

Finance and Resources Committee

10am, Thursday, 14 January 2016

Award of Contract for Consultancy Services to Prepare the Forth Estuary Local Plan District 10 Local Flood Risk Management Plan

Item number	7.25
Report number	
Executive/routine	
Wards	All

Executive summary

This report seeks the approval of the Finance and Resources Committee for the award of a contract for consultancy services to prepare the Forth Estuary Local Plan District 10 Local Flood Risk Management Plan.

There will be a requirement to update the Plan in three years time and to republish the full Plan in six years time. One of the tender deliverables will be for the Consultant to attend a half day project handover meeting to ensure there is a clear tangible transfer of knowledge.

Links

Coalition pledges	P28
Council outcomes	CO19
Single Outcome Agreement	SO1

Award of Contract for Consultancy Services to Prepare the Forth Estuary Local Plan District 10 Local Flood Risk Management Plan

Recommendations

- 1.1 To approve the appointment of AECOM to prepare the Forth Estuary Local Plan District 10 (LPD10) Local Flood Risk Management Plan (the Plan) at a contract sum of Thirty Two Thousand, Two Hundred and Ninety Pounds and Eighty Eight Pence (£32,290.88)

Background

- 2.1 The Plan is a statutory requirement of the Flood Risk Management (Scotland) Act 2009 (FRM Act) and must be published on the 22 June 2016.
- 2.2 For Flood Risk Management (FRM) purposes, Scotland is divided into 14 Local Plan Districts (LPDs). The City of Edinburgh Council (the Council) is the Lead Local Authority (LLA) for LPD10, which comprises 13 Local Authorities (LAs), Scottish Environment Protection Agency (SEPA) and Scottish Water.
- 2.3 The Plan will take the selected FRM actions contained in the FRM Strategy published by SEPA on 22 December 2015. It will provide further detail as to the timescales for implementation, responsibility for implementation, funding arrangements and coordination of actions.
- 2.4 The Council will meet 35% of the cost of producing the Plan. The other 12 LPD10 Partner LAs will meet the remaining 65% of the cost. This ratio is based on the number of properties vulnerable to flooding in each LA area.
- 2.5 It should be noted that this Plan should be prepared by 22 June 2016 in order that the Council meets its statutory obligations. The use of consultants on this project is required due to the specialist nature of this work coupled with the need to have Council staff available should there be a flooding event which would distract from this work.

Main report

Tender Process and Evaluation

- 3.1 Ten consultancies listed under Scotland Excel Engineering and Technical Consultancy framework Lot 5 (Drainage and Flooding) were invited to tender for the service via Public Contracts Scotland. Six consultancies declined to submit a tender.
- 3.2 Evaluation included an emphasis on quality as well as price with 60% of the overall evaluation score given to quality and 40% of the overall evaluation score given to price. Quality was included in the evaluation to ensure that those working on this project meet the programme to produce the LFRMP and ensure the Council meets the statutory obligation to publish it by 22 June 2016.
- 3.3 The quality analysis was based on answers provided in response to weighted Award Criteria Questions. Responses to these questions were scored 0 to 4 as per the scoring matrix included in the Invitation tender document.
- 3.4 In order to safe guard an acceptable level of quality, the Council reserved the right to reject bids which had any individual quality scores of less than 2.
- 3.5 Following completion of the quality analysis, tenders were subject to a cost analysis. The cost analysis established the full price of tenders considering responses to the Pricing Schedule. The lowest priced bid was allocated the 40% weighting. All other bids were scored on a pro-rated basis against the lowest bid. Scores from the quality analysis were then combined with the scores for the cost analysis to reach a combined score for each tender submission.
- 3.6 The tender returns were deemed competitive following detailed analysis against the specification and submitted prices.
- 3.7 The tender scores were as follows:

Company	Quality Score	Price Score	Combined Score
AECOM	48	40	88
Tender 2	45	33	78
Tender 3	42	36	78
Tender 4	42	22	64

- 3.8 Following the tender evaluation is it recommended that a contract be appointed to AECOM.

Measures of success

- 4.1 The contract enables the Council to buy in specialist technical advice to support Council staff in meeting its statutory obligations under the Flood Risk Management (Scotland) Act 2009.

- 4.2 There will be a requirement to update the Plan in three years time and to republish the full Plan in six years time. One of the tender deliverables will be for the Consultant to attend a half day project handover meeting to ensure there is a clear tangible transfer of knowledge to build in-house capacity and capability.

Financial impact

- 5.1 The contract value is £32,290.88.
- 5.2 The costs associated with procuring this contract are up to £10,000.
- 5.3 An allocation of £11,308.27 for this project has been made in the current financial year and is allowed for in the Maintenance - Flood Prevention Revenue Budget 2015/16.
- 5.4 The Council will meet £11,308.27 (35% of the total cost of producing the plan, which will be met from the Flood Prevention Revenue Budget). The other 12 LPD10 Partner LAs will meet the remaining 65% of the cost. This ratio is based on the number of properties vulnerable to flooding in each LA area, as detailed in Appendix 2.

Risk, policy, compliance and governance impact

- 6.1 The key risk is failure to meet the statutory deadline for publication of the Plan, which could have an additional impact of missing opportunities to pursue further funding from the Scottish Government.
- 6.2 There is an additional risk of delayed recovery of funding from Partner LAs which will be mitigated by invoicing monthly.

Equalities impact

- 7.1 There are no equalities implications as the recommendation in this report does not affect groups of people in different ways. Equality and Rights Impact Assessments will be undertaken for FRM actions as they are developed.

Sustainability impact

- 8.1 There are no sustainability implications as the recommendation in this report does not affect Public Bodies Duties with regards to the three elements of the Climate Change (Scotland) Act 2009.

Consultation

- 9.1 A major engagement and consultation exercise was undertaken between 22 December 2014 and 2 June 2015. This exercise focussed on the FRM Strategy which SEPA published on 22 December 2015 and the potential FRM actions which will be delivered in the Plan.
- 9.2 The Council will take the lead role in this contract. AECOM will liaise with the Partner LAs when preparing the Plan. A first draft of the Plan will be shared with the Partner LAs, Scottish Water and SEPA and any comments will be incorporated prior to the issue of the final Plan to the Council. All the Partners will require approval from their own organisation.

Background reading/external references

Transport and Environment Committee 25 August 2015 – Flood Risk Management – Consultation and Prioritisation.

Paul Lawrence

Executive Director of Place

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Links

Coalition Pledges	P28 – Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city
Council Outcomes	CO19 – Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards
Single Outcome Agreement	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities
Appendices	Appendix 1 – Summary of Tendering and Tender Evaluation Process Appendix 2 – Relevant Financial Contribution due by LPD10 LFRMP Partners Towards Project Management Costs

Appendix 1 – Summary of Tendering and Tender Evaluation Processes

Contract	Preparation of Forth Estuary Local Plan District 10 Local Flood Risk Management Plan Ref: CT0147
Contract Period	21st January 2016 – 16th June 2016 (Five months)
Contract Value	£32,290.88
Standing Orders Observed	Yes
Invitations to Tender Issued	12 November 2015
Tenders Returned	30 November 2015
Tenders Fully Compliant	3 December 2015
Recommended Supplier	AECOM
Primary Criteria	Most economically advantageous tender to have met the technical specification
Evaluation Team	Chris Gray, Project Officer Gordon McOmish, Project Officer Calum Ross, Professional Officer
Procurement Advisors	Ben Fulton

Appendix 2 – Relevant Financial Contribution due by LPD10 Partners Towards Project Management Costs

LPD10 LFRMP Partners	Apportioned Project Management Costs
City of Edinburgh	35.02%
Clackmannanshire	0.02%
East Dunbartonshire	0%
East Lothian	12.86%
Falkirk	32.94%
Fife	9.65%
Midlothian	1.62%
North Lanarkshire	0.4%
Perth & Kinross	2.34%
Scottish Borders	0.25%
South Lanarkshire	0%
Stirling	0.03%
West Lothian	4.87%