

## London Borough of Enfield

### Operational Report

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**Subject: Meridian Four - Appointment of Architect Services for the delivery of Meridian Four at Meridian Water Via GLA/ TFL framework, Architecture Design and Urbanism Panel (ADUP) - Lot 4: Architecture – Housing and Mixed-use.**

**Executive Director: Sarah Cary**

**Ward: Upper Edmonton**

**Key Decision: 5251**

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### Purpose of Report

1. Meridian Four – Approval to award the contract for Architectural Services for the delivery of Meridian Four.

### Proposal(s)

2. Approve the appointment of Bidder A consortium team to provide Architectural Services for the delivery of Meridian Four through the GLA/ TFL framework, Architecture Design and Urbanism Panel (ADUP) - Lot 4: Architecture – Housing and Mixed-use, for RIA Stages 0-3, with further budget approval required to continue the contract for RIBA Stages 4-6.
3. Authorise expenditure for the scope of services and contingency costs set out within the body of this report
4. Note budget and funding sources for the expenditure (see Confidential Appendix)

### Reason for Proposal(s)

5. On 16<sup>th</sup> September 2021, Cabinet approved [KD5174] the preferred option for proceeding with Meridian Four as direct delivery. This preferred option requires the Council to procure consultancy and development management support. The same Cabinet paper authorised the procurement of the professional team and delegated authority to the Programme Director – Meridian Water, acting in accordance with all relevant procedures and protocols, to authorise and enter into individual contract appointments. This decision to procure architectural services is one of several procurement decisions which will be supporting the phase until at least 2026.

6. Meridian Four is the fourth development opportunity within the 85-hectare Meridian Water site, located in the northern half of the Phase 2 Outline Planning Permission (OPP) area.
7. In 2021, the Council will launch the design for the Reserved Matters application and proceed with directly delivering Meridian Four as a mixed-use scheme comprising new Build to Rent, Affordable and a small proportion of market homes along with commercial and community space.
8. The Council has a significant role in the design and project management and will be required to appoint a high-quality professional team to reduce related design and construction risk and provide confidence to the investor market who are forward funding the scheme. Authorising the expenditure of the budget at this stage and delegating the appointments of the professional team enables the Council to commence the preparation of the Reserved Matters Planning Application for Meridian Four in April 2021.

### **Relevance to the Council's Plan**

9. Meridian Water is a key component in contributing to the vision, aims and priorities of the Council's Corporate Plan.
10. **Good Homes in well-connected neighbourhoods:** Meridian Water will contribute to the Council continuing its pioneering approach to regeneration to create thriving, affordable neighbourhoods and places, and increasing the supply of affordable, quality housing options for ownership, social rent and private rent. Meridian Four will contribute to this goal through the delivery of circa 806 new homes
11. **Safe, healthy and confident communities:** Meridian Four will contribute towards the overall strategy for Meridian Water which aims to deliver on the Council's aims to improve public health and people's well-being. Along with new homes Meridian Four will deliver community and social infrastructure; new amenity spaces and open up access to the canal side.
12. **An economy that works for everyone:** Meridian Four will deliver new ground floor commercial premises, workspace. Through the appointment of the Meridian Water Design Team a number of Social Value outcomes will also be achieved, including educational programme and training opportunities.

### **Background**

13. Meridian Four comprises the following development plots, as below, with indicative numbers of residential units per plot based on the illustrative OPP scheme:
  - Z04-01: 152 units
  - Z04-05: 121 units
  - Z05-04: 199 units
  - Z05-06: 208 units

- Z05-07: 126 units
- Total: 806 units

Figure 1: Plan of Meridian Four Development Plots



14. In September 2020 (report KD5174), Cabinet approved direct delivery of Meridian Four. Cabinet also authorised the procurement of the professional team and delegated authority to the Programme Director – Meridian Water, acting in accordance with all relevant procedures and protocols, to authorise and enter into the individual contract appointments.

### Scope of Services

15. The Architectural Services Team will be responsible for developing the detailed design for Meridian Four throughout all the stages of the project from inception to handover across the RIBA Plan of Work 2020. The Council will have an option to novate Design Team members to the Main

Contractor(s) or retain Design Team members client side to act as a Design Guardian.

16. Included within the Architectural Services package which are subject to this procurement are the following services:
  - Lead Architect
  - Plot Architect
  - Landscape Architect
  - BIM Coordinator
  - Principle Designer

### **The Procurement Process**

17. The Council determined to procure architect services using the GLA/ TFL framework, Architecture Design and Urbanism Panel (ADUP) - Lot 4: Architecture – Housing and Mixed-use. This framework was selected due to the track record and experience of practices on the framework and involved a single stage tender process.
18. In total 11 framework suppliers expressed an interest in the opportunity to tender for architectural services.
19. Initial meetings were held on the 24<sup>th</sup> and 25<sup>th</sup> September 2020, at which interested parties were given an overview of the Meridian Water regeneration programme and the Meridian Four project.
20. An invitation to tender was issued on the 27 August 2020. The practices on the framework were asked to put together consortium teams for the Meridian Four including, Lead Architect, Principal Designer, BIM Coordinator. Part of the brief to the practices was to use the opportunity to enable young and emerging practices to be brought into the scheme, acknowledging LBE desire to see Meridian Water promoting Equality, Diversity and Inclusion within its consultancy teams.
21. The Invitation to Tender (ITT) set a series of minimum requirement questions and technical questions to ascertain the bidding practices experience in delivering schemes of a similar scale and complexity to that being delivered by Meridian Four. The questions particularly sought to ascertain the practices experience in the delivery of complex buildings and Build to Rent tenure.
22. With the ITT the consortium teams were asked to present a Concept Design for plots Z05-04 and Z04-01.
23. The tenders submitted in response to the Council's ITT were evaluated against price (25%), quality (65%) and Equality, Diversity and Inclusion (5%) criteria to establish the most economically advantageous tender. Seven Council officers evaluated including officers specialising in social value and sustainability, and scored the ITT responses in accordance with

the evaluation criteria and the scores were moderated by the Council's Procurement Team

24. The outcomes of each evaluation stages are explained in Confidential Appendix.

## **Main Considerations for the Council**

### Promoting Diversity and Inclusion

25. As part of the bidding process practices have been encouraged to look at opportunities to support the Council's objectives of promoting diversity and inclusion. Bidder A has confirmed that within the overall design team, one or more practices have at least 50% female representation at director / partner level and one or more practices have 50% BAME leadership at director / partner level.
26. Bidder A has committed to providing a Scholarship programme in Architecture which will target at least one young person residing in the Edmonton Wards. The scholarship will provide all University Fees, a living allowance, and provision of a 1-year work placement within their practice, paying the London Living of at least £10.75 per hour or more and providing a senior partner as mentor post year 13.

### Delivering Meridian Four as Developer

27. In September 2020 (report KD5174), Cabinet approved direct delivery of Meridian Four. As Developer the Council will lead the design and the delivery of the scheme. The Meridian Water Delivery Director, has oversight of the delivery of the project with day to day management being led by the Senior Development Manager supported by other members of the Meridian Water project team (viability; social value; sustainability; design).
28. As the project runs a "lean client" team it is necessary to procure a full Design Team, including Architect services in order to ensure the timely delivery of the project and secure the delivery of first units in 2026. In addition to Architect Services the Council will be looking to appoint a professional team including Project Management; Quantity Surveying; Mechanical Electrical and Plumbing; Civil and Structural Engineering and Town Planning Services in order to design, manage and deliver the scheme.
29. Bidder A has demonstrated they have a high level of experience in working on new build schemes of a similar scale and complexity which have been completed within the last three years. They have the requisite skill required to produce and co-ordinate RIBA Stage 3+ / RIBA Stage 4 design information and have produced working drawings for main contractors on schemes of comparable construction value. The team work regularly and successfully within a BIM and GIS environment, with a knowledge of federated and IFC models.

30. Further to the principles set out in the Phase 2 Outline Planning Application the Architect team will be responsible through its design for creating a sense of Place for Meridian Four. Bidder A demonstrated a good understanding of the Meridian Water project; the context of the Meridian Four plots and put forward a strong approach to Place making and Urban design which is required in order to ensure that the Meridian Water Placemaking Pillars are delivered through the detailed design.
31. As part of the Meridian Four detailed design the Council is seeking to deliver architecturally elegant sustainable buildings that can positively contribute to the townscape. Within the ITT the bidders were asked to provide a design concept on Plots Z05-04 and Z04-01. Strong concept designs were put forward by Bidder A demonstrating their understanding of matters impacting on quality design.
32. The delivery of the objectives for Meridian Four as set out in the Meridian Water Environmental Sustainability Strategy and embedding these principles within the architectural design of project are of fundamental importance. Bidder A demonstrated that they understood the Council's objectives in respect of this matter and provided exemplars of where they had achieved high levels of sustainability on other projects.
33. In submissions bidders were asked to provide examples of recently completed Build to Rent schemes of a similar scale (over 200 units). Bidder A consortium team demonstrated that it had the requisite experience in delivering attractive, robust and efficient, market facing build to rent schemes.
34. Bidder A also demonstrated a very strong understanding of architectural services and working with a project team during the development of design across the RIBA work stages to ensure that a scheme can be delivered to a high quality whilst staying on budget. A proactive approach to working collaboratively with Cost Consultants and Project Managers was demonstrated.
35. Bidder A has been subject to a rigorous evaluation process considering their ability to deliver Meridian Four taking into account the different technical considerations as set out above and it is the view of the panel of moderators and the Delivery Director that Bidder A should be appointed to provide Architectural services.

#### Benefits to all Meridian Water and LBE Projects

36. There is great importance in putting together a highly skilled design team to deliver the Meridian Four project as the Council are leading the project as Master Development. The appointment of the Architect Team is a key role within the team and key to successful delivery. In the selection of Bidder A it is considered that the correct team has been selected ensure that a high quality approach to architect and place is delivered and understanding in the delivery of Build to Rent tenure.

37. The intention will be to share the learnings of Meridian Four on future phases of the Meridian Water development project. The greater understanding of best practice in terms of building efficiency and how the industry is responding to changing legislation can be shared by updates in the Phase Delivery Board on Meridian Water and the Sustainable Buildings Board of LBE.

#### Benefits to Council Residents

38. Bringing on board Bidder A as the Architect team will be of direct benefit to the delivery of Meridian Four. They will bring skills and understanding acquire from other projects delivered in both the commercial and the private sector enabling the project to be delivered on time and on budget.
39. A key driver for the project is the delivery of new homes within the borough. Appointing an external design team, in particular Architect services will enable this delivery. It would not have been feasible to deliver a scheme of this scale through a team of Council staff due to the range of technical skills required.

#### **Contract**

40. See Confidential Appendix.

#### **Costing and Funding**

41. Each of the bidders as part of the Tender Evaluation was asked to provide fee percentages for each discipline for each of the RIBA work stages. The total fee percentage for the RIBA stages has been multiplied by the estimated construction value to obtain a figure for tender evaluation purposes. The contract sum will be the total sum for RIBA stage 0-4.
42. Bidder A's proposal conclusion. – reference to Confidential Part 2.

#### **Safeguarding Implications**

43. The recommendations in this report do not have any safeguarding implications

#### **Public Health Implications**

44. The appointment of an architectural service does not have any public health implications.
45. Climate change has been described as the greatest threat to public health in the 21st Century. With that in mind, Meridian Water is committed to zero-carbon construction, renewable and sustainable resources and to generate more energy than it uses. This is in line with Enfield Council's pledge to become a carbon neutral local authority by 2030. The appointment of a architectural services will not affect environmental impact, and merely assist in delivering the development.

## Equalities Impact of the Proposal

46. The Council has a duty to promote equality, diversity and inclusion, and it recognises the issue of diversity specifically within the construction sector.
47. The bidder's approach to Equality, Diversity and Inclusion has been assessed as part of the tender process. Within their submission's bidders were asked the following questions:
  - You are required to provide a written statement to confirm that within the overall design team, one or more practices must have at least 50% female representation at director / partner level, and one or more practices must have 50% BAME leadership at director / partner level (this could be the same practice).
  - Please set out how your architectural team / consortium will work with (i.e. collaboration, incubation of smaller practices, sub-contracting as part of the project team, not only for the purposes of community consultation) and create new opportunities for under-represented and marginalised groups as part of the Meridian Four project.
  - Please set out your organisations approach to improving equality, diversity and inclusion in the workplace.
48. Bidders were asked also to complete Equality and Diversity monitoring forms to be submitted as part of their tender response.
49. An Equalities Impact Assessment (EQIA) by Ottaway Strategic Management Ltd was commissioned by the Council to consider the impacts of the Meridian Water (Strategic Infrastructure Works) Compulsory Purchase Order. The EQIA concluded that there are no direct negative equality impacts identified against any of the protected characteristics. However, there are some groups with protected characteristics who are likely to experience proportionately higher consequences of the regeneration of Meridian Water and these are:
  - a. White other staff, including Eastern European, Turkish and Greek;
  - b. BAME Staff;
  - c. Women in properties in third party ownership; and
  - d. Older members of the workforce potentially less able to re-engage in the labour market if their jobs are lost to the relocation programme.
50. The EQIA proposed several mitigation measures to address these indirect impacts which the Council intends to implement including the implementation of effective equalities monitoring by the Council and development and construction partners. The EQIA also acknowledges significant potential positive impacts of the regeneration of Meridian Water (including for example, new homes, social infrastructure and employment growth) and that these benefits will likely impact on all the aforesaid groups having protected characteristics.

51. An EQIA was also prepared by the Council's Strategic Planning Team to support the ELAAP submission. The planning application for Phase 2 was also subject to an EQIA. The Phase 2 application was accompanied by a socio-economic analysis as part of the Environmental Statement. No substantive negative impacts to persons or groups with protected characteristics were identified.

### **Environmental and Climate Change Considerations**

52. The Council has a goal to become carbon neutral by 2030. Meridian Water must use zero-carbon construction, renewable and sustainable resources, generate more energy than it uses, foster active travel and support low-carbon communities.
53. Whilst the appointment of Architect services does not have any direct environmental and climate change considerations the tender process sought to evaluate whether the bidders have experience incorporating sustainability measures into scheme design and able to demonstrate that they have been active in supporting their clients in reducing carbon consumptions within their development projects.

### **Risks that may arise if the proposed decision and related work is not taken**

54. The appointment of an experienced and capable architect team will reduce the risk to the Council of non-delivery, cost exposure, reputation in the market and poor agreements with partners. Not appointing the architect team will increase these risks.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

55. The key risk in appointing architect team is that the consortium does not deliver the services required by the contract to a suitable standard; within the project timelines and on budget.
56. Working with the Finance Team, the Meridian Water Senior Development Manager will monitor the Architectural Services contract closely.
57. The services will be reviewed on a monthly basis included fees spent and work delivered against programme. At the end of each RIBA work stage a RIBA Stage Report will be prepared by the Design Team which in accordance with the contract will be reviewed and approved by the Council before instruction to proceed with the next work stage is given.

### **Financial Implications**

58. In September 2020 (report KD5174), Cabinet approved direct delivery of Meridian Four. The report approved the procurement of the Design Team to develop the RIBA 0-3 design. The appointment of Bidder A falls within the scope of the Cabinet approved decision.

59. The financial implications are considered in detail in the confidential appendix. It is considered that the appointment represents value for money for the Council for the services tendered and the financial standing of the company has been verified to protect the Council from potential risk.

### **Legal Implications (MD 19<sup>th</sup> March 2021)**

60. The Council has the power under s.1(1) Localism Act (2011) to do anything individuals generally may do providing it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. The Council therefore has sufficient powers to enter into the contract as proposed in this report.
61. The Council must comply with all requirements of its Constitution (including its Contract Procedure Rules) and the Public Contracts Regulations 2015 in respect of the procurement and award of contract for project management services. The Procurement Procedure Rules and Public Contracts Regulations 2015 permit the Council to call-off from an existing framework if the framework terms permit. The ADUP Framework permits local authorities to call-off from it and sets out the procedures for calling-off contracts. The resulting call-off contract is based on the framework terms and the Council has followed the rules of the Framework.
62. Full details of the legal implications of the contract terms are set out in the Confidential Appendix. Given the value of the proposed contract, the appointed contractor will be required to provide security in the form of a parent company guarantee or a bond. Prior to the award of the contract the approval of the Executive Director of Resources will be sought. Collateral Warranties will be required in the Council's favour from any subcontractors and appropriate levels of insurance to be maintained by the contractor are also set out in the Confidential Appendix. The contract requires the Council's approval to proceed to each phase of services and further budget will need to be allocated before any instruction to proceed beyond RIBA Stage 3.
63. All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by Legal Services on behalf of the Director of Law and Governance. Given the anticipated contract value, the contract must be sealed and retained by Legal Services for safekeeping.
64. The anticipated contract value exceeds £500,000. Therefore, this is a Key Decision, and the Council must comply with its Key Decision procedure.

### **Workforce Implications**

65. Meridian Four is a complex scheme which requires a number of architectural services including Lead Architects, Plot Architect, Landscape Architects, Principle Designer and BIM coordinator. Currently the Meridian Water team does not have the number of staff required nor the specialist skills set to deliver the design work for Meridian Four.

66. To bring a team in of the requisite level of experience to successfully deliver Meridian Four would be neither cost effective or feasible.
67. Bidder A has committed to providing a Scholarship programme in Architecture which will target at least one young person residing in the Edmonton Wards. The scholarship will provide all University Fees, a living allowance, and provision of a 1-year work placement within their practice, paying the London Living of at least £10.75 per hour or more and providing a senior partner as mentor post year 13.
68. The Bidder has also confirmed that upon appointment they will be including an SME / local practice within part of the project team.

## **Property**

69. There are no property implications arising directly from this report.

## **Other Implications**

### Procurement Implications

70. The tender was a call-off from the TfL/GLA Architecture Design and Urbanism Panel (ADUP) framework - Lot 4: Architecture – Housing and Mixed-use. Due diligence was carried out by Procurement Services on the Council's ability to use the framework. Other frameworks were also considered but the TfL/GLA Framework was chosen due to the range and quality of suppliers.
71. The tender process commenced with an Expression of Interest where 11 out of the 12 framework suppliers expressed an interest and were invited to tender. Five tenders were returned and were evaluated by members of the Meridian Water Team, moderation meetings were held on 2 and 7 December 2020 where the scores and final comments were agreed. Procurement Services were involved in the procurement and the process was carried out fairly and transparently.
72. The award of the contract, including evidence of authority to procure and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract.
73. The awarded contract must be published on Contracts Finder to comply with the Government's transparency requirements.

74. As the contract is over £1M the supplier must be required to provide sufficient security in accordance with Clause 7 (Financial Security) of Councils Contract Procedure Rules.
75. All contracts over £100,000 must have a nominated contract manager in the London Tenders Portal. Contracts over £500,000 must show evidence of contract management of KPI's to ensure VFM throughout the lifetime of the contract.

### **Options Considered**

76. It is considered that the option to appoint an internal architect team to prepare RIBA Stage 3 and 4 design for Meridian Four is not cost effective or feasible to the Council.

### **Conclusions**

77. It is considered that appointment of Bidder A has been robustly assessed with due regard to their technical competency and with due regard to ensuring that the Council obtains best value from their services.
78. It is considered that their appointment enables the successful and timely delivery of the Meridian Four project and should be authorised.

Report Author: Emma Beardmore  
Senior Development Manager  
emma.beardmore@enfield.gov.uk  
07814075069

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### **Appendices**

n/a

### **Background Papers**

n/a