

[No.]

Agenda item

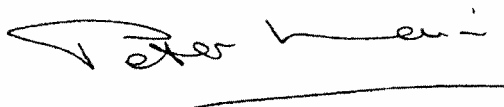
PROCUREMENT COMMITTEE

On 27th October 2009

Report Title. **Primary and Pre-School Education Advisers Framework**

Report authorised by : **Director of the Children & Young People's Service**

Signed :



Contact Officer : **David Williamson**

020 8489 2939

david.williamson.haringey.gov.uk

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose of the report

- 1.1 To seek procurement committee approval for the award of framework agreements for education advisers to support capital programmes.

2. Introduction by Cabinet Member

- 2.1 I am satisfied that the appropriate procedures have been followed and am happy to support the recommendations. I believe this approach will provide good value for money which will be of benefit to schools and thus to the young people of the borough.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Council Priorities

- 3.1.1 This framework will contribute to a number of Council policies and strategies. Of particular significance are the following:

3.1.2 The Primary Strategy for Change 2008-2020

- 3.1.2.1. Throughout the duration of this framework, there will be significant capital investment in Primary and Pre-school facilities across the borough. The framework for educational advisers will provide the added capacity needed to ensure that key principles outlined in the Council's Primary Strategy for Change are translated into the design of school buildings and ICT infrastructure.

3.1.3 Primary Strategic Vision for ICT

3.1.3.1. Future call-offs through this framework will have a significant input into the Authority achieving the vision set out in the Strategic Vision for Primary ICT

3.1.3.2. The framework will provide expertise and experience in embedding ICT within school environments and will ensure that transformation planning incorporates the ICT approach and solution.

3.2 Resources

3.2.1 Value for Money

3.2.1.1. Overall Value for money and quality will be achieved through the use of this framework. Pricing schedules will dictate the costs for various roles and these will form part of the evaluation of each mini competition.

3.2.2 Risk Management

3.2.2.1. Risks are managed within the governance of capital programmes. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes. Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance.

4. Recommendations

4.1 That the procurement committee approve the appointment of the providers listed, in Appendix A (i) of this report, to the Educational Advisers Framework

4.2 That Members agree that where awards of specific contracts under the framework agreement in excess of £250,000 are sought, this will act as a key decision and therefore items for the forward plan which must be approved by procurement committee.

5. Reason for recommendation(s)

5.1 Review

5.1.1 In September 2007 the BSF Educational Advisers Framework was appointed. This provided capacity, as and where needed, to ensure that the educational objectives of the capital investment translated into high quality design outcomes. The BSF arrangements have been successful in supporting head teachers and school staff in their dealings with architects, construction partners and other professionals, providing expert advice in a timely manner to ensure that projects meet milestones and avoid overspends.

5.1.2 This procurement seeks to establish a new framework that will build upon and extend this opportunity to primary, and pre-school projects.

5.1.3 Haringey's capital programme is seeking to establish a framework agreement of educational specialists to provide educational advice, guidance and support at various stages throughout the life of the programme. This framework will include a range of

Tenderers, with wide and diverse skills, capability and experience, and with familiarity of working in school and community settings similar to those of Haringey.

5.1.4 Due to the specialised nature of the work required, other national frameworks available did not offer the range of services needed by the programme or did not provide the value for money achieved in the secondary school programme for BSF. It was therefore decided to procure the service independently.

5.1.5 The procurement process was advertised at a local and national level, with the contract notice published on the Official Journal of the European Union (OJEU) website on 21st April 2009.

5.1.6 7 Successful applicants were Invited to Tender on 20th July 2009. Six tender responses were received. These tenders have now been assessed using the criteria outlined in the Invitation To Tender.

5.1.7 Once the framework is in place, each appointment under the framework will be awarded through a mini competition, based on the specification of the work and the tenderer's ability to provide the quality of resource, their proposed management of the work and other commercial considerations not covered in the framework bid but in accordance with the same award criteria. The successful Tenderer(s) for this piece of work will then agree a contract sum and enter into a contract for that project or for an agreed length of time.

5.1.8 The procured services will cover three main areas:

1. Managing and leading change through capital programmes
2. Transformation of ICT within schools; and
3. Specific strategy and integration areas

6. Other options considered

6.1 Prior to embarking on the procurement process, existing frameworks were explored to ascertain whether they offered the same range of skills needed to deliver the PPS programme.

6.2 None of the existing frameworks offered the breadth required.

7. Summary

7.1 This report seeks the approval of the Cabinet Procurement Committee for the award of the framework contract to the companies named in appendix 1.

8. Chief Financial Officer Comments

8.1

In order to comply with accounting regulations it is important to note that only costs which can be legitimately capitalised. In the context of this report therefore it is important to draw a distinction between those costs which directly impact on the scheme design and more general educational advice (which should not be capitalised). The Council's auditors have in the past considered carefully such distinctions when testing the legitimacy of capitalised costs and it is therefore important that, when considering the engagement of consultants under the proposed framework agreement, due regard is given to this distinction.

The costs of educational advice and guidance can be capitalised under accounting regulations, on the basis that it is "directly attributable to bringing the asset into working condition for its intended use". Careful consideration will need to be given to this when commissioning contractors. The framework can also be used to provide advice and guidance for CYPS if required through legitimate revenue streams.

9. Head of Legal Services Comments

- 9.1 The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006, allows local authorities to enter into framework agreements with service providers, and to select service providers in respect of specific projects from amongst those providers with which it has concluded framework agreements.
- 9.2 The Education Advisers framework agreement has been tendered in the EU in accordance with the Public Contracts Regulations 2006, using the restricted procedure, a tendering procedure whereby expressions of interest are invited by advertisement in the Official Journal of the EU, with a selection of the contractors who have expressed an interest being invited to submit tenders.
- 9.3 Consultants for the framework agreement have been selected based on the most economically advantageous tenders submitted, in accordance with Regulation 30 of the Public Contracts Regulations.
- 9.4 This report is recommending award of the framework agreement to the selected consultants.
- 9.5 As the total estimated value of the contracts to be awarded under the framework agreement is likely to exceed £250,000, the proposed award must be approved by Members pursuant to CSO 11.3 which provides that Procurement Committee must award all contracts valued over £250,000.
- 9.6 As the contract affects all Wards this is a Council Key Decision. Details of the proposed decision therefore have to be included in the Forward Plan, the client has confirmed that they this has been included this in the Forward Plan
- 9.7 The report is also seeking Members' approval to delegation of award of those individual consultant-appointment contracts (call-off contracts) under the framework agreement which exceed £250,000 in value, to the Director of Children's Services in consultation with the Cabinet Member for Children's Services. These contracts would usually be awarded by the Procurement Committee under CSO 11.3.
- 9.8 The Procurement Committee has the power under S.15(7) of the Local Government Act 2000 to delegate any of its powers to officers.

The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in Paragraph 4 of this report.

10. Head of Procurement Comments

- 10.1 This framework is being established to provide providers to lead on educational objectives in the design process for primary and pre-school. A similar framework has been in

place for BSF.

10.2 The framework has been advertised in the European Union due to the value of services to be provided under this framework.

10.3 The framework has been evaluated using a price/quality assessment of 20/80%

10.4 Each project or programme of projects will be let by further mini competition.

10.5 The Head of Procurement acknowledges the recommendation to award and delegate in paragraph 4 and within paragraph 3 in Appendix A.

11. Equalities and Community Cohesion Comments

11.1 Providers on the framework have been required to show that they will deal with inclusion issues as a core element of their work and to show examples of what they have done in similar Authorities elsewhere.

11.2 All suppliers have been evaluated in line with the Council's Equalities Policy

12. Consultation

12.1 The Construction Procurement Group has been consulted in the preparation of this report.

12.1.1 The establishment of the framework agreement will provide the capacity to enable continued and wider high-quality consultation through the stages of design development, construction and ICT implementation, to listen to and respond to the voices of young people, their parents and the local community.

13. Service Financial Comments

13.1 Budgetary provision for Education Advisory costs for the Primary and Pre- School capital programme is included within the approved CYPS capital programme within the overall budget for programme delivery.

13.2 The approved budget for the Primary programme delivery for 09/10 is £1.2m in total, and is sufficient to cover all planned programme management and advisory costs, including the Education Advisory costs which are the subject of this report.

14. Use of appendices /Tables and photographs

14.1 Appendix A- Exempt Information

15. Local Government (Access to Information) Act 1985

15.1 The following documents were used in the compilation of this report:

15.2 The Council's Standing Orders

15.3 Appendix 1 of this report contains exempt information and is **not for publication**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).