

London Borough of Enfield

Cabinet Member: Children's Services

Subject: West Lea School (Haselbury Campus) – Award of Contract Phase 'B'

Cabinet Member: Children's Services

Executive Director: Executive Director – People

Key Decision: KD 5054

Purpose of Report

1. This report seeks approval to award a contract to "Contractor A" for Phase 'B' The works comprise demolishing a single storey section of the existing main building, construction of a single storey extension to the existing buildings to provide additional staffroom, main hall and dining hall areas. Internal reconfiguration works to reconfigure classrooms, toilets and storerooms. Driveway reconfiguration works and other associated external works at West Lea School (Haselbury Campus) ('School').
2. To approve expenditure relating to Phase 'B' works of £2,304,992.32.as detailed in the restricted Appendix 'A' of this report.
3. To note Details of the expenditure relating to the works professional and technical fees, project contingency and Loose furniture and equipment can found in the restricted Appendix 'A' of this report.

Proposal(s)

That the Cabinet Member for Children's Services:

4. Approves the contract award to "Contractor A" relating to Phase 'B' for demolishing a single storey section of the existing main building, construction of a single storey extension to the existing buildings to provide additional staffroom, main hall and dining hall areas. Internal reconfiguration works to reconfigure classrooms, toilets and storerooms. Driveway reconfiguration works and other associated external works at West Lea School (Haselbury Campus). as further detailed in restricted Appendix 'A' of this report.
5. To approve expenditure relating to Phase 'B' works of £2,304,992.32.as detailed in the restricted Appendix 'A' of this report.
6. To note Details of the expenditure relating to the works professional and technical can found in the restricted Appendix 'A' of this report.

Reason for Proposal(s)

7. The tender from Contractor "A" is compliant and is the most economically advantageous tender.
8. Tender is below the pre- tender estimate.
9. The design has been future proofed to enable the accommodation to be reorganised should room requirements and use change.
10. Security, Health and Safety issues to be addressed with regard to pupil/visitor circulation around the school site.
11. Significant reorganisation and refurbishment to improve wellbeing, behaviour and access.
12. Poor quality surplus accommodation to be removed.

Relevance to the Council's Plan

Good homes in well-connected neighbourhoods

13. This programme will assist the Council to deliver its construction related projects and programmes which in turn help support the delivery of education services to the benefit of the community.

Sustain strong and healthy communities

14. This term contract will assist in the procurement of construction related activity within the borough and its associated employment and economic benefits. The Borough needs to ensure appropriate infrastructure is in place to allow for the growth of the population.

Build our local economy to create a thriving place

15. The provision of good quality schools and buildings helps to ensure a stable strong community.

Background

16. The update on the strategy to Approach to Delivering Pupil Places presented to November 2019 Cabinet.
17. The report set the scene for the administration's approach to the provision of school places for Enfield residents and updates the strategy for the provision of places up to the financial year 2022/23.
18. The update reflects the increasing demand pressures on provision for children who need additional high-level specialist support and that the Demand for high support provision for children with certain categories of special education need continues to increase
19. The report agreed the strategy of increasing capacity in special schools and establishments that provide education services for some of the most acute special need categories.
20. Approved delegated authority to the Cabinet Member for Children's Services to approve the adding of individual school projects and budgets to the capital programme in support of the strategy of providing additional special school places up to 2022/23 - KD 5082 - Updated School Condition and Fire Safety Programme 2020/21 to 2021/22 (Schools Capital Programme).
21. Approval has been given to the proposed programme of works including professional and technical expenses detailed in the restricted Appendix A of this report or any other emergency schemes proceeding up to the total three-year indicative Programme value of £28 million.
22. The Executive Director People to continue:
 - (i) approving tenders for individual schemes or schemes of aggregated value up to a maximum of £500,000 including professional and technical expenses;
 - (ii) manage the Programme in a flexible way within the overall budget available, to take account of variations between estimates and tender costs and the need to substitute schemes having a greater technical priority if the need arises using the tender acceptance report pro forma; and
 - (iii) allocate any contingency provision (up to a maximum of £250,000 including professional and technical expenses) to emergency projects and/or to schemes identified as priority but not yet programmed
 - (iv) That it is recommended, through this report, to reduce the schools de minimis limits to £15,000 for primary and special schools and £25,000 for secondary schools.
22. To note that a portfolio decision Cabinet Member for Children's Services will be sought in relation to the approval of tenders for any proposals

exceeding £500,000 in value including professional and technical expenses.

Main Considerations for the Council

23. The Tendering Procedure is in accordance with the JCT Practice Note 6 (Series 2) 'Main Contract Tendering' Alternative 2.
24. The tender works comprise demolishing a single storey section of the existing main building, construction of a single storey extension to the existing buildings to provide additional staffroom, main hall and dining hall areas. Internal reconfiguration works to reconfigure classrooms, toilets and storerooms. Driveway reconfiguration works and other associated external works.
25. The tender was based on the JCT Standard Building Contract with Quantities, 2016 (SBCQ). The tender documentation included: Preliminaries, Specification and Drawings, and Bills of Quantities.
26. The Tender was invited on a lump sum firm price basis.
27. The tender documents stated a contract period of 57 weeks starting 24th July 2020 and completing in 27th August 2021.
28. The tender documentation was sent to six contractors. The tender documents were issued on the 11th March 2020 and the tenders received were downloaded from the London Tenders Portal on the 1st May 2020. This was following an extension of time to the tender period from 17th April 2020.
29. Four contractors submitted priced tender documentation, during the tender period One contractor confirmed that they were withdraw and one contractor did not respond. After review of the submitted tender Contractor 'A' had submitted the most economically and advantageous tender as detailed in the restricted Appendix 'A'.

Safeguarding Implications

30. Reconfiguration of the main access road onto the West Lea site will improve vehicular and pedestrian access arrangements and to separate the current pedestrian access route from the neighbouring Haselbury school. The new and refurbished accommodation will address current sufficiency issues within the school. There are no other options that will address the safeguarding, security, safety and sufficiency issues.

Public Health Implications

31. The provision of good quality schools helps to ensure a stable, strong community.

Equalities Impact of the Proposal

32. The provision of local schools across the borough ensures quality of rights to good education provision.

Environmental and Climate Change Considerations

33. Materials shall be selected with due regard to their suitability, for purpose and performance, durability, ease of maintenance and repair, resistance to accidental or malicious damage and their environmental impact. Minimal maintenance and economical availability or replacement parts is also essential for the facility to operate smoothly and efficiently.
34. The Contractor shall use appropriate and robust material and finishes that stand up well to the prevailing weather conditions, the ingress of ground and surface water and heavy use, whilst maintaining appearance over the long term. All areas of the building must be easily and safely accessible for cleaning and maintenance whilst preventing unauthorised access. It is imperative that the building is not aesthetically affected (even if only superficially) by weather and the design, maintenance and lifecycle must ensure no breakdown in the building fabric.
35. The School (kitchen/dining hall and associated areas) shall be designed so that any failure of material and components, or failures from the maintenance regime chosen, will minimise any adverse impact upon the operation of the School.

Life Expectancy

36. The service lifespan assessment shall be as defined in ISO 15686 Part 1 Buildings and Constructed Assets – Service Life Planning, General principals. The structural and non-replaceable components for buildings shall be specified as having a life of 60 years or more. Replaceable components shall have a life appropriate to the structure.

37. The principal elements of the building structure, external envelope and external civil engineering elements shall have a minimum life expectancy at handover as set out in the table below.

Service Life Table

Building element	Service life (minimum year)
Structure/Sub-structure	60
Floor Structure	60
Roof structure	60
Roof cladding	20
External wall/cladding	40
External doors	30
Internal partitions	25
Internal finishes	15
Ceilings	25
Internal doors	30
Internal fixtures and fittings	15
Sanitary and catering fittings	20
Mechanical plant	10
Electrical plant	10
Engineering services distribution systems	10
CCTV installations	12
Fire installations	12
Security installations	12
Communication installations	12
Underground drainage	60
External finishes (i.e. tarmacked areas, hard – standings)	25
External fences	30

Risks that may arise if the proposed decision and related work is not taken

38. Urgent safeguarding issues will not be addressed and poor teaching accommodation will not be removed.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

39. The key risks to this contract related to the possible poor performance of the consultant/contractors. This risk is mitigated by robust performance/contract management.

Financial Implications

40. The total cost of works is £2,304,992.32. This will be wholly funded from central government capital grant. The table below provides the expenditure profile over the life of this scheme.

	2020/21 £'000	2021/22 £'000	2022/23 £'000	TOTAL £'000
Total expenditure	1,497,432.00	787,371.32	20,189.00	2,304,992.32

*Further expenditure breakdown is provided in the restricted Appendix 'A'.

Legal Implications

41. The Council has a general responsibility for education and to secure efficient primary, secondary and further education to meet the needs of the population in its area under Section 13 of the Education Act 1996 (as amended).
42. Section 111 of the Local Government Act 1972 further enables local authorities to do anything, including incurring expenditure, borrowing, which facilitate or are conducive or incidental to the discharge of their functions. Furthermore, the Council has the power under section 1 (1) of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. The recommendations within this report are in accordance with these powers.
43. The contract is below the EU threshold for a public works contract under the Public Contracts Regulations 2015 (currently £4,733,252). The Council must comply with the requirements of its Constitution and in particular its Contract Procedure Rules (CPRs).
44. This report constitutes a Key Decision under the Council's Constitution and, as such, must comply with the Key Decisions process, including publication in the Forward Plan
45. For contracts £1,000,000+ in value, contractors must be required to provide sufficient security in one of the forms outlined in CRP 1.18. If in the later instance, such security is deemed not to be required then the Executive Director of Finance, Resources and Customer Services must approve such a decision, with reasons and risk mitigation measures set out in the relevant authority report for the contract award (CPR 1.19).
46. All legal agreements (including all associated documentation) arising from the matters described in this Report must be in a form approved by the Director of Law & Governance. Contracts whose value exceeds £250,000 are required to be executed under seal.

Workforce Implications

47. There are no workforce implications as a result of the proposed works.

Property Implications

48. The design and build of the new teaching areas should be implemented so that it does not cause a hindrance or redesign to any new or modified school on site in the future.
49. The Planning Application 16/00938/FUL was approved at Planning Committee on 18th August 2017
50. All new or revised asset data arising out of the proposed works must be sent by the Project Manager to Strategic Property Services for input onto the Asset Management Data System, ATRIUM, including revised site plans, floor plans, asset information and maintenance regimes.
51. An inventory list of any material procured and produced will need to be kept. In the event of failure, appropriate arrangements will need to be made for these supplies to be retained and secured for the Council until a decision is made on how best to dispose of them
52. Adequate measures should be taken including the safe passage of teachers, pupils and members of the public when construction is taking place when the school is operational.

Other Implications

53. The procurement was undertaken using the London Tenders Portal (ref DN470311).
54. The Contract Procedure Rules (CPR's) state that a minimum number of 5 bids must be received. As only 4 bids were received approval to proceed to the award stage must be obtained from the Procurement & Commissioning Hub.
55. The Stage Tender Report analysis undertaken has reviewed the submitted bids and made a recommendation to award to the preferred supplier. In accordance with CPR's the P&C Hub approves to proceed to award subject to the appropriate delegated authority being obtained.
56. As the contract is over £250k the service must ensure that sufficient security has been considered.
57. The service must ensure that the authority to procure has been obtained and must be uploaded onto the London Tenders Portal.
58. The award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract.

59. The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

Options Considered

60. To do nothing is not an option as urgent safeguarding and traffic issues need to be addressed. By keeping the existing accommodation will not address school sufficiency issues and replace substandard teaching accommodation.

Conclusions

61. That the Cabinet Member for Children's Services Approves the contract award to "Contractor A" relating to Phase 'B' for demolishing a single storey section of the existing main building, construction of a single storey extension to the existing buildings to provide additional staffroom, main hall and dining hall areas. Internal reconfiguration works to reconfigure classrooms, toilets and storerooms. Driveway reconfiguration works and other associated external works at West Lea School (Haselbury Campus). as further detailed in restricted Appendix 'A' of this report.
62. To approve expenditure relating to Phase 'B' works of £2,304,992.32.as detailed in the restricted Appendix 'A' of this report.
63. To note Details of the expenditure relating to the works professional and technical can found in the restricted Appendix 'A' of this report.

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Appendices

Restricted Appendix 'A'

Background Papers

The following documents have been relied on in the preparation of this report:

1. The update on the strategy to Approach to Delivering Pupil Places presented to November 2019 Cabinet.
2. KD 5082 - Updated School Condition and Fire Safety Programme 2020/21 to 2021/22 (Schools Capital Programme).