

Mid Sussex District Council

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## Real Estate Advisor

## Invitation to Tender

## Information for Bidders and Submission Documents

**Closing date for receipt of quotes:** 12:00 (Noon) on **Wednesday 16 November 2022**

**Provisional contract start date:** **Thursday 24 November 2022**

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# 1. Introduction

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## 1.1 Summary of procurement

- 1.1.1. Mid Sussex District Council (“the Council”) invites a commercial agent/broker to submit method statements and fee proposal for an exciting opportunity to assist the Council in securing an investment in a multi-functional community facility at the Clair Hall site, located in a prime location in Haywards Heath, West Sussex.
- 1.1.2. The Council is seeking a commercial advisor to help to lead on the work that will be delivered in stages, starting with advising the Council on the best route to market - the agreed investment models. This will include preparing the briefing pack for the site with relevant stakeholders, based on the information gathered to date and any other information the agent/broker considers relevant. Further stages will include marketing the site, assessing the evaluation criteria and supporting the Council with negotiating and agreeing the terms of contractual agreement with prospectus partners. The Council is procuring for contractors to initially undertake stage 1, however, reserves the right to call off subsequent stages described in this brief.
- 1.1.3. The Council is seeking to make a single appointment, but will consider joint proposals of relevant specialists to deliver this work. The interested party (ies) will have both national reach and access to broad experience and knowledge of working with partners within the community/arts/leisure/culture sectors.
- 1.1.4. In procuring this contract, the Council is following a quotation process under the Homes England Property and Financial Professional Services Framework and will be awarding one contract for the provision of all services detailed within the specification.

## 1.2 Background and Context

- 1.1.5. Mid Sussex is a vibrant district that is attractive, resilient, and innovative; and one that balances social well-being, environmental protection, and sustainable growth. Our towns have growth potential, making them some of the most exciting and potentially rewarding investment locations in the United Kingdom today. Please find out more about the district in our ‘Opportunity Mid Sussex’ [prospectus 2022](#).
- 1.1.6. The Clair Hall site is located close to Haywards Heath Train Station and includes Clair Hall itself, the Redwood Centre, and a surface car park (see Figures 1-3 below). Both venues are well-known destinations next to Clair Park and continue to play an important part in the lives of residents.
- 1.1.7. Clair Hall is a multi-purpose venue constructed in 1971. It comprises c1,300 sq m of single-storey internal space providing the main multi-use hall, studio, and associated facilities. The facility was managed directly by the Council up to 2009 – and then between 2009 and September 2020, it was managed by external leisure providers on the Council’s behalf. Since September 2020 the facility has been used by the NHS as a mass vaccination centre.
- 1.1.8. The dedicated car park provides 125 spaces. The Redwood Centre is a later addition to the main facility, constructed in the 1980s and let to the local Scout Association. The Scouts also permit the use of the building by a day nursery and church group.

- 1.1.9. The site is adjacent to Clair Park and Haywards Heath Cricket Ground - the park forms part of the Heath Conservation Area. Users of the Park and Cricket club utilise the car park.
- 1.1.10. In December 2021, the Council agreed work to help understand investment options for the site. The Council appointed BOP Consulting (BOP), an international consultancy specialising in culture and the creative economy, to explore the feasibility of development options for Clair Hall and/or Clair Hall site. This work has now been completed and the Council agreed BOP's recommendations which set the foundation for this commission. All relevant background reports are included at Appendix A.



Figure 1: View from front of Clair Hall.



Figure 2: Aerial view of the site.

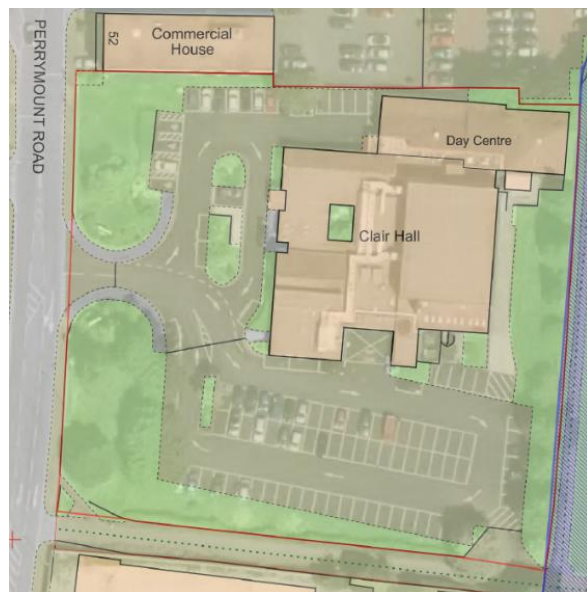


Figure 3: map of site with aerial view

## 2. Project Brief / Specification

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### 2.1. Work completed to date

- 2.1.1. The interested agent/broker will build on and will take forward work completed by the Council and BOP consulting.
- 2.1.2. The Council have completed significant information gathering to support the next stages of this work:
  - The Council completed a property report, including surveys and evaluation of the buildings and the site overall. (see July Cabinet Report at Appendix A)
  - The Council established success criteria (see Appendix B) for the activation of the site. These criteria established the context, the potential and the Council's expected outcomes and impacts for the future of the site.
  - BOP undertook a mapping exercise to understand the cultural landscape of Haywards Heath and its surrounding area. This included audience analysis. (see July Cabinet Report at Appendix A)
  - BOP undertook soft market testing to explore and test the viability and feasibility of the three potential delivery models identified in the early stages of their work. This included a series of interviews with relevant sector specialists, market leaders and case studies. (see October Cabinet Report at Appendix A)
- 2.1.3. The Council has considered the advice from BOP (see October Cabinet Report at Appendix A) and wishes to bring the opportunity to the market and invite bids based upon delivery Models 1 and 3 as detailed in the BOP reports.
  - **Model 1:** Refurbishment of the existing buildings on the site by a party who can raise the operational expenditure to maintain and run Clair Hall's existing buildings on a leasehold basis.
  - **Model 3:** Development of the site by a party who can develop the site as both a cultural/community facility and facilities with other uses on a leasehold basis.

### 2.2. Requirements

- 2.2.1. The Council is seeking to commission an agent/broker to support it in taking the preferred models to the market. The preferred specialist should be able to advise on and lead work on both models. The Council proposes the following stages for this work.
- 2.2.2. **Stage 1** will be focused on collating/agreeing all information required before both models can be marketed.
  - a. This will require the agent / broker to develop a robust and comprehensive briefing and legal pack that can be presented to market for the two agreed models. The agent/ broker will need to work closely with the Council to develop and receive sign-off for these pieces. This will have regard to the outcomes of the resident consultation and engagement from 2021 (See December Cabinet Report at Appendix A), success criteria and the content of the two BOP reports and will be further developed through discussions with both officers and key stakeholders. The agent/broker will be required to advise and guide the

development of the packs, in particular regarding appropriate commercial uses (when relevant) for the site which will be in accordance with the local planning policy.

- b. The agent/broker will be required to advise as to how best to take this proposal to the market, obtain compliant bids for both the Model 1 and Model 3 delivery options and how best to assess/appraise/perform due diligence on the bids. Please note BOP has suggested potential routes to bring the two models to the market. This should be used as a guide. The Council will look for the appointed agent/broker to suggest and design the best way forward.
- c. Member approval will be required for the brief and the proposed route to market prior to progressing to Stage 2.

2.2.3. **Stage 2** will focus on marketing and procurement.

- a. The agent/broker will develop a full marketing strategy for the Council's consideration and approval. This to include indicative programme and marketing methodology.
- b. The agent/broker will manage the process of marketing the Model 1 & Model 3 proposals and seek compliant bids in accordance with the Stage 1 work.
- c. The agent/broker will also be required to undertake relevant appraisals and valuations to demonstrate that the proposals will generate sufficient capital and revenue funds to cover the cost of the new or refurbished community facility, sustainable operations and any likely surplus. This will involve the collation and assessment of all bids and the production of a report together with a recommendation regarding the preferred bidder.
- d. Progressing to Stage 3 is subject to finding a suitable partner to deliver the required investment.

2.2.4. **Stage 3** will focus on negotiating and finalising the agreement

- a. The agent/broker will advise and draft the preferred form of agreement including all heads of terms.
- b. The agent/broker will support the Council with negotiating and finalising the agreement.

## 2.3. Special Requirements

2.3.1. **Asset of Community Value** – the Clair Hall building (excluding the Redwood Centre) is currently listed as an Asset of Community Value (ACV). The agent/broker will be required to advise regarding the status of the ACV and the most appropriate way forward ensuring that the community can express their interests, submit their bids and all due process is followed by the Council.

2.3.2. **Specialist knowledge.** The agent/broker will be required either to demonstrate relevant knowledge and experience to deliver work on both models and they are encouraged to use specialists with experience of working with partners within the community/arts/leisure/culture sectors, in particular facilitating agreements for trusts/CICs to manage community facilities. Please include the details of the specialists as part of your bid.

2.3.3. **Stakeholder Engagement** – at the outset of this work the agent/broker will agree a stakeholder engagement approach. As a minimum this will include the Member Steering Group established to oversee this work and the Council's officer working group. We envisage this could 2-3 meetings in stage one for each group, plus a couple of meetings with other identified stakeholders. The frequency of these meetings is to be agreed and are subject to the proposed methodology.

## **2.4. Required outputs:**

- 2.4.1. At the minimum the immediate stage 1 key outputs required are:
- a. Materials for relevant meetings with stakeholders (e.g., officers, Members Steering Group) to engage them and assist with the deliver of the stage 1 outcomes;
  - b. Briefing Pack and Legal Pack for models 1 and 3;
  - c. Advice and a proposal for the delivery route for models 1 and 3. This should include a ready-to-implement approach (for Council approval at the end of stage 1).
- 2.4.2. Stage 2 and 3 outputs should be described by the interested parties in their proposal and fit their suggested methodology.

## **2.5. Proposals should include:**

- 2.5.1. The agent/broker will be required to submit details of the following, when responding to the quality questions;
- a. Examples of previous work and projects to demonstrate their expertise and experience in this particular sector. Evidence of experience, either direct or subcontracted, of projects including public sector and community/leisure/culture/arts facilities is required.
  - b. The proposed approach and methodology detailing how to deliver stages 1-3 of this work. This should be clear whether these relate to model 1, model 3 or both.
  - c. All staff they would use to deliver this project stipulating their roles and including full CVs. Please include details of the specialist broker in community/leisure/culture/arts sector that will support your work.

### **Fees**

- 2.5.2. The agent/broker will be required to submit fee proposals for each stage of the project as detailed in Section 2.2.
- 2.5.3. Please provide a detailed breakdown of all the costs associated with each phase of delivering this project, in accordance with the specification and your responses to the quality questions.
- 2.5.4. It is important to note that the price score will be evaluated based on the Total Cost price shown in the last cell (denoted in grey)
- 2.5.5. The financial evaluation will account for 60% of the total score and will be scored against using the formula contained at Appendix C – the Procurement Process.
- 2.5.6. All rates charged shall be fully inclusive of all expenses including but not limited to travelling/subsistence, expenses and disbursements.
- 2.5.7. Any additional charges, which form part of your proposal, should also be listed in the tables of pricing below and itemised.
- 2.5.8. All costs must be stated in pounds sterling, and exclusive of Value Added Tax

2.5.9. Please provide the cost of all elements stage 1 in the following table:

Cost Description (add/remove rows as required)		Cost exc. VAT (£)
1		
2		
3		
4		
<b>Total Cost:</b>		<b>£</b>

2.5.10 Please provide the following call off rates, should the council require any additional work:

	Hourly rate (£)	Day rate (£)
<b>Lead Consultant</b>		

2.5.11 Please provide the costs for stages 2 and 3 in the following tables. The Council will not be assessing these for the purposes of this commission, however may call off from these should it is determined to proceed with the successful supplier for subsequent stages. This decision is at the complete discretion of the Council.

Cost Description (add/remove rows as required)		Cost exc. VAT (£)
<b>Stage 2</b>		
1		
2		
3		
<b>Total Cost:</b>		<b>£</b>

Cost Description (add/remove rows as required)		Cost exc. VAT (£)
<b>Stage 3</b>		
1		
2		
3		
<b>Total Cost:</b>		<b>£</b>



2.5.12 Please note the stages 2 & 3 are subject to the Council approval (stage 2) and finding relevant partners (Stage 3). The Council cannot commit to any costs in these stages until the relevant progress is made. The cost could be update following the work in stage 1. Any revision would need to be agreed with the Council. The Council reserve the right to re-run the commission for stages 2&3.

## 2.6. Delivery of stages

2.6.1. Our provisional timescales are given below. The agent/broker should state in their submission when the project can commence and how long each stage is likely to take. The below are indicative timelines and can be changed to reflect the agent/broker's proposed methodology.

Stage	Approx. Date	Milestones
1. Inception Meeting	w/c 21 November 2022	Inception meeting to confirm the programme of activity
2. Proposed methodology	w/c 28 <sup>th</sup> November 2022	Outline stage 1 methodology and high-level route map for stage 2
3. Stakeholder engagement as per stage 1 work	5th December 2022– 15th January 2023	Engagement with officers, Member Steering Group, and other identified stakeholders to develop stage 1 proposals.
4. Draft Stage 1 proposal	w/c 16 <sup>th</sup> & w/c 23 <sup>rd</sup> January 2023	Feedback session(s)
5. Final Report Due	25 <sup>th</sup> January 2023	Final report provided to MSDC
6. Stage 2 and 3	Tbc	This should be outlined as general approach / timings/costs. Details will be finalised as part of stage 1 work.

## 3. Quality Questions – Quality Score

3.1.1. The following questions should be answered in your response:

Question		Quality Weighting
1	Please demonstrate your previous experience of successfully developing briefing packs for similar projects with multiple stakeholders.	25
2	Please demonstrate your previous experience of successfully marketing similar projects, managing the procurement exercise, and negotiating and finalising the agreement on similar projects. You are advised to provide case studies to supplement your response.	25
3	Please outline your methodology or approach to deliver stage 1, 2 and 3. Please make sure you cover developing the briefing pack. You should also include stakeholder management and managing any possible risks and issues. Please outline how you will deliver a process that is robust, detail orientated and will leave the council with a watertight contracted arrangement. You will be required to include information about the staff allocated to the project, including roles and responsibilities. You are advised to provide CVs to supplement your response.	40
4	Include a project plan and timetable showing clearly how you would meet the aims and objectives to produce the required report in the timescale available. Please include communications milestones to explain how you will share information and keep us up to date with progress.	10

### **Important Notes for Completion**

- 3.1.2. Your response to each of the questions above will account for your overall quality score. When responding to the method statement questions, please ensure that you clearly mark on the documentation which question they relate to.
- 3.1.3. You will be scored on a scale of 0 to 5 as detailed within “Appendix C - The Procurement Process”. There is a maximum total score of 500 available. The formula for determining the overall quality score will be; your total quality score / 500 (the maximum score available) x 40% weighting.
- 3.1.4. Please be concise and do not provide marketing information or leaflets as part of your response, these will not be scored. You may include appendices if they are essential to support your submission, however, please note that these should be kept to a minimum and only be used to provide evidence or an example. Please refrain from submitting generic policies, or procedures.

## Appendix A – key background documents

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All other relevant information is included at the Cabinet reports:

- [20th December 2021, this includes the outcomes of resident engagement and consultation](#)
- [18<sup>th</sup> July 2022, this includes BOP's interim findings](#)
- [17<sup>th</sup> October 2022, this includes BOP's final recommendations](#)

All data gathered and further information can be access at the engagement hub for the project. This includes title/legal report, planning report, condition survey, asbestos survey, tree survey, topo survey.

[Developing community facility options for the Clair Hall site | EngagementHub \(midsussex.gov.uk\)](#)

## Appendix B – Strategic Success Criteria

1. At its July meeting, the Cabinet agreed a set of success criteria which will focus the Council's aspirations for the future of the Clair Hall site. The criteria draw on local ambitions for the site and respond to the local context and the financial environment within which any investment ideas would need to be delivered. They are a key element of the project as they will be used in the next phase as the framework for the evaluation of the potential models for the site.
2. In the first instance, the Cabinet agreed a set of non-negotiable positions within which any options will be considered:
  - The Council will not sell the site;
  - Any organisation or operation based on the site must be self-funding to avoid being a drain on council tax payers;
  - The Council recognises that combining a variety of uses on the site may offer the best opportunity to make any culture/leisure offer viable and impactful for residents. This would have to take place within the parameters of the Council's planning and economic development policies and strategies.
3. Strategic success criteria were agreed covering the following areas:
  - **Profile and Ambition** – the level of ambition for the site and what sort of profile MSDC expect to see for it.
  - **Financial** – the financial parameters within which options for the site will be developed.
  - **Strategic Impact** – the social, economic and/or cultural impact that options for this site will deliver and how the use of the site will align with existing strategies.
4. The agreed criteria are shown below; they are not weighted or prioritised other than by being categorised as Essential (shown in bold) or Desirable:

Profile and Ambition	
<b>Essential</b>	<p><b>The use of the site must fill identified gap(s) in local cultural / leisure provision.</b></p> <p><b>The site must be flexible, multi-functional and future-proof.</b></p> <p><b>The site must offer a memorable and positive first impression.</b></p> <p><b>The site and any buildings on it will celebrate the local beauty of the surrounding area by opening up and promoting connectivity with Clair Park.</b></p> <p><b>The site will provide a cultural / leisure offer for the whole of the Haywards Heath community (existing and future).</b></p>
Desirable	The site will offer a destination with a reach across the district.

	The site will raise the profile of culture and act as a catalyst for culture/creativity in the town.
<b>Financial</b>	
<b>Essential</b>	<b>The site will be leased on a long-term basis.</b>
Desirable	A financial return to the Council will be realised from the site. No capital investment will be required for the site.
<b>Strategic Impact</b>	
<b>Essential</b>	<b>The use of the site must enhance town centre living, providing activities and delivering impact during daytime and evening.</b> <b>The site must take measures to reduce carbon emissions, including improvements in energy efficiency and in the design and construction of buildings. This includes new buildings and the conversions of existing buildings.</b>
Desirable	The use of the site will act as an exemplar for striking successful partnerships across the public, private and third sectors. The use of the site will contribute to the economic development of Haywards Heath through the creation of employment opportunities. The use of this site will capitalise on the local world-class digital infrastructure.

## Appendix C – The Procurement Process

### Quotation Documents

1. The submission, documentation, and contractual arrangements for the carrying out of this work shall be treated by both parties as private and confidential, only for use in the preparation of the project and shall not be disclosed to any third party without the prior consent of both parties.
2. The documents, contracts and final reports used in or arising from this project shall remain the property of the Council and may not be used for any other purpose without the Council's prior consent. Any copyright or intellectual property rights will rest with the Council.
3. Some information in relation to this project may be subject to the Freedom of Information Act 2000.

### Timescales

4. The timetable for the award of this contract is as follows in the Table below

Event	Date
<b>Deadline for Submission of Quotations</b>	<b>Wednesday 16 November 2022 at 12:00 (Noon)</b>
<b>Interview of Two Highest Scoring Responses (see below)</b>	<b>Monday 21 November 2022 tbc</b>
<b>Contract Award Notification</b>	<b>Tuesday 22 November 2022 tbc</b>
<b>Initiation Meeting/Contract Start Date</b>	<b>Thursday 24 November 2022 tbc</b>
<b>Contract End Date</b>	<b>tbc</b>

### Evaluation Criteria

5. Once the Quotations have been received, the Council will assess the Bids on the basis of the Most Economically Advantageous Tender (MEAT) which combines price and quality. The price-quality ratio will be as follows;

Quality	40%
Price	60%

### Quality Evaluation

6. The quality evaluation will be based on an assessment of your responses to a series of quality questions as detailed in Appendix A. Each method statement has a different weighting which is shown in the right-hand column next to the question. The response to each question will be evaluated as detailed in the table below and the score awarded will be multiplied by the question weighting to produce the total score for each question.

Score	Classification	Definition
0	Unacceptable	No response, or totally unacceptable and does not meet the requirement in any way.
1	Inadequate	Substantially inadequate and does not meet the Council's expectations in some significant areas. Response lacks detail and/or is inconsistent. Where required, no examples or evidence provided.
2	Weak	Weak response that does not fully meet the Council's requirements in many areas. Response may lack detail or, where required, little evidence given to support or demonstrate sufficiency or compliance.
3	Satisfactory	Response largely meets the requirements and, where required, evidence is given to support the answers. There may be one or two minor omissions but overall able to demonstrate sufficiency.
4	Good	Good response where all the requirements are met and, where required, evidence is provided to support the answers demonstrating sufficiency and compliance.
5	Excellent	Exceptional response that inspires confidence, specification is fully met and is robustly, concisely, and clearly demonstrated. When required full evidence as to how the service will be achieved is provided. The response demonstrates good understanding of the brief and offers innovative solutions and demonstrates a desire for continuous improvement.

7. The total maximum quality score is 500 marks.

8. Example:

If a question has a weighting of 10 the maximum point awarded for the method statement response is 50 for that question. For example, if a submission answer is deemed a 'Good' response then that response will be awarded 40 points.

$$4 \text{ (Good)} \times 10 \text{ (Method Statement Weighting)} = 40$$

Once each method statement response has been awarded a score as detailed above, each bidder will be awarded a total quality score. It is this total quality score that will be used in order to calculate a quality percentage score, using the following formula:

$$\left( \frac{\text{Bidder's Total Quality Score}}{500} \right) \times 40\%$$

### Price Evaluation

9. The price element of the evaluation will be an assessment of the financial submission contained in the pricing table for stage 1. The financial evaluation will account for 60% of the overall score.
10. The bidder who submits the lowest price will receive the full 60%. All rates charged should be fully inclusive of all expenses incurred, including but not limited to business travel, accommodation, office support services.
11. Other Bids will be scored according to their relation to the lowest offer. In this quotation, the following formula will be used;

$$\left( \frac{\textit{lowest price bid}}{\textit{bid being evaluated}} \right) \times 60\%$$

### Contract Award and Interviews

12. Once the Quality and Price assessment stages have been concluded, the scores will be added together and the two highest scoring bidders will be invited for an interview to review their submission. If any other submissions are within 5% of the total score, then the bidder(s) will also be invited to attend an interview.
13. The interviews will be based on the bidder's responses to quality questions 3 and 4, and the Council reserves the right to reduce the bidder's score for each of those questions, depending on responses provided.
14. After the interviews, the Council will re-visit the interviewed bidders' quality scores, in accordance with the above. The bidder with the highest quality and price score will become the Preferred Bidder.
15. Upon making a contract award decision, the Council will notify all Bidders in writing of the outcome.

### Questions/ Clarifications

16. All questions regarding this quotation should be submitted by email to [rafal.hejne@midsussex.gov.uk](mailto:rafal.hejne@midsussex.gov.uk) on or before Tuesday 1<sup>st</sup> November 2022. Bidders are asked to submit any questions in good time, especially any which could hinder bidders from being able to submit a Bid.

### Submission of Bids

17. Bids must be received via email:  
**Wednesday, 16 November 2022 at 12:00 (Noon)**
18. Bids submitted after the time and date shown may be rejected by the Council.
19. The Council reserves the right to reject incomplete Bids.
20. Bidders will not be able to provide additional documentation after the Quotation closing date and time other than information that may be requested by the Council as part of a clarification process.



### **General Notes for Completion**

- 21.** The Council reserves the right to reject a quotation that does not fully comply with these instructions.
- 22.** Your quotation must be completed in English and must be submitted no later than the closing date (stated above). It must be completed in full and where necessary, signed and dated.
- 23.** Any quotation submitted will be deemed to remain open for acceptance or non-acceptance for 90 days or more from the closing date stated below.
- 24.** The Council is not bound to accept the lowest or any quotation.
- 25.** The Council will provide a contract post award.