

ITEM No ...11....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 25 JANUARY 2021
REPORT ON: WATERFRONT PLACE UPDATE AND INTERACTIVE PARK TENDER
REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT
REPORT NO: 48-2021

1 PURPOSE OF REPORT

- 1.1 This report updates members on progress made to date at Waterfront Place and details the tender received and seeks approval on acceptance thereof.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a notes the progress made with construction of Waterfront Place and the Active Travel Hub; and
 - b approve the acceptance of the tender submitted by Morgan Sindall Construction & Infrastructure Limited as set out in the report, with the total amount, including allowances detailed at Appendix 1.

3 FINANCIAL IMPLICATIONS

- 3.1 The Executive Director of Corporate Services has confirmed that funding for the above project is available as detailed at Appendix 1.

4 BACKGROUND

Waterfront Place – Progress Update

- 4.1 The main works at Waterfront Place commenced on-site on 17th February 2020 and was programmed to be completed by Spring 2021. In response to the ongoing COVID-19 pandemic, works were ceased and the site made safe on 27th March 2020. Works re-started on the 1st June in-line with the Scottish Government phased return plan for construction works. Additional site measures and welfare facilities are in place to enable safe social distancing practices. Due to delays with COVID-19 the main works are currently 10 weeks behind the original programme with a completion date now projected for the end of June 2021.
- 4.2 The Active Travel Hub situated within Waterfront Place was marketed, with interested parties invited to discuss the opportunity with City Development officers and to submit their proposals for competitive consideration. The successful candidate has a proven track record in the delivery of active travel in Angus and has agreed Heads of Terms with Dundee City Council, to lease and operate the active travel hub at Waterfront Place. Progress is underway to formalise the lease which will be concluded early 2021.
- 4.3 Planning permission has been granted for the development of Waterfront Place which included a play area and a proposed sculpture in the form of a whale. The permission was granted subject to a planning condition that requires full details of the play area and sculpture be submitted to Officers for approval. No further planning permission is required to enable the project to progress.

Design Development of Interactive Park

- 4.4 Dundee City Council invited proposals from potential suppliers to develop and deliver a unique space within Waterfront Place that brings art, technology and play together to deliver a contemporary destination that offers cognitive and physical challenge, education and delight within a play environment. The design brief for the project required that a key element of the play space is an original “sculptural structure” in the form of a whale. The intention of the play area is that it should be innovative and ambitious in design, therefore a design competition was undertaken.
- 4.5 Reference is made to Article III of the minute of the meeting of the City Development Committee held on 7 September 2020 (report 48-2020), wherein it was recommended that committee approves the appointment of Lee Simmons, with the highest Quality/Price tender, to develop his outline design proposal into detailed design information required to tender, manufacture and construct the project. The report also highlighted that a further tender report would be brought back to City Development Committee to approve construction costs for the finalised design proposal.
- 4.6 Following the appointment of Lee Simmons, Dundee City Council have been working closely with the design team to develop a scheme that can align with the existing programme of Waterfront Place and to ensure that the artist’s aspirations and design intent were deliverable. Refer to Appendix 2 for indicative images of the design proposal.

The Whale Sculpture

- 4.7 The works comprise the supply, fabrication, and installation of a stainless-steel whale sculpture circa 36m x 19m on plan. The sculpture takes the form of a humpback whale and is represented by layers of differing sizes of circular hollow tubes and supported on three cruciform columns. The design of the whale sculpture has been optimised and designed that such material consumption has been at the forefront of the detail design stage to reduce both the weight of the sculpture on an economic and environmental basis that keeps with the artist’s design vision and aspiration. Close attention to the grade of stainless steel has also been carefully considered, that being of high strength and suitable for marine conditions to meet with the site location and provide an extensive design life with a minimal maintenance regime.

Interactive Park

- 4.8 Areas of the park are to consist of stainless steel, tubular like maze structures that represent kelp-like forests or water columns that a humpback whale would naturally blow corral fish or shrimp into a ball for feeding. These explorative maze structures will house various elements of interactive play and lighting, to entice users to explore the structures and discover various elements of play or experiences. A series of linear lighting products beneath the whale are proposed to create the sense of a light digital shadow of the whale. The lighting products being proposed can be programmed as such, that a pre-determined light cycle is repeated, that will flow across the surface of the play park.

Hard Landscape

- 4.9 The elements of the surrounding park have been designed to visually complement the sculpture and respond to the high design aspiration for the park. The interactive play park is to be set out in a graphical manner that consists of robust hard landscape materials, that will form the canvases and back drop for the whale sculpture and the elements of interactive and the sculptural play-scape.

Procurement & Delivery

- 4.10 Reference is made to Article X of the minute of the meeting of the City Development Committee held on 11 March 2019 (report 101-2019) and approved the procurement of the construction of the proposed Waterfront Place project through the Scottish Procurement Alliance (SPA) Framework. Reference is also made to Article IX of the meeting of the City Development Committee held on 9 December 2019 (report 396-2019), wherein it was highlighted to members the benefits of adopting the SPA Framework. Additional benefits include contractor's knowledge of the site, aligning existing works and a reduction in preliminaries costs as the existing site facilities and staff can be utilised.
- 4.11 Using the SPA Framework, Morgan Sindall procured a specialist fabricator to undertake the works. A specialist local fabricator considered to have the capability was also invited to tender. Only one specialist fabricator was in a position to submit a tender price, with a number of fabricators declining due to the challenges of preventing cross contamination between mild steel and stainless steel during their fabrication process. The local fabricator declined to submit a price having reviewed the complexity, scale and detailing for the sculpture and confirmed that the installation and overall logistics of this project was outwith their current capacity. The specialist fabricator, Littlehampton Welding Limited, who priced for the works has previously delivered a number of high-profile projects with the artist and his design team in the past. As with all sectors of the construction industry and wider economy, this single return is due to the specific nature of the works with other factors of COVID-19 and Brexit also affecting interest and capability of other suppliers being able to undertake the work in the current economic climate.
- 4.12 A tender price was submitted by Morgan Sindall using open book tendering for all work packages that including foundations and groundworks, with contractually fixed management fees, overheads and profit for the lead contractor.
- 4.13 Dundee City Council's Community Benefits through Procurement Policy seeks to maximise economic and social benefits from Council procurement within the current legal framework through the inclusion of Community Benefits on all applicable contracts.
- 4.14 As part of the main contract for Waterfront Place, DCC Community Benefits Officer is continually monitoring local spend. The percentage of sub-contractor spend (allocated locally within 35 mile radius of the site) to date is currently sitting at 93%. Taking cognisance of the sculpture and digital play being sourced from out-with the local area due to the specific nature of the works, the projected local spend is forecast at 78% for the overall project.
- 4.15 Monitoring of Waterfront Place will continue and will also include the monitoring of local spend on the interactive park. This will be carried out by Dundee City Council's Community Benefits Officer and will be reported as part of the overall Community Benefits updates to Committee on a regular basis.
- 4.16 Detailed information relating to the tenders is included at Appendix 1. To ensure Best Value, the construction works in this report have been procured using the general guidance contained in the following documents approved by the Council:
- a Report: 216-2018 – Corporate Procurement Strategy 2018-2020;
 - b Report: 356-2009 - Construction Procurement Policy; and
 - c Standing Orders - Tender Procedures of the Council.

All tenders are checked by professionally qualified officers of the appropriate construction discipline to ensure that the recommended offers represent Best Value.

5 POLICY IMPLICATIONS

- 5.1 This Report has been subject to an assessment of any impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. There are no major issues.

6 CONSULTATIONS

- 6.1 The Council Management Team were consulted in the preparation of this report.

7 BACKGROUND PAPERS

- 7.1 None

8 FURTHER INFORMATION

- 8.1 None

Neil Martin
Head of Design and Property

Author: James Mullen

Robin Presswood
Executive Director of City Development

NM/CM/KAS

14 January 2021

Dundee City Council
Dundee House
Dundee

APPENDIX 1 – TENDER COSTS

PROJECT	Waterfront Place – Interactive Park										
PROJECT NUMBER	P22830										
PROJECT INFORMATION	The works comprise the supply, fabrication, and installation of a stainless-steel whale sculpture, associated foundations, hard landscaping and interactive play park.										
ESTIMATED START AND COMPLETION DATES	February 2021 July 2021										
TOTAL COST	<table> <tr> <td>Contract</td> <td>£1,085,716.34</td> </tr> <tr> <td>Hard-landscaping & Drainage</td> <td>£295,000.00</td> </tr> <tr> <td>Interactive Park (Play, Lighting, Audio)</td> <td>£340,000.00</td> </tr> <tr> <td>SPA Fees</td> <td><u>£ 18,000.00</u></td> </tr> <tr> <td>Total</td> <td>£1,738,716.34</td> </tr> </table>	Contract	£1,085,716.34	Hard-landscaping & Drainage	£295,000.00	Interactive Park (Play, Lighting, Audio)	£340,000.00	SPA Fees	<u>£ 18,000.00</u>	Total	£1,738,716.34
Contract	£1,085,716.34										
Hard-landscaping & Drainage	£295,000.00										
Interactive Park (Play, Lighting, Audio)	£340,000.00										
SPA Fees	<u>£ 18,000.00</u>										
Total	£1,738,716.34										
FUNDING SOURCE	Updated Capital Plan 2020-25 - Work and Enterprise - Central Waterfront - £1,203,000 Updated Capital Plan 2020-25 - underspends identified within plan - £535,700										
BUDGET PROVISION & PHASING	2020/21 – £500,000 2021/22 -- £1,238,716.34										
REVENUE IMPLICATIONS	Annual revenue costs to manage and maintain the sculpture and digital play equipment has been estimated at £3,000 per annum. Provision for this will be included with the Councils Revenue Budget from 2021/22 onwards.										
POLICY IMPLICATIONS	To adopt sustainable practices in construction.										
TENDERS	Tender invited from Morgan Sindall Construction and Infrastructure Limited under the Scottish Procurement Alliance (SPA) Framework and tender received:- <table> <tr> <td><u>Contractors</u></td> <td><u>Tender</u></td> </tr> <tr> <td>Morgan Sindall Construction & Infrastructure Ltd</td> <td>£1,085,716.34</td> </tr> </table>	<u>Contractors</u>	<u>Tender</u>	Morgan Sindall Construction & Infrastructure Ltd	£1,085,716.34						
<u>Contractors</u>	<u>Tender</u>										
Morgan Sindall Construction & Infrastructure Ltd	£1,085,716.34										
RECOMMENDATION	Acceptance of offer from Morgan Sindall Construction & Infrastructure Ltd										
SUB-CONTRACTORS	Littlehampton Welding Limited										
BACKGROUND PAPERS	None										

APPENDIX 2 – VISUALISATIONS



