

RIBA council calls for Garden Bridge procurement to be investigated

29 June, 2016 By Laura Mark

The RIBA has passed a motion calling for an official probe into the procurement of Heatherwick Studio's £175m Garden Bridge

An earlier motion put to RIBA Council in March by procurement expert Walter Menteth was deferred because of concerns raised by a number of councillors.

But, after successfully gaining backing from RIBA London, Menteth tabled a revised motion. Today RIBA Council agreed to back the motion, having made further changes to its wording and removing any reference to getting the contentious scheme stopped.

The final text of the motion stated: 'In the light of the seriousness of allegations relating to the Garden Bridge, RIBA Council calls for the procurement process to be opened up to full and detailed independent scrutiny so that this public procurement may be or may not be evidenced as fair, transparent and in accordance with the law.;

Commenting on the motion, Menteth said: 'Public procurement isn't going away and as an Institute we need to help firms by making sure it is undertaken legally'.

The procurement of the Garden Bridge has been the subject of a <u>long-running AJ</u> <u>investigation which began in December 2014.</u>

The original motion to RIBA Council called for the controversial £175 million bridge to be stopped while its procurement was investigated – a stance originally backed by RIBA President Jane Duncan.

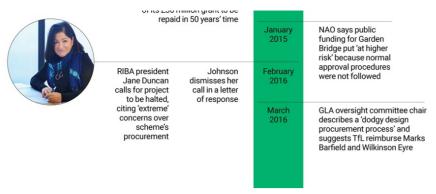
However Duncan recently <u>changed her stance on temporarily putting the scheme on ice</u> and councillors today (29 June) said they could not back a call to halt the bridge. Instead the motion was amended before it was passed.

The RIBA president, who had held discussions with Transport for London before the last council meeting in March, said the institute would continue to discuss the issue with the organisation and planned to advise TfL in the future.

She also said that she would be speaking with London's new mayor Sadiq Khan about the bridge's procurement.

Speaking at the council meeting, past president Stephen Hodder, said: 'Everyone is aware there are anomalies here but we should use this as an opportunity to improve procurement and engage with TfL.'

Timeline How the Garden Bridge evolved from a celebrity's pet project to a contentious £175 million scheme		
Lumley meets deputy mayors for planning and transport, Edward Lister and Isabel Dedring	11 May 2012	Joanna Lumley writes to mayor lobbying him to back her 'beautiful and practical' bridge, which she has developed with Thomas Heatherwick and Arup, asking him to meet her and Heatherwick
	26 July 2012	
	24 September 2012	Heatherwick and Lumley meet mayor, Lister and Dedring to discuss 'the idea for Garden Bridge'
Heatherwick and Lumley meet with Dedring to discuss 'Garden Bridge next steps' Heatherwick meets Lister to discuss 'Garden Bridge planning proposal'	December 2012	
	'Early 2013'	Mayor meets TfL commissioner and managing director of planning, and instructs TfL to develop the concept for an 'innovative and novel
	31 January 2013	design based around a living bridge'
	1 February 2013	Heatherwick and Lumley present Garden Bridge scheme to mayor, Lister and Dedring
Heatherwick joins the mayor, Lister and Dedring in San Francisco in a bid to	4 February 2013	
persuade Apple to sponsor the bridge TfL issues invitation to tender for concept design role to the three firms	8 February 2013	TfL approaches Heatherwick Studio plus Wilkinson Eyre and Marks Barfield about its intention to
	13 February 2013	issue an invitation to tender
	8 March 2013	TfL commercial manager questions scoring of concept design bids. Despite this, Heatherwick
TfL holds mini- competition through framework agreement for technical design role	April 2013	Studio is awarded the contract the same day
	July 2013	TfL appoints Arup to technical design role
Chancellor George Osborne gives the bridge £30 million under the government's National Infrastructure Plan. The money is on top of the £30 million already pledged by TfL Plans for the bridge are submitted for planning. Project backers claim construction must start 'within the year' to avoid clashing with work on the Thames Tideway Tunnel	December 2013	
	January 2014	Labour peer Bryan Davies describes the scheme as 'an expensive piece of
	May 2014	public art; a vanity project of the mayor'
	August 2014	City of London warns that the 367m-long link would have 'major' impact on views along the Thames
Lambeth Council gives bridge planning permission; Westminster follows suit a few weeks later	November 2014	
	December 2014	London Assembly members pledge to question London mayor Boris Johnson
Former director of a local community group Michael Ball applies to the High Court for judicial review of the project	February 2015	following AJ story on TfLs 'flawed' tender process
	June 2015	TfL boss Peter Hendy orders a review of the procurement, following an AJ exclusive on the scoring of the bids, agreement with Lambeth
Chair of Parliament's Public Accounts Committee calls on National Audit Office to investigate the Treasury's £30 million contribution to the project TfLs internal review defends procurement process – a review which is later criticised as a 'whitewash' by Labour mayoral candidate Sadiq Khan	September 2015	and pressure from Assemby member Caroline Pidgeon landing site as an Asset of Community Value
	October 2015	Grilled by the London Assembly, TfL's head of internal audit admits its Garden Bridge
TfL announces deal with Garden Bridge Trust allowing £20 million of its £30 million grant to be	November 2015	procurement 'neither open nor objective'



2016.03.24 Garden Bridge Timeline v4

Comment

Kerr Robertson, Glasgow-based architect

Like many architects I very much welcomed the recent call by Jane Duncan for the Garden Bridge project to be put on hold while the whole procurement process is properly scrutinised. My view has nothing to do with the idea of the bridge in principal or taking sides. I would like to make clear that I love the work of Thomas Heatherwick. I have huge respect for Arup as engineers as well as Transport for London who have delivered many important and successful public projects. I am also a big fan of Joanna Lumley and her campaigning for good causes. While I personally like the idea of a Garden Bridge I understand why others might not. I would therefore consider myself neutral in terms of the debate that has been raging for and against - but with one exception.

The issue I have is simply about procurement and my concern over the significant questions raised in this respect. I am also concerned that because of the hue and cry the implications have been obscured.

There should be no doubt that anyone tendering for work which is funded with public money must be given equal opportunity. Tendering is expensive and all bidders should have no doubt that all legal requirements will be met and each submission will be given fair and equal consideration. No-one wants to be left thinking they had been invited simply to make up the numbers. Accordingly the process needs to be transparent.

This is not just a 'London issue'

Given the nature of local politics and the level of public outcry from campaigners on both sides, procurement will probably not seem that important to many people.

But this is not just a 'London issue' and its not just architects who are affected. This is also about public confidence in those spending tax-payers money - and that those responsible will not favour one party over an other. The rules and regulations governing public spending are there for good reason - and the risk of allowing these to be ignored are enormous.

No-one should be awarded a contract where they may have had an unfair advantage over others. Where there is reason to believe an award has not been compliant (even in honest error) it is difficult to see how a project can then be allowed to progress without being first properly investigated. Apart from the implications for the unsuccessful bidders, the other concern is that without sanction there would be little or no incentive to prevent other agencies following suit.

Procurement procedures might seem complicated to the uninitiated, but if this was the X-Factor and it was discovered that members of the public had spent money submitting votes which had no bearing on the outcome, there would quite rightly be significant outcry. This would not be allowed to continue and quite likely someone would be held to account.

You cannot expect the same level of public outcry about a relatively specialist area of bureaucracy. This is why ordinary architects and engineers expect their professional institutes to stand up for them. It's a matter of principal.

I note from the current campaigning for a new RIBA President one of the candidates has written in the press about the importance 'high-level principles' and having "an ethical code which enabled the public and our clients to trust us and our judgements and entitling us to be heard above others who do not claim to profess such standards". If we as a profession are not willing to take a stand when matters of principle arise this amounts to no more than empty rhetoric.

Readers' comments (2)

Robert Wakeham 29 June, 2016 6:01 pm

While they're at it, the RIBA Council might find it instructive to compare the TfL Garden Bridge procurement saga with that of the TfL procurement of the 'Boris bus' design - where the two competition winners (Foster and Partners' proposal in collaboration with Aston Martin being one) were passed over in favour of Heatherwick.

And when it comes to 'flawed evaluation and scoring during the bidding process', is it entirely coincidental that during Boris Johnson's spell as Mayor of London this was exactly the same criticism of the hugely expensive collapse of a TfL underground signalling contract, estimated to amount to a £1.422 billion 'hit' at the end of the day?

Did a culture of cronyism and rottenness seep into TfL and the Mayor of London's organisation on Boris's watch?

If so, should the RIBA be checking whether the pressures of winning commissions, and striving to keep the right side of very powerful and influential client bodies, might have caused some architects to drift into that zone where 'don't rock the boat, remember where your fees come from' might easily become intertwined with pervasive corruption?

Chris Medland 29 June, 2016 6:43 pm

Who are they asking to investigate this? Have the approached the metropolitan police? If not then who?