

NOTICE OF MEETING

CABINET MEMBER SIGNING

Monday, 8th April, 2024, 11.30 am - (watch the live [here](#), watch the recording [here](#))

Councillors: Emily Arkell

Quorum: 3

1. FILMING AT MEETINGS

2. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

4. DEPUTATIONS/PETITIONS/QUESTIONS

5. BRUCE CASTLE MUSEUM - MEND AWARD OF CONSTRUCTION CONTRACT (PAGES 1 - 6)

6. EXCLUSION OF THE PRESS AND PUBLIC

Item 5 is likely to be subject to a motion to exclude the press and public from the meeting as *it* contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 and 5, namely information relating to the

financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

7. EXEMPT BRUCE CASTLE MUSEUM - MEND AWARD OF CONSTRUCTION CONTRACT (PAGES 7 - 12)

Kodi Sprott, Principal Committee Coordinator

Tel – 020 8489 2919

Fax – 020 8881 5218

Email: felicity.foley@haringey.gov.uk

Fiona Alderman

Head of Legal & Governance (Monitoring Officer)

George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 27 March 2024

Report for Cabinet schedule for 13th March 2024

Item number: TBC

Title: Bruce Castle Museum – MEND – Award of Construction Contract

Report authorised by: Jess Crowe, Director of Culture, Strategy & Engagement

Lead Officer: Chris Hill, Major Projects Delivery Manager

Ward affected: Bruce Castle

Report for Key/Non-Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 To request approval to award a contract to undertake Arts Council and Haringey Council funded refurbishment and structural works at Bruce Castle Museum and to approve issuance of a letter of intent.

2. Cabinet Member Introduction

- 2.1 TBC

3. Recommendations

For Cabinet pursuant to Contract Standing Order (CSO 9.07.1(b)) to:

- 3.1 Approve an award to Contractor A (named in Part B exempt information) up to the value of £916,147.64
- 3.2 Approve a client contingency as set out in Part B of this report which will be managed under change control procedures.
- 3.3 Approve the issuance of a letter of intent for up to 10% of the contract value, as set out in Part B of this report.

4. Reasons for decision

- 4.1 MEND (Museum Estate and Development) funding from the Arts Council was successfully granted in 2022 to undertake a major refurbishment and structural works to the East Wing of the building, which will bring a number of rooms in the museum back to their original beauty, whilst also delivering much need fire safety improvements.
- 4.2 Bruce Castle Museum is a priority within the Haringey Corporate Delivery Plan under ***High Level outcome 1: Haringey will be a place where arts, culture and heritage is***

fostered, celebrated and valued, and is woven through everything the council does.

4.2 Following the feasibility and successful funding application, a heritage focused design team were brought on board to complete the full design. This scope of the construction contract under consideration is as follows:

- Urgent Structural Works to the East Wing
- Lath and Plaster/Cornice repairs and full replacements where required
- Concealing of cables in MEND areas
- New exhibition lighting
- Upgrade to an L1 fire alarm (alarm and detector in every room, void/cupboard)
- Fire stopping improvements
- Minor internal window repairs
- Decorations

4.3 This construction award report requests a decision on the procurement of a contractor to undertake all the MEND scope of works identified, designed and approved by the project sponsor.

5. Alternative Options Considered

5.1 Do nothing – a decision not to support this award of construction contract will result in the Council's failure to suitably maintain its only Grade 1 listed building by undertaking essential structural and refurbishment improvements. This would increase the likelihood of reactive works which will create greater disruption and cost to the council and potentially result in closure of the museum. All of which would undoubtedly impact on one of the borough's cultural and publicly accessible assets.

6. Background Information

6.1 London Borough of Haringey (Haringey) are seeking to identify and address building condition issues at Bruce Castle Museum. The museum is the only Grade 1 listed building owned by the Council and dates back to the early 16th Century. The building holds significant historic importance and is one of the two largest Tudor houses remaining in the Greater London area.

6.2 Successive feasibility studies and condition surveys have been carried out over the years identifying a number of issues at Bruce Castle Museum. A successful bid for funding was achieved in November 2022 with £588,900 being contributed by the Arts Council and the remaining match funding from Haringey Council.

6.3 This refurbishment and structural improvement project will bring a number of benefits to the Museum building, its staff and the council, with the primary objective of providing essential structural repairs to ensure the building can remain open for the foreseeable

future and creating improved Museum exhibition spaces for the local community in line with Haringey's Corporate Delivery Plan.

- 6.4 Procurement of a contractor has been undertaken on a traditional basis, with the works designed to Stage 4 of the Royal Institute of British Architects (RIBA) Plan. The form of contract will be JCT Standard Building Contract with Quantities 2016.
- 6.5 As part of the RIBA stage 2-4 design the following surveys and investigations have been completed:
- Fire Risk Assessment
 - Fire Strategy
 - Fire Door survey
 - Asbestos Survey
 - Structures Survey
 - Window Survey
- 6.6 Whilst a range of surveys have been carried out in the preparation of the tender documents for this refurbishment scheme, they will never provide absolute certainty as to the condition of the building, especially given its Grade 1 listing. Therefore, a contingency has been allowed for in the budget and its use will be carefully monitored and reported upon during the projects progress.
- 6.7 A building control application and Listed Building Consent application has been submitted for the scope of works which has been examined and are both due for approval early February 2024. Significant engagement with Haringey's conservation officers and Historic England to ensure suitable design and proposals are submitted and reduce the risk of challenge and minimise conditions. Contract award will not be issued to the winning tenderer until both listed building consent and building control approval has been achieved.
- 6.8 Following completion of a full RIBA 4 design, the tender was issued to the construction market via the London Construction Programme Minor Works Dynamic Purchasing System (DPS), under the Principal Contractor Category.
- 6.10 Market engagement was undertaken during the design stages and following the agreement of a suitable procurement route, 7 conservation/heritage focused contractors were registered and enrolled onto the DPS.
- 6.11 Four tenders were received on the 12th of January 2024. Tenders were evaluated on a 40% cost, 50% quality and 10% social value. Quality was reviewed by a panel of three who were separate to the Price evaluation. The Social Value was evaluated by the Social Value Portal Team. Arithmetical adjustments were applied to the tenders during the clarification process with the result of the assessments shown below:

| Tenderer | Price Score (40%) | Moderated Quality Score (50%) | Social Value Score (10%) | Combined Cost and Quality Score | Final Ranking |
|--------------|-------------------|-------------------------------|--------------------------|---------------------------------|---------------|
| Contractor A | 40% | 48.5% | 7% | 95.5% | 1 |
| Contractor B | 30.14% | 44.5% | 3.53% | 78.18% | 2 |
| Contractor C | N/A | N/A | N/A | N/A | N/A |
| Contractor D | N/A | N/A | N/A | N/A | N/A |

- 6.12 Contractor C & D did not meet the minimum score threshold on the first case study question and their submissions were not evaluated any further.
- 6.13 Full details of the evaluation of other tenderers' returns are set out in the Part B of this report. The assessment concludes with a recommendation to award a construction contract to Contractor A (named in Part B Exempt Information).
- 6.14 All works have been specified and measured by independent design and cost consultants to ensure best value for the Council against pre-determined market rates.
- 6.15 The quantity surveyor for this project is satisfied with the pricing offered by Contractor A against the Pre-Tender Estimate (PTE) as summarised in Part B.

7 Contribution to Strategic Outcomes

- 7.1 The client project brief outlined that the project aims to contribute to Council's Corporate Delivery Plan 2022/23 and 2023/24. All projects commissioned by Officers of the Council are expected to align with this plan and will be reflected in key capital project documentation such as project briefs.
- 7.2 The relevant Borough Outcome for this project is: Culturally Rich Borough - Our vision is for Haringey to be a place where arts, culture and heritage is celebrated, inspiring our residents and visitors and connecting them to our place and each other. Arts, culture and heritage will be woven through everything the council does through from place making, to how we invest in and maintain our cultural assets, to the way we work with our schools, businesses and communities.

8. Carbon and Climate Change

- 8.1 Although this project does not focus on any fabric upgrades to the building. New energy efficient LED lighting are being proposed to the exhibition spaces as well as some floor void fire stopping/insulation in certain spaces.

9. Statutory Officers comments (Chief Finance Officer, Procurement, Corporate Governance, Equalities).

9.1 Finance

- 9.1.1 **Comments contained in Part B Exempt Information.**

9.2 Procurement

- 9.2.1 Strategic Procurement (SP) note that this report relates to an approval of an award to Contractor A to undertake refurbishment and structural works at Bruce Castle Museum
- 9.2.2 SP note that a competitive tender was launched via the LCP's Minor Works DPS. The adopted procurement procedure is in line with Contract Standing Order (CSO) 9.04.1(b) and Regulation 34 of the Public Contracts Regulations.
- 9.2.3 The Tenderers' bid submissions were evaluated in accordance with the scoring methodology contained within the published Invitation to tender document.
- 9.2.4 The preferred suppliers bid submission demonstrates value for money.
- 9.2.5 SP support the recommendation to approve the award in accordance with CSO. 9.07.1 (d)

9.3 Legal

- 9.3.1 The Assistant Director of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.
- 9.3.2 A competitive tender has been carried out using the LCP Minor Works DPS. Use of a DPS is a compliant procurement process under the Public Contracts Regulation 2015 (Regulation 34) and is also provided for in the Council's Contract Standing Orders (CSO 9.04).
- 9.3.3 The award of the contract is a Key Decision and the Council will therefore need to comply with its governance processes in respect of Key Decisions including publication in the Forward Plan.
- 9.3.4 Cabinet has power to approve the award under CSO 9.07.1. (d) (contracts valued at £500,000 or more). Cabinet also has power to approve the issuance of a letter of intent for up to 10% of the contract value.
- 9.3.5 The Assistant Director of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing Cabinet from approving the recommendations in this report.

9.4 Equality

- 9.4.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share protected characteristics and people who do not

- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

The decision is to award a contract to undertake Arts Council and Haringey Council funded refurbishment and structural works at Bruce Castle Museum and to approve issuance of a letter of intent.

This refurbishment and structural improvement project will bring a number of benefits to the Museum building, its staff and the council, with the primary objective of providing essential structural repairs to ensure the building can remain open for the foreseeable future and creating improved Museum exhibition spaces for the local community in line with Haringey's Corporate Delivery Plan.

The decision will bring benefits to all residents. Bruce Castle Museum and Archive undertake work to reach and foster good relations and understanding between residents with different protected characteristics and this decision will enable continuation of this work.

As an organisation carrying out a public function on behalf of a public body, the contractor will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above.

10. Use of Appendices

10.1 Appendix A – Part B

11. Local Government (Access to Information) Act 1995

11.1 List of background documents:

This report contains exempt and non-exempt information. Exempt information is under the following categories (identified in amended Schedule 12A of the Local Government Act 1972): Information relating to financial or business affairs of any particular person (including the statutory holding that information).

By virtue of paragraph(s) 1, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

This page is intentionally left blank