MULTIDISCIPLINARY TECHNICAL SERVICES FRAMEWORK
OJEU Ref 2018/S 127-289621
APPOINTMENT OF CONSULTANT

INSTRUCTION

Development of a Remediation and Sustainable Growth Assessment Tool

Date	12/1/2022	**Environment Agency**	**Reference Number** [redacted] To be quoted on all correspondence relating to this Instruction

The Consultant entered into a contract dated 03/05/2019 with the Agency whereby it was appointed as a consultant on the Multidisciplinary Panel (the "Framework Contract").

The Environment Agency is a Public Sector Body under the Framework Contract.

The Public Sector Body and the Consultant acknowledge and agree that this document is to be treated as an "Instruction" from the Public Sector Body under and for the purposes of the Framework Contract.

The Consultant agrees to supply to the Public Sector Body the Services specified below on and subject to the terms and conditions of this Instruction and the Framework Contract.

Unless otherwise defined in this Instruction, terms used in this Instruction shall have the meaning given to them in the Framework Contract.

The Employer

The Environment Agency is the Public Sector Body.

In so far as they relate to the appointment of the Consultant to provide the Services all references to the Agency in the Framework Contract shall also be deemed to be references to the Public Sector Body for the purposes of the Instructions and the Framework Contract.

PUBLIC SECTOR BODY DETAILS

Public Sector Body	**Environment Agency**
Public Sector Body's Address	**Head Office – Horizon House, Deanery Road, Bristol BS1 5AH**
Invoice Address	[redacted] **Payment will be made on satisfactory completion of the work and receipt of a correct and valid invoice. The original invoice must be sent to the accounts department, quoting the correct purchase order number.**
Contact:	[redacted]

CONSULTANT DETAILS

Consultant	**Jacobs UK Ltd ("Consultant")**
Consultant's Address	2nd Floor Cottons Centre, Cottons Lane London SE1 2QG
Contact:	[redacted]

1. INSTRUCTION PERIOD

(1.1) Commencement Date

This Instruction shall commence on: 12/1/2022

(1.2) Instruction Period

12.1.2022 until 31.3.2022

2. SERVICES REQUIREMENTS

The Specification is outlined in Annex 1.

The following Services shall be provided:

Task no.	Requirement
Task 1	Start-up workshop to discuss approach and refine scope
Task 2	Undertake primary research to establish/clarify the benefits of developing such a tool or process incorporating Defra Theory of Change Model
Task 3	Literature review
Task 4	Options Appraisal
Task 5	Preliminary design of tool
Task 6	Project close out meeting

3. DELIVERABLES

The following outcomes will be delivered:

Task no.	Deliverable
Task 1	A refined specification to include all comments and suggestions from the start-up workshop
Task 2	A standalone report of the task 2 findings and how this will inform Tasks 4 and 5.
Task 3	A standalone report detailing the literature review findings.
Task 4	A standalone report detailing the findings and including recommendations to feed into task 5.
Task 5	Draft report providing the blueprint of a tool or method that enables site-specific valuation of the environmental, economic and social benefits resulting from the remediation of contaminated land

	and groundwater and recommendations for further development.
Task 6	A successful close-out meeting including presentation that enables discussion relating to all deliverables, including recommendations for further work, to include all comments made by reviewing parties. To be followed by delivery of a finalised report.

4. RESOURCES

(4.1) Staff of the Consultant to be involved in the provision of the Services

The following people will deliver the Services:

[redacted]

Name	Title	Role
[redacted]		

(4.2) Resource Schedule

A resource schedule is attached.

(4.3) Sub-contractors to be involved in the provision of the Services

British Geological Survey – [redacted]

(See clause 31 of the Framework Contract)

5. PROGRAMME

The Services will be delivered in accordance with the programme attached at Annex 3

6. FEE

(6.1) LUMP SUM FIXED PRICE - £39,954.80

See attached pricing and resourcing schedule – Annex 2

(6.2) FEE PROPOSAL

See attached pricing and resourcing schedule for applicable day rates for staff – Annex 2

7. INVOICING AND PAYMENT

Invoices in respect of the Instruction will only be processed for payment by the Public Sector Body where:

(a) they are for the current Instruction;

(b) the current Environment Agency Reference Number are quoted on the invoice; and

(c) invoiced in accordance with Schedule 2 of the Framework Contract

(d) the invoice is addressed to Environment Agency

Payment will be made to the Consultant by The Environment Agency.

8. SPECIAL CONDITIONS

[redacted]

BY SIGNING AND RETURNING THIS INSTRUCTION THE CONSULTANT AGREES it is entering into a legally binding contract for the Consultant's appointment (the "Consultant Appointment Contract") with the Public Sector Body to provide the Services. The Consultant Appointment Contract incorporates and is subject to all of the terms and conditions contained in the Framework Contract as may be varied and/or amended by the other provisions of this Instruction. If there is any inconsistency between any of the provisions of this Instruction and the provisions of the Framework Contract, the provisions of this Instruction shall prevail).

The Consultant and the Public Sector Body hereby acknowledge and agree that they have read this Instruction and the Framework Contract and by signing below agree to be bound by the terms of this Consultant Appointment Contract from the date appearing at the start of this Instruction.

For and on behalf of the Consultant:

Name and Title	[redacted]
Signature	[redacted]

For and on behalf of the Public Sector Body:

Name and Title	[redacted]
Signature	[redacted]

Background to the Environment Agency

The Environment Agency (EA) was set up to protect and improve the environment. The EA helps people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion. It also plays a key role in improving the quality of our water, land and air by tackling pollution through working with businesses to help them comply with environmental regulations. The EA's ultimate objective is to deliver a healthy and diverse environment to enhance people's lives and contribute to economic growth.

The EA works as part of the Defra group (Department for Environment, Food & Rural Affairs), and together with the rest of government, local councils, businesses, civil society groups and local communities it aims to create a better place for people and wildlife.

The EA has released EA2025, its five-year action plan. This plan ties in with the Government's 25 Year Environment Plan and forthcoming Environment Bill.

The plan sets out 3 long term goals:

- **A nation resilient to climate change**
- **Healthy air, land and water**
- **Green growth and a sustainable futur**e

The overarching goals for this project include all of the above long term goals. By improving the ability of ourselves and others involved in tackling land contamination[1] to better assess and communicate the wider benefits of remediation, our aims are to help mainstream planning and investment decisions and remediation design that optimise social, economic and environmental value, and to improve understanding of remediation's contribution to government goals, including our advisory and regulatory roles.

The plan states: "Unless we act now, the state and condition of our natural resources will continue to decline and the ecological crisis will deepen. Failing to act is not an option. Clean air, land and water are critical for our health, sustain wildlife and provide essential services that support our lifestyles and economy. They provide the natural capital on which we all depend."

[1] Throughout this document we refer to the terms 'land contamination' and 'contaminated land' interchangeably to mean land and water affected by contamination in the general sense, as opposed to the strict legal definition of 'Contaminated Land' determined under Part2A of the Environment Protection Act 1990.

Background to the Project

Land and water affected by contamination pose risks to human health and is one of the main sources of urban water pollution as outlined in the recent EA publication on the State of the Environment: Urban Environment (https://www.gov.uk/government/publications/state-of-the-environment). Remediation is delivered largely through the planning system but also statutory regimes and on a voluntary basis, and provides a measure to manage the risks to health and controlled waters posed by contamination.

There are significant risks in leaving remediation entirely down to the planning system. This potentially results in only high value sites being addressed, leaving low value sites in lower socio-economic areas and high risk sites that are costly to remediate not being dealt with. Understanding the environmental, social and economic impact of remediation works is vital to unlocking future funding opportunities and ensuring that remediation is targeted at areas of environmental and social need as well as economic value.

However remediation also delivers a wider range of benefits for the environment, society and economy as outlined in previous research undertaken by Defra 'Options for a strategy for the economic appraisal of benefits of contaminated land remediation - SP1006' (http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=17468). These are often missed from the risk-based nature of contaminated land management, which can lead to remediation being based on the minimum measures required to meet planning and regulatory requirements, rather than taking opportunities to maximise value.

Contaminated land is also largely absent from the emerging policy and evidence on natural capital and ecosystem service approaches that are central to the future direction of environmental policy, as expressed in government's 25 year plan for the environment (25YEP). The role of remediation in the 25YEP commitment to embed a principle of environmental net gain (ENG) in the planning system is yet to be determined, and it is missing from emerging metrics designed to help measure ENG, such as Natural England's Environmental Benefits from

Nature tool. There is an opportunity for remediation to be situated at the nexus between the environmental ambitions in 25YEP and government's wider ambitions for levelling up, but we are lacking the tools to help make those connections and to inform decision making.

Previous EA research provided a valuation of our influence on the Olympic Park development and was unable to quantify the value of remediation and thereby our advisory role in it[2]. It is clear that there are significant gaps in our knowledge and capability to measure and communicate the value of the wider benefits that remediation delivers for sustainable growth. We need to address these gaps in order to meet the following goals:

- Make more effective business decisions and cases for remediation, including for our regulatory and advisory resources, and the planning and investment of brownfield development
- Influence and work in partnership with others to realise the wide contributions that remediation brings to place-making, and enable a more value-based approach to remediation
- Enable the integration of remediation into emerging development policy and practice, such as environmental net gain and levelling up

This financial year (2021/22) we have secured funding from our Water Land and Biodiversity (WLB) Portfolio Fund to carry out an initial feasibility study to develop a Remediation and Sustainable Growth Assessment Tool that enables site-specific valuation of the environmental, economic and social benefits resulting from the remediation of contaminated land and groundwater. It is expected that this work will be awarded to an expert consultant as a single commission.

[2] https://www.gov.uk/government/publications/environmental-costs-and-benefits-at-the-site-of-the-london-2012-olympics

Objectives

The aim of the project is to research and develop the feasibility of developing a **Remediation and Sustainable Growth Assessment Tool** that enables site-specific valuation of the environmental, economic and social benefits resulting from the remediation of contaminated land and groundwater. This needs to incorporate, but not be limited to, a natural capital approach. This could comprise the development of a new tool or the adaptation of an existing tool, and we would expect both options to be explored. The tool will enable a natural capital approach to appraisal of site remediation, and valuation of the benefits to sustainable growth and place-making.

The key project objectives are to:

- Undertake primary research to establish the benefits and requirements of developing such a tool or process incorporating Defra's Theory of Change (TOC) model
- Carry out a literature review to identify existing evidence of the environmental, economic and social benefits on the value of site remediation and whether existing tools/processes could be adapted to deliver the project objectives
- Undertake an evaluation of options to develop a Remediation and Sustainable Growth Assessment Tool
- Provide a preliminary outline design of the tool

Key Deliverables

Activity Schedule

- **Task 1**. Start-up workshop to discuss approach and refine scope

Half day workshop (probably online, depending on COVID restrictions/preferences at the time) where the EA will provide a background to the project, and the overarching aims and objectives. The consultant will then present their scope of works and their understanding of the commission. Any data requirements will be discussed and agreed.

Deliverable: A refined specification to include all comments and suggestions from the start-up workshop

- **Task 2**. Undertake primary research to establish/clarify the benefits of developing such a tool or process incorporating Defra's Theory of Change (TOC) model

The consultant will undertake primary research to establish, with consideration to the background context and goals described in the specification and discussed through Task 1, what the benefits would be for a range of stakeholders by producing a tool to enable better evaluation of the wider environmental, social and economic benefits of contaminated land remediation and integrating with a natural capital/ecosystem services approach, and what requirements those stakeholders would have for any such tool.
Using the Defra Theory of Change (TOC) model, the consultant should develop the understanding of why producing a tool would be beneficial, what the outcomes may be and who would benefit from development of such a process or tool. The TOC model includes:

- understanding what a policy, programme or strategy is expected to achieve (its benefits or outcomes).
- how and why delivery of the policy activities are expected to lead to achievement of benefits.
- how policy activities are connected with their effects in a causal chain, leading to the desired policy benefits and ultimately to organisational priority outcomes.

Deliverable: A standalone report of the task 2 findings and how this will inform Tasks 4 and 5.

- **Task 3.** Literature Review

The consultant will carry out a literature review (including grey literature) to identify existing evidence on the value of site remediation with specific reference to environmental, economic and social measures and whether existing tools/processes that value benefits for other purposes could be adapted to deliver the project objectives. It would identify the best available evidence for underpinning a site specific method or tool etc. and identify any evidence gaps that would be needed to develop such a tool.
We expect a search of academic literature to be carried out using at least one, and preferably more than one appropriate literature database. A search using Google scholar only is not adequate, but could be helpful in

addition to a literature database. Potential literature databases: Scopus (preferred), Web of knowledge (preferred), Wiley and Science Direct.
Results should be presented to include the following;

- number of results found with relevant articles listed/highlighted
- bibliography giving full citations (final bibliography to be published in a digital format e.g. file type - BibTeX - to facilitate a post-project synthesis by the EA)
- search strategy
- search sources
- knowledge map where appropriate

Deliverable: A standalone report detailing the literature review findings.

- **Task 4**. Options appraisal

The consultant will carry out a review of options to develop a Remediation and Sustainable Growth Assessment Tool. It will include options looking at the design of existing site-based evaluation tools (examples include – CIRIA B£ST (Benefits Estimation Tool), Environmental Benefits from Nature Tool (EBN), Ecosystems Knowledge Network (EKN) and other relevant EA/Natural England tools) and whether the approaches could be suitable for a remediation based evaluation tool.

Deliverable: A standalone report detailing the findings and including recommendations to feed into task 5.

- **Task 5**. Preliminary outline design of the tool

The consultant will produce an outline design for a tool based on an agreed preferred option from Task 4. It will provide the blueprint for the tool, including but not limited to:

- an overview of how the design would meet the goals and user needs identified by the project (in this specification and through Tasks 1-4)
- Specification of design features and how it would operate
- The data and user requirements needed to make it operational
- Risks and assumptions
- Recommendations for further work

Deliverable: Draft report providing the blueprint of a tool or method that enables site-specific valuation of the environmental, economic and social benefits resulting from the remediation of contaminated land and groundwater and recommendations for further development.

- **Task 6** Project close-out meeting

Half day workshop (probably online, depending on COVID restrictions/preferences at the time) where the consultant will present the work undertaken and outputs generated. Presentation material to be retained as part of the project deliverables so the results can be disseminated more widely internally within the EA to facilitate comment and critical review.

Deliverable: A successful close-out meeting including presentation that enables discussion relating to all deliverables, including recommendations for further work, to include all comments made by reviewing parties. To be followed by delivery of a finalised report.

Programme

The Environment Agency seeks to appoint a highly competent and experienced supplier who can deliver a feasibility study and outline model by 31 March 2022. We anticipate the project commencing **w/c 17/1/22** and would require bidders to confirm availability to attend a start-up workshop during that week (at this stage assume this will be held virtually).

The Tasks and deliverables have been outlined in this document and the bidder is required to provide a programme (in the form of a Gantt chart) which will allow completion of all tasks by the agreed deadline. As this is a short duration research project, we anticipate fortnightly update calls/emails between the client and the appointed consultant. The Project Manager should be kept fully appraised of project developments and progress, to include any deviations from the agreed scope.

Payment

Payment will be made on successful delivery, completion and acceptance of all of the deliverables outlined in the Specification and in line with the following payment schedule:

[redacted]

Project Governance

Lead Team: Land and Contamination Management Team
Associated Teams: National Sustainable Places Team

[redacted]

Intellectual Property Rights

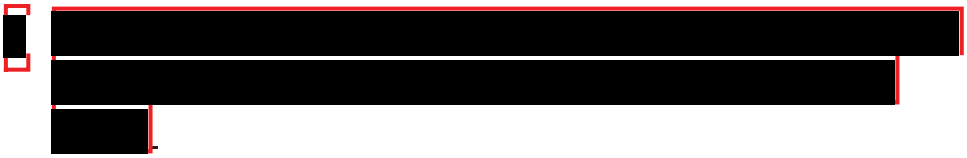
The findings and outputs delivered from this project will remain the Property of the Environment Agency throughout.

Data Sources and Requirements

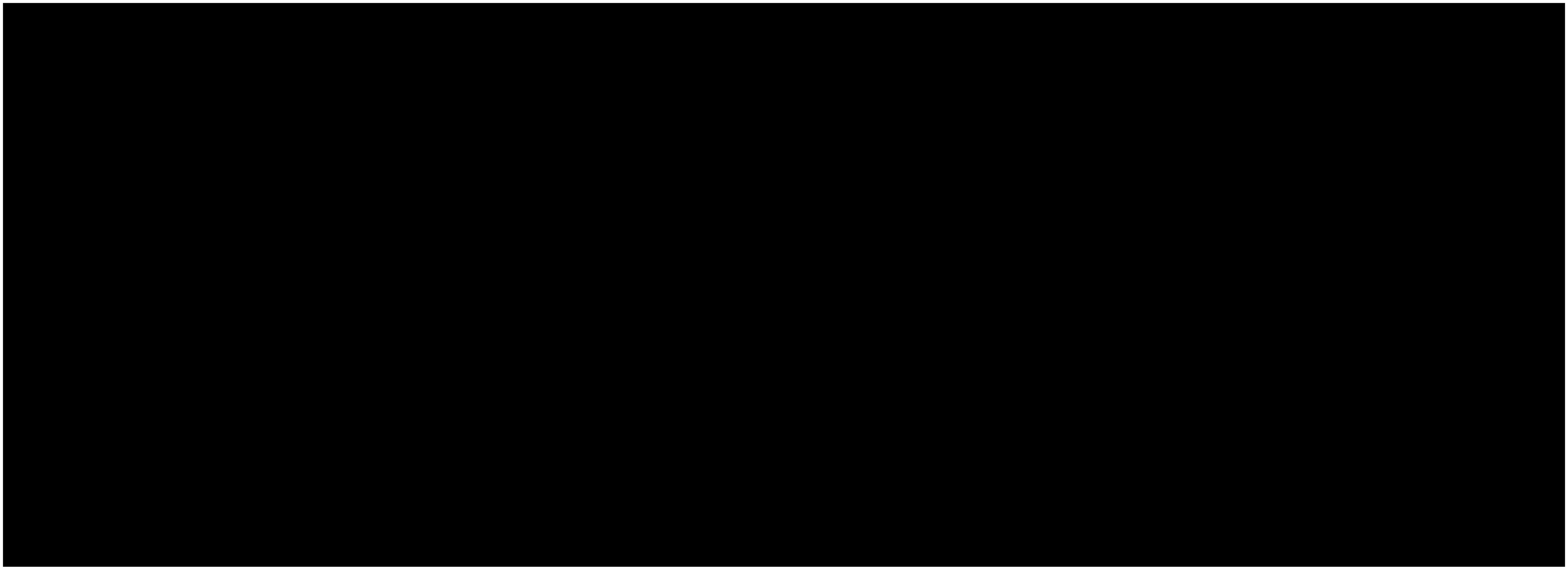
As stated above, the primary research and a review of available literature relevant to the development of a Remediation and Sustainable Growth Assessment Tool are key elements of the project.

Some key resources to be reviewed by the successful consultant, include:

[redacted]



Annex 2 - Resource and Pricing Schedule



Annex 3 - project delivery plan - Remediation & Sustainable Growth Project