

Queen Elizabeth Olympic Park's Culture & Education Quarter Design Competition

Stage One Question and Answer Log Vol. 4
Date of issue: 17 October 2014

Question number	Enquiry	Response	Date
54	In the case of a consortium including smaller consultancies included to provide "ancillary services", would it be allowable for those consultancies to be included in the bid as subconsultants of the lead consultant, and, if so, would those smaller consultancies still be required to independently provide all the information requested in the PQQ (e.g. financial information and responses to the mandatory grounds for exclusion)? Or is there another preferred protocol for including such consultancies in consortia, given that many small firms are not able to meet the insurance requirements set by the competition (nor do they perform services risky enough to demand such cover)?	Sub-consultants would be considered consortium members. The PQQ clearly states where responses are required by either the Lead Consultant or consortium members.	17-Oct-14
53	If two or 3 members of our team form a legal consortium that fully complies with the financial requirements can all other team members be considered as sub-consultants. In this scenario can you confirm that the sub-consultants will not need to provide all the information required from 1-7 as this applies only to the members of the consortium.	Sub-consultants are considered consortium members and will be required to respond to those sections of the PQQ requiring information from consortium members.	17-Oct-14
52	We have previously registered our interest on the website but we are now submitting a bid as part of a team that is not in our name. Do we need to take any steps to amend the registration?	No. Only the lead consultants need to register and collect a registration number.	17-Oct-14
51	LLDC wants confirmation that we will supply a performance bond or guarantee over an unspecified amount/form. Does this apply to the lead consultant only?? (see p73 question 4)	Page 72 provides that each consortium member must provide responses to questions 1 to 7 (inclusive). This includes question 4.	17-Oct-14
50	The lead consultant is required to demonstrate a minimum annual turnover of £25m for the last 3 years. If this is not the case, we can only enter the competition as a consortium, in which case the combined annual turnover must be above £25m for all practices and above £5m for the lead consultants within the consortium. (see p.81) LLDC requires members of a consortium to form a single entity – what exactly does that mean contractually? Is a lead consultant with a number of sub-consultancy agreements acceptable or are we required to set up a dedicated legal entity? (see p.55)	The combined minimum annual turnover is required for consortium bids and is the sum of the annual turnover of the Applicant and Relevant Companies. For each of the last three consecutive years this must be no less than £25m and the minimum annual turnover of the Lead Consultant must be no less than £5m or equivalent financial performance in reporting currency or equivalent proof of financial standing (i.e. the turnover of the other team members must total £20m). LLDC may require members of a consortium to form a single entity. Further details, including the form of contract, will be included at the ITT stage.	17-Oct-14

49	As specified in the PQQ, a minimum of £10M cover is required for the Insurances. Do all the other members of the consortium have to provide insurances under that cover or just the Lead consultant?	Page 72 provides that each consortium member must provide responses to questions 1 to 7 (inclusive). This includes the insurances detailed in questions 5, 6 and 7.	17-Oct-14
48	Question 4 of the Economic and Financial Standing section of the PQQ also states 'if required'. I assume that the requirement is measurable, please can you confirm the scenario in which a performance bond would be required?	LLDC will set out its security requirements in the form of contract published as part of the ITT.	17-Oct-14
47	It is rather challenging to agree the terms of the performance bond at PQQ without actually seeing the terms and then offering a non-negotiable terms at a future date. Please could you share the terms and conditions?	LLDC will set out its security requirements in the ITT. These will be non-negotiable in accordance with the provisions of the Restricted Procedure.	17-Oct-14
46	As we are bringing together a number of talented practices to form our team, we are finding the page limits quite restrictive; may we append brief profiles for our team members?	The LLDC has increased the page limit for responses to 3(a) Experience to twelve A4 pages. The fifth paragraph on page 65 of the EOI should now read "Your response to this section should be no more than twelve A4 pages." The response to Question 1 'Experience' in table on page 77 of the EOI should now read: "Twelve pages of A4 maximum hard and electronic copy in PDF format." Please note that these page limits apply to all Applicants irrespective of the size of the Consortium.	17-Oct-14
45	Regarding section3 Experiences on p.64. Can we use our subcontractors projects to demonstrate our consortiums capability ? Or must all the examples be from the Lead consultant only?	Examples from both the Lead Consultant and subcontractors may be used.	17-Oct-14
44	We are going to form a consortium with a Landscape Architect and a Multi-disciplinary Engineering company, which will enter the competition with us and other architectural practices (providing different individuals for each separate team). Do you consider the above Engineering company a consortium member as well as a sub-consultant? or is there a difference between consortium members and sub-consultants? We would like to get a full understanding of the 'sub-consultant role' as mentioned on page 55 of the EOI.	Sub-consultants would be considered consortium members.	17-Oct-14
43	If awarded, will this exclude the firm appointed as lead from subsequent commissions or participation in architectural competitions within the master-plan framework?	No.	17-Oct-14

42	It is possible to form within the Consortium a Temporary Association, eg. architect and landscape designer, to take the lead role in order to reach the 5mio GBP as a combined turnover? If so would it then be necessary to present audited Turnover for both companies?	The Lead Consultant would need to be an existing single entity and be able to provide audited accounts for the last three years as that single entity.	17-Oct-14
41	On page 15, regarding the minimum annual turnover it states: "...£5 million GBP or equivalent financial performance in reporting currency or equivalent proof of financial standing." How do you define these two pieces of text: 1) equivalent financial performance; 2) equivalent proof of financial standing. For example, is a minimum amount: A) €5 million required (in the last 3 consecutive years), or is B) £5 million GBP x the average exchange rate of the year = £5 million GBP * 1.23 (2012 December average rate) = €6.150.000?	(1) Equivalent financial performance refers to equivalent currency if this is not GBP. (2) Equivalent proof of financial performance will be considered if our due diligence process cannot be satisfied through a D&B check then we reserve the right to use alternative financial checking companies to undertake a financial review.	10-Oct-14
40	I would like clarifications about question n. 2 (Team composition), point b). Can "ancillary services" be intended as services offered by external sub-consultants (i.e. cost consultancy / sustainability)? In this case, the "past performance" would refer to past collaborations between our practice and the said sub-consultants?	Question 2(b) refers to services which the Applicant considers necessary to support those set out on page 54 of the EOI. The Applicant is required to set out past performance of the relevant sub-consultant whether this has been independent of or working with the Lead Consultant.	10-Oct-14
39	Can an organisation be an Applicant (i.e. the leading member) in more than one Consortium?	No.	10-Oct-14
38	It is extremely unusual in the UK for consultants to be required to provide a performance bond, and there is a cost associated with these. If some form of security is required, will there be an opportunity to discuss with LLDC whether a bond or a parent company guarantee is most appropriate?	LLDC will set out its security requirements in the Invitation to Tender. These will be non-negotiable, in accordance with the provisions of the Restricted Procedure.	10-Oct-14
37	We note from page 55 of the EOI document that consortium bidders may be required to form a single legal entity if successful. We regularly undertake successful joint ventures with other consultants, however these are almost always unincorporated consortia rather than incorporated joint venture companies. We can offer LLDC better value for money if we are not required to form a single legal entity. Will LLDC consider allowing unincorporated consortia?	LLDC will set out its requirements in the Invitation to Tender but has reserved the right to require applicants to form a single legal entity if it so requires. Applicants should assume that LLDC may require it to form a single legal entity prior to contract award.	10-Oct-14
36	Once further details of LLDC's requirements are released at the ITT stage, we may consider it beneficial to change the roles within our pre-qualified team, for instance to change from a Lead/Sub arrangement to a Consortium, or vice versa, or to change who is the leading member of the Consortium. Will there be flexibility to change the roles within pre-qualified teams at a later stage of the process?	The Lead consultant must remain the same. There will be an opportunity to refine and change the composition of the team subject to sub-consultants meeting PQQ requirements. Please also see response to Q13.	10-Oct-14

35	We understand that the aim of the competition is to procure a professional team who will undertake the detailed design of all areas listed on page 28 of the EOI. Please confirm.	The requirement is for a masterplan for the whole of Stratford Waterfront with detailed design for the culture and education elements. It is intended that the detailed design of the residential element will be brought forward separately.	10-Oct-14
34	I would like clarifications about the PPQ question n. 3 of the Technical and Professional Capability paragraph. Is the health and safety policy document necessary just for the Lead Consultant's main office or also for any parent companies located elsewhere?	The lead consultant is required to confirm that it has a written health and safety policy which applies across its organisation, rather than office-specific, and that the lead consultant complies with health and safety legislation.	10-Oct-14
33	Can you please advise whether the ITT stage of the competition will include Briefing Days (or similar) with the partnered cultural and education institutions to allow the opportunity to ask questions and seek clarifications to the ITT brief? This is distinct from direct dialogue which we understand would be difficult to accommodate within a competitive process while ensuring fairness to all bidders?	This will be clarified at the ITT Stage.	10-Oct-14
32	The page limit for our response to section 2. Team composition, is 8 A4 sides. Is our understanding correct that the page limit for section 3. Experience, is 8 A4 pages, hence up to 16 sides, and for section 4. Understanding, the limit is of 3 A4 pages hence 6 sides total?	One A4 page refers to one side of A4.	10-Oct-14
31	In order to qualify for the minimum annual turnover requirements, we will form a JV with one of our team members. From page 81 of the Expression of Interest document, as well as in questions 28 in the Q&A log, it is unclear if it will be necessary to supply financial documents for all team members, and whether we are required to form a joint venture with all consultants. Please clarify.	Please see our response to question 7 as to how joint ventures are to respond.	10-Oct-14
30	What are the planning requirements for the project?	Planning consultant services are not sought as part of the brief. However, the successful Applicant will be required to work closely with the LLDC's planning consultant in securing necessary planning consents. This will be detailed in the ITT.	10-Oct-14
29	If the lead designer is a non-British firm, is a local architecture firm required on the team at this stage of the process, or can one be brought on during the second stage, or after award of the project?	Subject to the other requirements of the PQQ this is at the discretion of the Applicant.	10-Oct-14
28	What will be the role and scope of work of the Planning consultants hired by the client, and will this preclude our team from including any planning and programming consultants?	The LLDC's planning consultant will prepare planning applications to secure necessary planning consents for the project. Planning consultant services are not sought as part of the brief. However, the successful Applicant will be required to work closely with the LLDC's planning consultant in securing necessary planning consents. This will be detailed in the ITT.	10-Oct-14

27	Should the supplementary information requested (Press Statement, Images) be supplied in electronic format only?	Yes.	10-Oct-14
26	What is the difference in <i>Part 2. Team Composition</i> of the Submission Requirements between point a) - requiring the description of services by the team - and point b - requiring the description of the <u>ancillary</u> services by the <u>proposed</u> team?	This question relates to the previous EOI which has now been discontinued. Please refer to the reissued EOI dated 6 October 2014. the deadline for submissions is 11 November 2014.	10-Oct-14
25	The individual annual turnover for each office exceeds the required £5m in each of the past 2 years, but the annual turnover for 3 years ago individually does not. However, our combined turnover for 3 years ago does exceed the required £5m. Will we therefore meet the Evaluation Step 2 item B with the combined turnover of the 2 offices for the past 3 years? Our proposed consortium achieves the £25m requirement for the same period.	The combined minimum annual turnover is required for consortium bids and is the sum of the annual turnover of the Applicant and Relevant Companies. For each of the last three consecutive years this must be no less than £25 million and the minimum annual turnover of the Lead Consultant must be no less than £5 million GBP or equivalent financial performance in reporting currency or equivalent proof of financial standing (i.e. the turnover of the other team members must total £20 million).	10-Oct-14
24	With regard to the lead consultant needing to provide £25 million annual turnover for 3 consecutive years or in the case of a consortium bid combined turnover, do you mean that the lead consultant working with a team of other companies can combine the turnover so that it hits the requirement? We have not formulated our team make-up yet but you refer to a consortium and we are not sure if we consider ourselves a consortium.	The combined minimum annual turnover is required for consortium bids and is the sum of the annual turnover of the Applicant and Relevant Companies. For each of the last three consecutive years this must be no less than £25 million and the minimum annual turnover of the Lead Consultant must be no less than £5 million GBP or equivalent financial performance in reporting currency or equivalent proof of financial standing (i.e. the turnover of the other team members must total £20 million).	06-Oct-14
23	Can you confirm whether there is outline planning in place?	There is no outline planning consent for the project.	06-Oct-14
22	The brief refers to the UAL facilities being shared with the adjacent site. Will the design of those buildings on the adjacent site be included in the ITT/commission? Does the 40,000 sq m simply refer to the space on Stratford Waterfront?	The Project does not include adjacent sites outside Stratford Waterfront. The 40,000sqm refers to floorspace on Stratford Waterfront.	06-Oct-14
21	Regarding the Insurance, is this information required for both, the lead consultant and the other companies in the team? Or just the lead consultant will have to enclose this information.	Page 72 provides that each consortium member must provide responses to questions 1 to 7 (inclusive). This includes the insurances detailed in questions 5, 6 and 7.	06-Oct-14
20	We note the requirement for consortium bidders to form a single legal entity if successful. Will the requirement for this be to form an incorporated joint venture or an unincorporated joint venture?	LLDC will set out its requirements in the Invitation to Tender but has reserved the right to require applicants to form a single legal entity if it so requires. Applicants should assume that LLDC may require it to form a single legal entity prior to contract award.	06-Oct-14

19	If an organisation acts as Lead Consultant of one team can it <u>also</u> be involved as a sub-consultant with several other teams?	Yes, however, the same individual within a company should not participate in more than one entry. Please ensure companies who intend to consult on a number of teams propose the inclusion of different individuals from their organisation for each separate team. This is to prevent a conflict of interest at the short listing stage in the event of a sub-consultant company being shortlisted with more than one team.	06-Oct-14
18	In case the lead consultant is not a registered office in UK, does the lead consultant need to include an office registered in UK to the competition team (for the concept design stage)?	No.	06-Oct-14
17	In case making a consortium with an engineering office financially, does this mean that the consortium parties are equally responsible against client? Our understanding is that lead consultant will be responsible for the whole team, and other parties of the consortium would act as subconsultants. Could you please confirm/clarify this?	Teams should be structured under a Lead Consultant, however, the structure and management of the team will be for the consortium to agree. LLDC will set out its requirements in the ITT but has reserved the right to require bidders to form a single entity if it so requires.	06-Oct-14
16	The submission is on 17th of October. Is it possible that we make the submission online and post the 6 copy documents through dhl on 17th of October, which would be delivered within 3 working days after 17th of October?	Unfortunately this will not be possible. EOIs must be physically received by the time and date specified in the EOI.	06-Oct-14
15	Please confirm whether the Fourth Institution is likely to be a museum (as mentioned twice in the PQQ brief), whether the identity of the Institution will be confirmed by the time the ITT brief is released or whether the design for this Institution will need to remain flexible during the competition process?	This information is not yet available.	06-Oct-14
14	Please confirm whether the space requirements for University of the Arts London refer to both the Stratford Waterfront site and the adjoining site which are mentioned on page 43 of the PQQ brief?	The Project does not include adjacent sites outside Stratford Waterfront.	06-Oct-14
13	Please confirm whether the five shortlisted teams will have the opportunity to add additional sub-consultancy firms and/or specialist services to the Team Composition in response to the detailed briefing material and detailed ITT brief?	Yes, additional sub-consultants may be added at the ITT stage but applicants may not substitute members of the team after completion of the PQQ stage. If applicants wish to sub-contract any of the services they may do so in accordance with the terms of the contract to be included at the Invitation to Tender stage.	06-Oct-14
12	Please confirm whether the full judging panel will be involved in assessing the PQQ submissions to the selected five ITT teams? The press release accompanying the PQQ pack refers to the panel selecting the winning design from the ITT stage, but it is not clear whether the panel will also review and score all PQQ submissions or parts of the submissions.	The judging panel will not be involved in the assessment of PQQs.	06-Oct-14
11	Does the submission form also have to sit on the very front, or behind the cover?	The submission form may sit behind the cover if you wish, however it should be in a prominent place at the beginning of your document.	06-Oct-14

10	We understand we may format the PQQ questionnaire as we see fit. Does this also apply to the submission form?	Yes, this is acceptable, providing the information, and the order of the information, is not altered.	06-Oct-14
9	Would accept a Joint Venture arrangement instead of a consortium?	Yes. Please see our response to question 7 as to how joint ventures are to respond.	
8	We intend to form a JV with organisations who may be named on other teams. We trust this is acceptable.	Please see page 55 of the EOI document. A company should not be a lead consultant on more than one team.	06-Oct-14
7	We intend to form a JV in order to meet the minimum turnover requirements. Therefore, where the PQQ submission requires information from the 'lead consultant' only, should this then be understood as each consortium members, or just ourselves as 'lead consultant' of the JV?	Please respond on the basis of the joint venture itself (rather than in relation to shareholding). The procurement regulations permit applicants to rely on resources of third parties to demonstrate compliance with the requirements of the PQQ as regards financial and economic standing and technical and professional capacity. Accordingly, an applicant may, for example, rely on the financial strength of one or more of its members. In such circumstances applicants will need to prove to LLDC that the resources necessary to perform the contract will be available and LLDC may, in particular, require the applicant to provide an undertaking from the other entity or entities on which it relies to that effect.	06-Oct-14
6	Please can you confirm what the level of Employer's Liability Insurance required by law is?	At least £5,000,000, unless you are not required by law to hold Employer's Liability Insurance.	06-Oct-14
5	Could you please confirm that if the Lead Consultant does not meet the minimum turnover requirements then a legal consortium would have to be formed with the other subconsultants? If so at what stage of the competition should the consortium be formed?	The annual turnover requirements are clearly set out on page 81 of the EOI. Applicants must demonstrate that they meet these requirements in their submission.	06-Oct-14
4	Could you please suggest what proof of financial standing we would have to provide in order to enter the competition without having to form a legal consortium?	The requirements are clearly set out on pages 72-74, 79-82 of the EOI.	06-Oct-14
3	A minimum turnover of GBP25m for the last three years is a requirement that the majority of architectural practices, including some of the country's leading practices, will not be able to meet. Moreover the costs associated with forming a legal consortium could potentially discourage a lot of architectural practices that are capable of delivering the work to enter the competition. Is there a possibility of reconsidering the minimum turnover requirements?	No.	06-Oct-14

2	<p>If we do form a consortium to achieve the minimum turnover requirements then does the minimum turnover requirements apply to the architectural practices of the team or to the whole team including subconsultants i.e. Is it acceptable if there is a team with only 1 architectural practice plus other subconsultants who have a combined minimum turnover of GBP 25m or does it have to be a number of architectural practices whose combined turnover is of GBP 25m separately from the other subconsultants?</p>	<p>The combined minimum annual turnover is required for consortium bids and is the sum of the annual turnover of the Applicant and Relevant Companies. For each of the last three consecutive years this must be no less than £25 million and the minimum annual turnover of the Lead Consultant must be no less than £5 million GBP or equivalent financial performance in reporting currency or equivalent proof of financial standing (i.e. the turnover of the other team members must total £20 million).</p>	06-Oct-14
1	<p>We intend to form a consortium in order to meet the minimum turnover requirements. Therefore, where the PQQ submission requires information from the 'lead consultant' only, should this then be understood as each consortium members, or just ourselves?</p>	<p>The EOI document clearly sets out whether the Lead Consultant or consortium members are required to respond. For example, the questions set out on pages 68-71 "Mandatory Ground for Exclusion" and on pages 72-74 "Financial and Business Standards" each consortium member is required to respond.</p>	06-Oct-14