

**MERIDIAN WATER - THE APPOINTMENT OF LEGAL SERVICES  
KEY DECISION – 5420**

**APPENDIX A – INVITATION TO TENDER QUESTIONS**

**Minimum Requirements**

No.	Criteria	Assessment Method
<b>A</b>	<b>Expertise &amp; Team Organisation</b>	
	<p>Please provide the following:</p> <ul style="list-style-type: none"> <li>• An organisation chart showing the proposed team allocated to work on the project, identifying key members of staff and description of roles they will be carrying out.</li> <li>• Identification of the lead team member (Grade B or above) and how the team will be managed.</li> <li>• CVs (Maximum of 10) for all key members of the team, summarising their experience, areas of expertise in relation to the role on this project, the CVs must contain details of the following experience:               <ol style="list-style-type: none"> <li>i. Land Disposal</li> <li>ii. Development Agreements / Contracts with Investment Partners</li> <li>iii. Main Contractor Contracts</li> <li>iv. Planning Law</li> </ol> </li> </ul> <p><b>CVs should be no more than 500 words</b></p> <p>The Authority requires an assurance that if successful the key members of the proposed team identified in the CVs will not be changed without notification to, and agreement by the Council.</p>	<p><b>Pass:</b> Inclusion of structure chart and Summary CVs showing relevant <u>recent</u> (undertaken within the last 3 years)_experience and expertise</p> <p><b>Fail:</b> Structure chart and summary CVs not included. The CVs of the key staff do not:</p> <ul style="list-style-type: none"> <li>• Show relevant recent (undertaken within the last 3 years)_experience and / or expertise</li> <li>• Have relevant seniority (Grade B or above) to lead the project team</li> </ul>

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<b>B</b>	<b>Demonstrable Capability</b>	
	<p>Bidders are required to demonstrate that they have the skills, knowledge and capability to deliver all of the services required under the contract.</p> <p>Provide a case study example for each of the following:</p> <ul style="list-style-type: none"> <li>i. <b>Development Agreements and Joint Ventures</b> - legal negotiations carried out on behalf of public sector landowners for: <ul style="list-style-type: none"> <li>• Development Agreements</li> <li>• Joint Ventures</li> </ul> </li> <li>ii. <b>Commercial Property Agreements</b> - preparation of Commercial Property Agreements for: <ul style="list-style-type: none"> <li>• Disposal of affordable housing to Registered Providers ·</li> <li>• Disposal of property to commercial Built to Rent operators ·</li> <li>• Disposal by means of long lease land sale</li> </ul> </li> <li>iii. <b>Contractor Agreements for Construction</b> <ul style="list-style-type: none"> <li>• Public sector procurement advice in relation to construction contracts</li> <li>• Construction contract preparation using standard forms of contract (JCT, NEC etc.)</li> </ul> </li> </ul> <p>on projects of a similar scale and complexity to Meridian Water undertaken in the <b>last three years</b>.</p> <p><b>Word count 500 per case study</b></p>	<p><b>Pass:</b> the Bidder has demonstrated that they have the skills, knowledge and capability to deliver all of the services required under the contract.</p> <p><b>Fail:</b> the Bidder did not demonstrate that they have the skills, knowledge and capability to deliver all of the services required under the contract.</p> <p>The Council has discretion to fail a bidder if the details provided in the case study are proved to be inaccurate.</p>

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<b>C</b>	<b>Continued Professional Development</b>	
	<p>The Council require the appointed bidder to support ongoing learning as part of the project, sharing lessons learnt from working on other regeneration schemes.</p> <p>Bidders are required to provide a statement committing to the provision of at least one Continued Professional Development (CPD) presentation of 3.5hrs for Council staff for each year of the contract.</p>	<p><b>Pass:</b> Commitment is provided to deliver CPD presentations for the duration of the contract.</p> <p><b>Fail:</b> Commitment not provided.</p>
<b>D</b>	<b>Social Value - Community Chest Fund</b>	
	<p>The Council require the consultants working on Meridian Water to support the regeneration aims of the project in terms of its wider community outreach. The Council have established a Community Chest fund to support local projects developed to address local community issues.</p> <p>Bidders are required to provide a statement committing to a donation to the Community Chest of £10,000 which will contribute towards local community projects.</p>	<p><b>Pass:</b> Commitment is provided to the donation of £10,000 towards the Community Chest.</p> <p><b>Fail:</b> No Commitment is provided.</p>

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**Quality Criteria**

No.	Criteria	Response / Demonstrated by	Weighting	Word Count / Page Limit
1	<b>Service Delivery</b>		<b>25%</b>	
1a	The Council expects an excellent standard of delivery ensuring that quality services are delivered efficiently and effectively whilst providing value for money.	Please set out how you will ensure both efficiency and effectiveness in delivering the Services to an excellent standard in the minimum number of hours.	10%	1500 Words
1b	The appointed Legal team will be required to work in collaboration with the Councils In-House Legal Lead and the Meridian Water Project Teams.	<ul style="list-style-type: none"> <li data-bbox="952 754 1677 991">i. Please explain using examples of how you will work in collaboration with, the in-house legal project lead and in-house project team to develop an effective relationship.</li> <li data-bbox="952 991 1677 1347">ii. Set out how you will ensure robust knowledge transfer to the in-house legal team and project team throughout the duration of the contract in respect of the Services provided.</li> </ul>	7.5%	1000 Words
			7.5%	1000 Words

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<b>2</b>	<b>Development Partnerships</b>		<b>15%</b>	
	<p>The Council as master developer will be responsible for managing the delivery of future phases of the Meridian Water development.</p> <p>Different approaches to delivery may be taken including entering into Development Agreements or Joint Ventures with development partners.</p> <p>Bidders must demonstrate how they would approach development contracts on complex and large-scale schemes.</p>	<p>What do you consider to be the top 5 key risks that the Council should be aware of and provide details of how will you would manage these within the context of a negotiation?</p>	15%	1500 Words
<b>3</b>	<b>Commercial Property Agreements</b>		<b>10%</b>	

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	<p>The Meridian Water property portfolio may require acquisition or disposal of land and property to enable development.</p> <p>The Meridian Water Team will also seek to enter into an investment contract to forward fund the direct delivery (where the Council acts as developer) of Build to Rent homes. This will require an agreement with a Build to Rent investor.</p>	<p>Please set out <u>using examples</u>, how you would approach property transactions to enable future development, particularly in relation to:</p> <ul style="list-style-type: none"> <li>• Disposal of affordable housing to Registered Providers</li> <li>• Disposal of property to commercial Built to Rent operators</li> <li>• Disposal by means of long lease land sale</li> </ul>	10%	1500 Words
<b>4</b>	<b>Contractor Agreements for Construction</b>		<b>5%</b>	<b>1000</b>
	<p>The Council will be seeking to appoint main contractor(s) to build a current project where a direct delivery approach is being taken and the Council are acting as Lead and Master Developer. The Council are currently reviewing procurement options but are likely to utilise a framework to procure contractor(s).</p>	<p>Please set out how you will support the/ Council in the procurement of the main Contractor from an established Framework Agreement (e.g CCS, National Framework Partnerships)</p>	5%	1000 Words
<b>5</b>	<b>Social Value</b>		<b>10%</b>	
	<p>Considering the factors detailed in paragraph 5 above, the bidder is requested to respond to the following Social Value questions.</p> <p>This will be evaluated in two sections, Qualitative and Quantitative. These sections are weighted as set out below.</p>			
<b>5A</b>	<b>Social Value Qualitative</b>		<b>75%</b>	
5A	<b>Social Value Proposal</b>	Your delivery plan should include the following:	5%	1000 words

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	Provide a delivery plan for any Social Value measures (as identified through the Social Value Portal) which you propose to deliver for the project.	<ul style="list-style-type: none"> <li>• Clear evidence that you can source, deliver and report on each target you have set.</li> <li>• Timescales for delivering the social value offer.</li> <li>• Details of your internal processes in the event that something goes wrong i.e. how will any non-delivery of offers made, or poor quality be escalated internally and addressed.</li> <li>• Details of your processes for engagement and collaboration with relevant local stakeholders including any Voluntary Community and Social Enterprise (VCSE) organisations in the delivery of Social Value</li> </ul>		
<b>5B</b>	<b>Social Value Quantitative</b>		<b>5%</b>	
	Please follow the instructions on the Social Value Portal. Please refer to paragraph 5 above and Appendix J prior to completion of the TOMS on the SVP.		5%	N/A
<b>6</b>	<b>Equality, Diversity &amp; Inclusion</b>		<b>5%</b>	
	<p>The Council has a duty to promote equality, diversity and inclusion and wishes to recruit staff and contract with organisations that reflect the Borough's diverse population, having a responsibility for ensuring equality of opportunity for under-represented groups.</p> <p>In relation to this contract provide a delivery plan</p>	<p>Your delivery plan should include:</p> <ul style="list-style-type: none"> <li>• your 'Method Statement', stating how you will achieve the Council's equality objectives</li> <li>• a timed project plan and process, including how you will implement your commitment and by when and how you will monitor, measure and report on your commitments.</li> <li>• how you will influence staff, suppliers, customers and</li> </ul>	5%	1500 Words

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	describing the commitment your organisation will make to ensure that opportunities under the contract deliver the Council's equality objectives.	communities through the delivery of the contract to support the Council's equality objectives, e.g. engagement, co-design/creation, training and education, partnering/collaborating, volunteering.		
	<b>Total</b>		70	