



Our Ref:
Your Ref: 56/2015

20 November 2015

Len Duvall AM
Chair of the GLA Oversight Committee
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Internal Audit

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Dear Mr Duvall

GLA Oversight Committee – 22 October 2015 – Garden Bridge Design Procurement

Thank you for your letter of 2 November 2015 addressed to Clive Walker. As your office has been advised, Mr Walker is on leave that has been booked for some time and I am replying in his absence.

Taking your questions in turn:

- The audit process for Garden Bridge was not commenced by an engagement letter from the former Commissioner to the Managing Director, Planning. Sir Peter Hendy's letter to Caroline Pidgeon MBE, AM was passed to TfL's internal audit team and the scope of work for the audit was prepared by that team who subsequently issued it to the Managing Director, Planning. I attach copies of Sir Peter Hendy's letter and the scope of work for the audit. I also attach a copy of an e-mail exchange seeking the principal auditee's comments on the engagement letter. This follows the usual practice of consulting the principal auditee prior to the finalisation of the terms of engagement for an audit.
- While we would not normally consider it appropriate to disclose legally privileged advice, in the interests of transparency on this occasion, I attach a copy of the legal advice on the procurement process. As you will have noted from the audit memo, at the stage the advice was given it wasn't clear what the extent of TfL's involvement would be in the project and the advice was given on the assumption that TfL might be the delivery body for the entire project. The advice sets out a number of options for the procurement process that might be used for the selection of the design team and concludes that "a design contest or a competition through OJEU might be a suitable process." Subsequently, a decision was taken to split the procurement into two parts with the first phase being a short design exercise, to be commissioned through a tender and the second part to be procured through the existing TfL consultancy frameworks.

- I attach the file notes of meetings undertaken with the Managing Director, Planning and his team members as part of the audit fieldwork.
- The Mayor was not involved in the procurement processes. No conflicts of interest were declared by those who were involved in the procurement processes.
- TfL accepts that, as identified in the audit report, there were some instances where TfL policy and procedure with regard to communication with bidders and tender evaluation were not fully complied with but we have not identified any evidence of adverse impact on the bidders concerned.

Yours sincerely



Roy Millard
Senior Audit Manager