

**Part A**

<b>Report for:</b>	<b>Cabinet 17 March 2015</b>	<b>Item Number:</b>	
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<b>Title:</b>	<b>Riverside School, Art and Music , Award of contract for Phase 2</b>
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<b>Report Authorised by:</b>	<b>Jon Abbey, Interim Director for Children's Services</b>
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<b>Lead Officer:</b>	<b>Niall Tallis, Senior Project Manager, Property and Capital Projects</b>
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<b>Ward(s) affected: Woodside</b>	<b>Report for Key Decision</b>
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**1. Describe the issue under consideration**

- 1.1. This Cabinet item is to request approval to award a contract for construction of Art and Music curriculum facilities at Riverside Special School.
- 1.2. This contract is to be awarded on the basis of the most economically advantageous tender.
- 1.3. This paper seeks approval to award the contract to MBS Contracting Services Ltd for Construction works in the amount of £877,427.45 for a contract period of 20 weeks.
- 1.4. In addition, if Cabinet sees fit to approve the award of the contract, this authority includes approval for the Project Manager to instruct Haringey Council Legal Services to issue a Letter of Intent permitting orders to be raised by MBS Contracting Services Ltd with their supply chain; up to and not exceeding 10% of the contract sum as allowed under CSO 9.07.3 whilst formal works contracts are being prepared.



## **2. Cabinet Member introduction**

- 2.1. Pupils at Riverside School, a secondary special school, need easy access to art and music facilities which are both invaluable in their education. Their current shared use of the two designated rooms in Woodside High, has become more difficult now that Woodside has become an academy and the provision of new purpose built facilities on their own premises and with easy access will make their lives much easier and enable them to thrive and achieve.
- 2.2. The contractor for this construction project has been procured in accordance with Haringey Council procedures and the budget, already allocated for next year comes from the Secondary School lifecycle fund.
- 2.3. The award of this contract under consideration will deliver appropriate curriculum facilities for children with special needs.

## **3. Recommendations**

- 3.1. The recommendation is to appoint MBS Contracting Services Ltd in the amount of £877,427.45 for a contract period of 20 weeks. This will allow for delivery of the project by October 2015.

## **4. Alternative options considered**

- 4.1. The authority procured the contractor via Constructionline. The authority considered use of LHC School and community building framework for award of this contract. Upon consideration, the LHC framework was considered not suitable for this size of project. The authority also considered the iESE contractors framework. This was unsuitable due to the predicted value of the contract being less than £1m.

## **5. Background information**

- 5.1. Riverside is a secondary special school, which accommodates 120 students. The original curriculum and school organisational vision for Riverside School was dependent on the use of Building Schools for the Future (BSF) funded rooms and spaces in Woodside High School – which was then a local authority School. The two specific rooms funded by BSF were the Riverside Art Room and the Riverside Music Room, both located in Woodside High School, ‘Cedar’ block. This project facilitates expansion of Woodside High School as the previous Riverside facilities will be used by Woodside.
- 5.2. These two specific well used curriculum rooms from July 2015 are being subsumed into the Woodside High School (academy). Haringey Council are seeking to deliver Art and Music curriculum facilities for the students of Riverside School within the grounds of the school itself. Art and Music facilities provide key curriculum and therapeutic learning experiences for Riverside students and form one of the fundamental platforms for student Development.



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- 5.3. Students' involvement in music, especially those with learning disabilities, engages, increasing their self-esteem, and maximising their progress in education and not just in music. The project supports the positive impact music can have on personal and social development.
- 5.4. Art and design is also a critically important curriculum area for students with difficulties and disabilities of all kinds, identifying previously hidden abilities they may possess and providing opportunities for enjoyment and achievement that can be missing from other areas of the curriculum. At Riverside students explore the language and meaning of art and design through engaging in a comprehensive curriculum spanning a spectrum of ability levels. Sensory based therapeutic activities are important for students with Profound and Multiple Learning Disabilities (PMLD) where students experience light, textures and colour. The design of the new facilities aims to support this vision by providing bespoke spaces for these therapies.
- 5.5. At the planning stage review group meeting, the procurement of the construction resources was agreed to be split into an enabling project (phase 1) and a main works package (phase 2) in order to minimise disruption to the schools and create a decant area for the children affected by the project. This item covers appointment of the second phase contractors. The scope of this work will be to construct Art and Music facilities on the front elevation of the school on land that is owned and controlled by Haringey Council thus ensuring continued access to important learning resources for Riverside students.
- 5.6. A contract to carry out phase one of this project was awarded under delegated authority on 10 February 2015. The first phase enables this project to take place with as little disruption to Riverside and the neighbouring school as possible. The scope of the first phase is to build a replacement classroom to a rear open terrace, works are expected to commence in March 2015.
- 5.7. The companies invited to tender were generated from Constructionline, a government managed UK register of pre-qualified construction companies. Companies were identified to undertake the construction works as identified in the tender documents drafted by Playle and Partners. Following discussion with Haringey Procurement, the tender was assessed on the basis of 60% quality and 40% price. MBS Contracting scored a total of 94.8%, scoring top for both price and quality.

5.8. Final Quality and Price assessment was as follows:

No.	Contractor	QDP (Max 60%)	Price (Max 40%)	Total
1	MBS Contracting Services Ltd	54.80%	40.00%	94.80%
2	Contractor D	43.60%	38.19%	81.79%
3	Contractor A	41.20%	37.61%	78.81%
4	Contractor C	40.20%	37.33%	77.53%
5	Contractor B	41.20%	33.50%	74.70%

## 6. Comments of the Chief Finance Officer and financial implications

- 6.1. The initial budget estimate for the project was £1m. Following development of the design and competitive tender of this project as two separate construction contracts, the current total estimated project cost is £1.317m.
- 6.2. Funds have been allocated to this project in the approved CYPS capital programme for 2015/16. A virement from the programme's contingency reserve will be made to cover the total projected cost of £1.317m.
- 6.3. The project will be financed from the Secondary School lifecycle fund. This fund is built up from DfE revenue grant received each year. It is available for use at the Council's sole discretion for priority projects at the Council's remaining community secondary schools, including Riverside School.

## 7. Comments of the Assistant Director of Corporate Governance and legal implications

- 7.1. The Assistant Director of Corporate Governance has been consulted in the preparation of this report, and makes the following comments.
- 7.2. This report is seeking approval to award a contract for Phase 2 of the construction of Art and Music facilities at Riverside School to MBS Contracting Services Limited.
- 7.3. The contract is below the threshold where a tendering exercise in Europe is required under the Public Contracts Regulations 2006 (as amended).
- 7.4. The business unit has invited tenders from five organisations registered with Constructionline, a UK register of pre-qualified construction services contractors. This is in compliance with the Council's Contract Standing Orders.
- 7.5. The value of the proposed contract exceeds £500,000 therefore the award requires the approval of the Cabinet in accordance with CSO 3.01 (b).



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- 7.6. The award of the contract is a Key Decision and, as such, needs to be included in the Forward Plan. The business unit has confirmed that this has taken place.
- 7.7. The Assistant Director of Corporate Governance confirms that there are no legal reasons preventing Cabinet from approving the recommendations in this report.

### **8. Equalities and Community Cohesion Comments**

- 8.1. Policy and Equalities Team have been consulted in the preparation of this report and have commented as follows:
- 8.2. This award of contract has been subject to a competitive tender process and is in line with the Council's procurement strategy and procedures which are informed by the Council's Equal Opportunities Policy and have equal opportunities considerations at all their key stages.

### **9. Head of Procurement Comments**

- 9.1. The contractors have been selected from Constructionline, (a government managed UK register of pre-qualified construction services database).
- 9.2. The tender has been prepared and tendered on a quality/price basis of 60% quality and 40% price and evaluated as the most economically advantageous tender for this award.
- 9.3. The selected contractor as referenced in paragraph 3.1 represents best value for money for the Council.

### **10. Policy Implication**

- 10.1. The project supports Haringey's key priorities principally;
- To make the borough outstanding for all - enabling all Haringey children to thrive.
  - Work with schools, early years and post 16 providers, to deliver high quality education for all Haringey children and young people
  - Enable every child and young person to thrive and achieve their potential.

### **11. Reasons for Decision**

- 11.1. To complete the construction of art and music facilities at Riverside school to ensure continuing delivery of an important curriculum area.
- 11.2. To enable the project to move forward within critical timescales.

### **12. Use of Appendices**

n/a.

### **13. Local Government (Access to Information) Act 1985**

- 13.1. This report contains exempt and non-exempt information. Exempt information is under the following category (identified in amended Schedule 12A of the Local Government Act 1972). S (3) Information relating to financial or business affairs of any particular person (including the authority holding that information).