a contract be awarded to Devon Contractors in accordance with JCT Design and Build Contract 2016


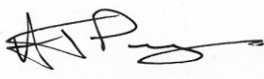
This award will be provisional and subject to the receipt from the highest scoring supplier of the satisfactory self-certification documents detailed in the suitability assessment questionnaire.

In the event the highest scoring supplier cannot provide the necessary documentation the Council reserves the right to award the contract to the second highest scoring supplier.

This award is also subject to the outcome of any challenge made during the call-in or mandatory standstill period.

## 9. APPROVAL

### Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)			
<b>Name:</b>	Robert McGuffie		
<b>Job Title:</b>	Senior Technical Estates Surveyor		
<b>Additional Comments (Optional):</b>			
<b>Signature:</b>		<b>Date:</b>	15/08/24
Service Director [Signature provides authorisation to this award report and award of Contract]			
<b>Name:</b>	Anthony Payne		
<b>Job Title:</b>	Director of Place		
<b>Additional Comments (Optional):</b>			
<b>Signature:</b>		<b>Date:</b>	19.8.24




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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# EQUALITY IMPACT ASSESSMENT – PLYMOUTH AND SOUTH DEVON FREEPORT DIRECT DEVELOPMENT

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Sarah Partridge MRICS, Asset Manager, Land & Property	<b>Department and service:</b>	Land & Property, Economic Development, Place Directorate	<b>Date of assessment:</b>	08/08/2023
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	James Watt MRICS, Head of Land & Property	<b>Signature:</b>		<b>Approval date:</b>	08/08/2023
<b>Overview:</b>	Direct development of a vacant PCC owned development site as part of the Council's Property and Regeneration Fund. The project comprises the delivery of 50,000 sq ft of high-quality sustainable employment accommodation to promote economic and employment growth. The project will also provide a catalyst for the development and delivery of the Plymouth and South Devon Freeport and its associated objectives. It should be noted that Plymouth and South Devon Freeport has its own over-arching EIA.				
<b>Decision required:</b>	<ol style="list-style-type: none"> <li>1. Approves the Part II Business Case to construct 50,000 sq ft of employment accommodation within the Langage Tax Site at the Plymouth and South Devon Freeport;</li> <li>2. Approves the allocation of the sum set out in the Part II Business Case for the project to the Capital Programme comprising Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors) and service borrowing;</li> <li>3. Authorises the procurement process to identify and select the main contractor;</li> <li>4. Delegates to the Strategic Director for Place to approve business cases and award contracts relating to this project where they would otherwise not have authority to do so;</li> <li>5. Delegates to the Section 151 Officer to sign off claims and release funding in connection with the Freeport Seed Capital Funding, where they would otherwise not have authority to do so.</li> </ol>				

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<p><b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?</p>	<p><b>Yes</b></p>		<p><b>No</b></p>	<p>X</p>
<p><b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?</p>	<p><b>Yes</b></p>		<p><b>No</b></p>	<p>X</p>
<p>Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)</p>	<p><b>Yes</b></p>		<p><b>No</b></p>	<p>X</p>
<p>If you do not agree that a full equality impact assessment is required, please set out your justification for why not.</p>	<p>This EIA is supporting a Decision that seeks approval to project funding i.e. approval of service borrowing provided Freeport Seed Capital is also secured</p>			

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<p><b>Protected characteristics (Equality Act, 2010)</b></p>	<p><b>Evidence and information (e.g. data and consultation feedback)</b></p>	<p><b>Adverse impact</b></p>	<p><b>Mitigation activities</b></p>	<p><b>Timescale and responsible department</b></p>
<p><b>Age</b></p>	<p>Plymouth</p>			

	<ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>			
<p><b>Care experienced individuals</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p>			

<p>as though it is a protected characteristic).</p>	<p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
<p><b>Disability</b></p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>			
<p><b>Gender reassignment</b></p>	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).</p>			
<p><b>Marriage and civil partnership</b></p>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).</p>			

<b>Pregnancy and maternity</b>	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.			
<b>Race</b>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>			
<b>Religion or belief</b>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>			
<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).			
<b>Sexual orientation</b>	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual			

	orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).			
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**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

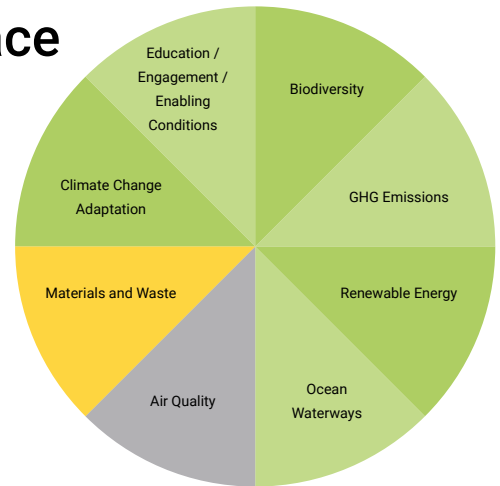
Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No adverse impacts anticipated		

**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	No adverse impacts anticipated		
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	No adverse impacts anticipated		
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	No adverse impacts anticipated		
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	No adverse impacts anticipated		
<b>Plymouth is a city where people from different backgrounds get along well.</b>	No adverse impacts anticipated		



# Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) DRAFT



**Assessment ID:** LAN566

**Assessment Author:** Robert McGuffie

## Assessment Project Summary:

In April 2021 approval was given to progress the design stage of a new high quality, sustainable c4,645 sqm (50,000 sqft) commercial employment space scheme at Langage South, Plymouth. Design Developments Ltd and their wider team of sub consultants then progressed the feasibility and design work - leading to a planning application being made in December 2021 for four new high quality and sustainable commercial units. Planning permission was subsequently granted by South Hams District Council in March 2022 and PCC now benefits from an extant planning consent due to the commencement of part of the landscape strategy. Between February and August 2024 the main contractor procurement took place and the winning contractor has been identified. Works are due to commence on site in Oct/Nov 2024.

## Assessment Final Summary:

This project is generally a positive scheme that positively contributes to a range of elements as set out in the tool. Waste and materials is perhaps understandable but measures are in place to minimise this and arguably it could be deemed as a neutral position.

## Biodiversity Score: 4

**Biodiversity Score Justification:** The scheme has been designed so as to maximise the biodiversity net gain. A high quality and native landscape strategy has been prepared that replaces the loss of greenfield open space (grass) with a variety of new native trees, re-enforcement of existing hedgerows and buildings that are sat within landscaped areas. The site has secured planning consent where landscaping and biodiversity was a key consideration

**Biodiversity Score Mitigate:** Yes

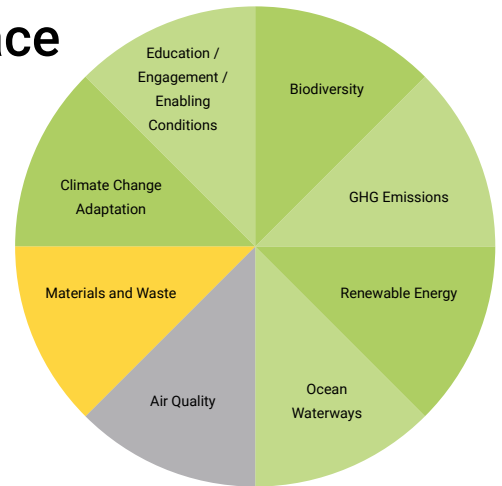
**Biodiversity Revised Score:** 4

**Biodiversity Revised Score Justification:** As above a number of measures have been incorporated through the design and planning stage to minimise impact and to provide a positive biodiversity outcome.

## GHG Emissions Score: 2

**GHG Emissions Score Justification:** The scheme comprises the development of commercial

# Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) DRAFT



workspace units and there will be two elements for consideration:1) Construction Phase 2) Operational PhaseThe scheme has been designed to BREEAM Excellent and Net Zero Carbon standards and as such it is anticipated that with careful consideration of construction materials and processes that any GHG can be minimised. The buildings have been designed with solar pv, high levels of insulation, solar reflective glass, low flow taps, EV charging points and a host of sustainable features to reduce reliance on fossil fuels. The electric heating system will be fed from the solar pv system thereby removing any reliance on fossil fuels and in addition gas will not be brought into site.

**GHG Emissions Score Mitigate:** Yes

**GHG Emissions Revised Score:** 4

**GHG Emissions Revised Score Justification:** As a consequence of the proactive measures taken in the design of the proposed development it is anticipated that the scheme will be net zero carbon.

**Renewable Energy Score:** 4

**Renewable Energy Score Justification:** This project incorporates the installation of dedicated high wattage output solar pv panels that will be used to minimise the draw of energy direct from the national grid. Consideration will be given to the benefit/viability of installing battery storage to the respective units. In addition all component parts of the proposed buildings have been considered carefully to ensure that they are highly efficient in terms of thermal heat loss and air tightness which when combined should result in lower energy requirements to heat the buildings

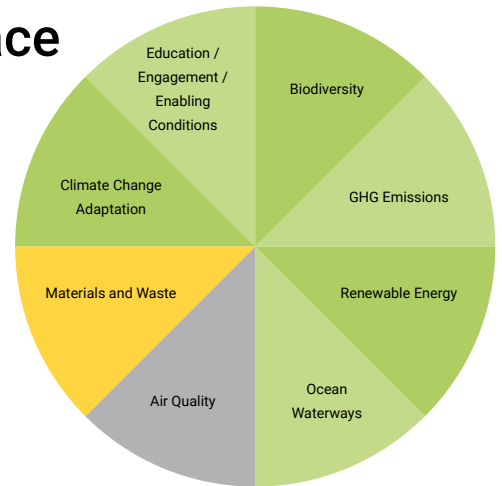
**Renewable Energy Score Mitigate:** Yes

**Renewable Energy Revised Score:** 4

**Renewable Energy Revised Score Justification:** As above the scheme has been designed to high levels of efficiency and performance. Further considerations/options will be explored throughout the construction phase.

**Ocean and Waterways Score:** 4

# Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) DRAFT



**Ocean and Waterways Score Justification:** The buildings will connect into the existing mains foul and mains surface water drainage system (where capacity exists) however, in order to control flows we have incorporated fully designed attenuation systems within the build. Furthermore the use of low flow taps and showers and low flush wc cisterns will help mitigate the use of water in the operational stage of the buildings use. It is not anticipated that there will be any increase or decrease in pollutants as part of the development.

**Ocean and Waterways Score Mitigate:** Yes

**Ocean and Waterways Revised Score:** 4

**Ocean and Waterways Revised Score Justification:** As above we will also review during construction phase to see if any other considerations can be incorporated into the development

**Air Quality Score:** 3

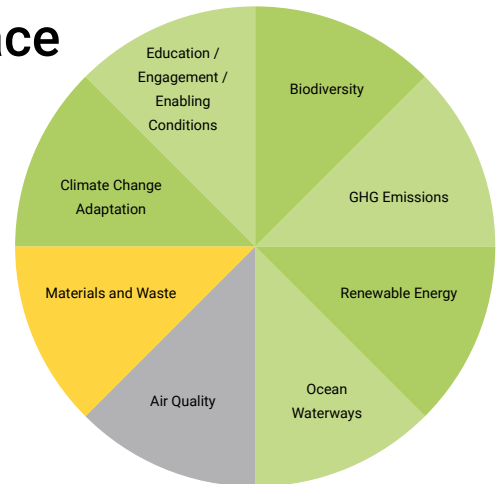
**Air Quality Score Justification:** It is anticipated that as a result of the proactive approach to the design of this development that there will be a neutral impact. Whilst there will be a increase in vehicular movements which may affect air quality this has been offset through the provision of cycle shelters, showers, EV charging points to promote green travel. There is also a local public transport network that serves the site. The use of solar pv and electric heating will mean that site emissions will be minimized. The site will benefit from a professionally designed landscape strategy that will increase the greening of the site with a mix of native tree species, grasses and other plants to improve biodiversity and contribute to balancing carbon used.

**Air Quality Score Mitigate:** No

**Materials and Waste Score:** 2

**Materials and Waste Score Justification:** As part of the project design we have successfully managed to identify areas where recycled materials can be used for example the use of recycled crushed aggregate, the reuse of top soil on site to minimise cart away of material. The contractor will be obligated to separate waste during the construction phase so that recycling of materials can be achieved eg separation of timber, metals, general waste, plastics etc.

# Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) DRAFT



**Materials and Waste Score Mitigate:** No

**Climate Change Adaptation Score:** 4

**Climate Change Adaptation Score Justification:** Whilst the development of these commercial units will impact on the climate it is anticipated that through the design of the scheme and use of BREEAM and/or Net Zero that the outcome will be positive. The supply of high quality low carbon employment space will assist in making Plymouth more resilient to the effects of climate change. Through the design of the scheme it is not anticipated that there will be any increase in the risk of flooding - the incorporation of attenuation tanks will control surface water flow from site.

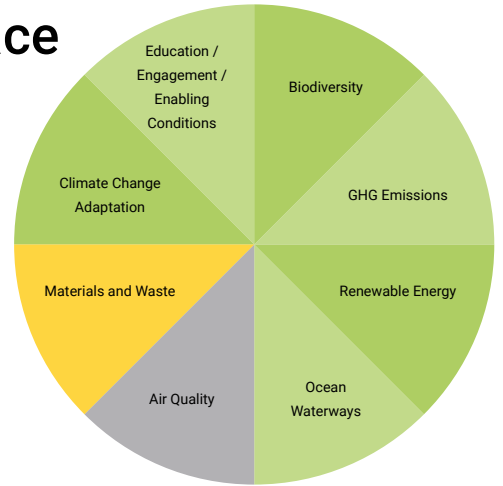
**Climate Change Adaptation Score Mitigate:** No

**Education / Engagement / Enabling Conditions Score:** 4

**Education / Engagement / Enabling Conditions Score Justification:** The project will not in itself serve as a specific education/engagement/enabling opportunity in terms of local residents BUT it will provide some of the highest quality employment space available in the city and the benefits of this will be made clear on publication materials (to let brochures). The contractor (together with its specialist sub contractors) may also engage with schools, colleges and others as appropriate to bring awareness to the construction industry and particularly the sustainable elements of the build. The scheme provides for a number of positive climate friendly behaviours such as EV charging points, carefully designed to minimise running costs, showers and cycle shelters to encourage green travel. In addition occupiers of the facility will likely be encouraged to take the premises due to the sustainable features on offer and when compared to alternative stock the lower running costs. All of the above will contribute to providing wider awareness of the benefits of high quality sustainable workspace.

**Education / Engagement / Enabling Conditions Score Mitigate:** No

# Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development) DRAFT



## Wheel Key

- Long lasting or severe negative impact
- Short term or limited negative impact
- No impact or neutral impact
- Short term or limited positive impact
- Long lasting or extensive positive impact

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