

To: THE EXECUTIVE
Date: 06 February 2024

**Design & Construction Multi-Disciplinary Consultancy Services Contract
Executive Director: Delivery**

1. Purpose of Report

- 1.1. To seek approval for the appointment of a Design & Construction Multi-Disciplinary Consultancy Services Contract, to provide construction consultancy services call-off contract to aid the delivery of construction projects, routine condition surveys of the Councils property/asset portfolio. This will enable the Property, Education and other areas within the Council to use this approved supplier to assist when consultancy is required, at times when the in-house teams cannot provide support or does not have the expertise in house.

2. Recommendation(s)

- 2.1. (a) That the Executive approves this Strategic Procurement Plan to tender the appointment of a Design & Construction Multi-Disciplinary Consultancy Services Contract.
- (b) Approval of this Strategic Procurement Plan authorises:
- (i) a proposed contractual term for a duration of up to ten years with an initial period of five years and further 3 + 2 years based on key performance indicators of optional extensions with a contract value of £12m for 10-year contract.
 - (ii) Design & Construction Multi-Disciplinary Consultancy Services Contract to be procured from a single provider.
- 2.2. That the Executive delegate authority to the Executive Director, Delivery and the Executive Member for Finance and Business Change to award the contract to the provider meeting the requirements of this contract.

2.3. Advertising

The procurement process will be a restricted procedure. The value of this procurement is above the Public Contracts Regulations threshold for Services at £214,904 (such threshold is inclusive of VAT as of 01/01/24). The opportunity to tender will be advertised on the Find a Tender Services South East Business Portal and Contracts Finder.

- Expression of interest from the Design & Construction Support team will be shortlisted through a selection questionnaire (SQ) process, which will create a tender list of up to 5 organisations, who will then be invited to tender.
- Performance Specification and the contract documents will be prepared by Bracknell Forest Council.

2.4. Tender Evaluation

The tenders will be evaluated, based on a 50/50 cost/quality split. The Design & Construction Support team will need to evidence they have proven experience with providing work to a similar size and value. This split allows for the contract to be awarded to the best all round bid for quality, rather than just cost alone, preventing a situation where the lowest tender may outweigh a poor-quality submission.

3. Reasons for Recommendation(s)

- 3.1. It is a requirement of the contract standing orders, that the Executive approve any strategic procurement plan with a value more than £1m. This decision seeks approval for the procurement strategy.
- 3.2. The current Managing Partner framework expires on the 30 June 2025, therefore there is a requirement to commission an external organisation to provide Design & Construction Multi-Disciplinary Consultancy Services Contract to implement and manage the delivery of construction projects.

4. Alternative Options Considered

- 4.1. Consideration has been given to seeking consultants on an individual project basis, however when Bracknell Forest Council have undertaken this in the past, it has proven to be a lengthy process. Involving numerous organisations into our practice allows room for error, as the continuity and the knowledge of the Councils stock is lost. However, having a Design & Construction Support team commissioned on a fixed term contract, ensures information on procedures and condition of our buildings are kept up to date.
- 4.2. After consulting with other Berkshire Councils, we were informed that 3 of the Councils have inhouse consultancy staff and procure specialist support as and when required through a framework.
- 4.3. One Council had a professional services framework for Consultants on architectural and design services which ran for 4 years and covered Housing, Education and Corporate. This was procured through the Portal 'shortlisted' 6 consultant firms to be on 4 year Framework for which mini competitions were ran when projects came to fruition. Some projects were procured as design and build, some were separated and procured separately. These are then overseen by a large internal Construction Project Management team. However, we also use a Framework such as CCS/Fusion 21 for specific projects. This option would not be suitable for BFC due to there not being a large in-house team, holding the knowledge required.
- 4.4. One of the authorities has recently procured a contract, with 2 different organisations, with 1 providing pre-contract services and the other providing post-contract services. Due to a number of recent issues, this Authority is looking at alternative options. Team members moving from other authorities have tried this model, however it has caused conflict and contractual issues between consultants and would require significant resources to manage the contracts. There could also be issues regarding where negligence claims lay.

4.5. An option is to create an inhouse multi-disciplinary consultancy team to recruit a number of individuals, to design and manage projects lower than £0.5m, which would equate to approx. salary costs of £630k per annum, as shown in the table below. However, there would still need to be some input from an external organisation, to provide additional technical input, ie project management, public health engineers etc. as and when required for each of the projects.

4.6.

Discipline	Salary	Total Salary
Building Surveyor x 2	£60k	£120k
Electrical Engineer	£60k	£60k
Mechanical Engineer	£60k	£60k
Civil Engineer x2	£60k	£120k
Structural Engineer	£60k	£60k
CDM Advisor	£50k	£50k
Project Manager/Project Lead x 2	£80k	£160k
	Total	£630k

4.7. Furthermore, the ongoing difficulties in recruiting and retaining specialist engineers and surveyors, within the construction industry would undoubtedly result in a number of these roles remaining vacant and incur additional costs using agency staff. In practice, some specialisms listed would not warrant full-time roles and this would further exacerbate the challenges and reduce value for money. Therefore, internalisation of this service would not be a viable solution.

5. Supporting Information

5.1. Background

The Council requires an experienced consultancy organisation that can provide a range of specialist property and construction professional, managerial and administrative functions, including all the necessary admin support and resources, to provide strategic advice and to implement its capital programme.

This contract will run for a period of 5 years with the option to extend for a further 5 years to a maximum of 10 years, depending on the organisation meeting Key Performance Indicators. Beyond the initial 5 years, further extensions of 3 + 2 years shall be considered.

It is intended that the Design & Construction Support team shall report to the Assistant Director of Property for the delivery of the Education Capital Programme, Corporate Planned Maintenance Programme and one off Capital projects. The Design & Construction Support team are expected to programme manage a team in the delivery of these projects.

A soft market exercise has been completed with a total of 7 organisations expressing an interest to receive a Selection Questionnaire, once the project is live. The feedback received has been positive, with a number of organisations confirming in writing that the approach for the contract is appealing.

Services to be provided include:

- General strategic advice on Property related matters around the management of the Councils' estate.
- Construction advice relating to current and future projects, including over the interfaces between the Council and central government.
- The Design & Construction Support team will provide advice on the Councils' Estates Strategy including its Education Estates Strategy.
- The Design & Construction Support team will advise the Council on aspects of its Capital Programme including options appraisals and feasibility studies.
- The Design & Construction Support team will advise the Council on the property and construction aspects in updating and delivering the Councils' Medium-Term Objectives.
- Provide asset valuations in the recognised form including insurance, current market and asset register.
- Produce lifecycle costs in respect of existing buildings and proposed construction projects.
- Undertake development appraisals of sites where required to identify opportunities including feasibility and cost reporting of options.
- Any other property or construction related matters requiring strategic advice and guidance.

The Design & Construction Support team will provide a named Programme Lead who will perform this role for the duration of the contract. Continuity is essential to ensure smooth delivery of the programme. The named individual will be suitably qualified, trained, experienced and knowledgeable to manage the delivery of the Capital Programme. Qualifications to include a construction related degree, to be a chartered member of the RICS or CIOB, and to also be able to demonstrate the following skills:

- Programming
- Construction project management
- Identify constraints
- Balancing quality, time and cost for projects
- Management
- Monitoring
- Problem solving
- Decision making
- Intervention
- Finance

The programme lead is expected to be available for the exclusive use of Bracknell Forest Council for a minimum of two and half days per week, supported by their own appropriate admin resources as required. They will have access to supply chains and be able to bring together resources as required to deliver the programmes as outlined above.

5.2. Timescales

Milestone	Approximate Date
Publish adverts in Find a Tender Services, South East Business Portal and Contracts Finder	End of February 2024
Receive SQ Response from Tenderers	Early April 2024
Evaluate SQ received	April / May 2024
ITT Issue	July 2024
ITT return	September 2024
Evaluate ITT return	Early November 2024
Prepare award report and sign off	February 2025
Contract Award	March 2025
Mobilisation Period	April 2025
Contract Start Date	Early June 2025
KPI review and agreement to extend if applicable for additional 5years	Early June 2030
Completion Date	Early June 2035

5.3. Contract Award

The award of contract will be approved via a report to the Executive Director of Delivery and the Executive Member for Finance and Business Change during March 2025

This will be a Key decision.

6. Consultation and Other Considerations

Legal Advice

6.1. Shown in Appendix A.

Financial Advice

6.2. Shown in Appendix A

Other Consultation Responses

6.3. Strategic Procurement Group

Equalities Impact Assessment

6.4. Shown in Appendix B

Strategic Risk Management Issues

6.5.

Issue	Risk	Comment
Capital Cost Risk	Medium	Costs for construction professional has significantly increased during the past couple of years, these costs will need to be factored in the overall project costs going way.
Procurement Risk	LOW	The contract will be procured through a Find a Tender portal and one supplier will be appointed through formal process.
Programme Risk	LOW	BFC already has an agreement in place with the incumbent provider and this could be extended if there is a delay in procuring a new supplier.

Climate Change and Ecological Impacts

6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO2 however, this will be considered once the design team have been commissioned and projects allocated during the early stage of the concept design development.

Health & Wellbeing Considerations

6.7 Not applicable

Background Papers

Appendix A – Confidential Strategic Procurement Plan

Appendix B – Equalities Impact Assessment

Contact for further information

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