
Executive Procurement Committee

TUESDAY, 17TH APRIL, 2007 at 18:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Mallett (Chair), Meehan, Diakides and Haley

AGENDA

6. CORPORATE LEARNING AND DEVELOPMENT PROGRAMME (PAGES 1 - 8)

(Report of the Assistant Chief Executive – People and Organisational Development)
To propose a framework contract covering all learning and development activities, including courses, that are applicable across the Council.

10. EXPANSION OF COLERIDGE PRIMARY SCHOOL FROM TWO FORM TO FOUR FORM ENTRY (PAGES 9 - 20)

(Report of the Director of the Children and Young People's Service) To seek approval to enter into pre-construction negotiations with a contractor to enter into a contract for refurbishment and construction works to provide a new teaching block and ancillary spaces at the existing TUC site adjacent to the existing Coleridge Primary School.

14. CORPORATE LEARNING AND DEVELOPMENT PROGRAMME (PAGES 21 - 32)

(Report of the Assistant Chief Executive – People and Organisational Development)
To propose a framework contract covering all learning and development activities, including courses, that are applicable across the Council.

17. EXPANSION OF COLERIDGE PRIMARY SCHOOL FROM TWO TO FOUR FORM ENTRY (PAGES 33 - 38)

(Report of the Director of the Children and Young People's Service) To seek approval to enter into pre-construction negotiations with a contractor to enter into a contract for refurbishment and construction works to provide a new teaching block and ancillary spaces at the existing TUC site adjacent to the existing Coleridge Primary School.

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Report Title: **Corporate learning and development programme: Framework agreements (Part A)**

Forward Plan reference number (if applicable): **N/A**

Report of: **Stuart Young, Assistant Chief Executive P&OD**

Ward(s) affected: **N/A**

Report for: **Non-Key Decision**

1. Purpose

1.1 To seek Member agreement to approve framework agreements with suppliers for the provision of corporate learning and development programmes.

2. Introduction by Executive Member

2.1 Effective learning and development activities for Council employees are critical to the achievement of the Council's aims and objectives. Organisational Development and Learning (OD&L) are responsible for commissioning learning and development, including courses and other activities. It is proposed that such activities are supplied through a series of framework agreements. This will help to ensure value for money, flexibility and quality. I fully support the recommendation to set up the framework agreements as outlined at para 3.1 and 3.2 of this report.

3. Recommendations

3.1 That Members agree to enter into framework agreements with the suppliers detailed in para 9.12 of the Report as identified in part B of this report as allowed under Contract Standing Order (CSO) 11, to the suppliers with the highest scores as identified in Part B of this report.

3.2 That the agreement be awarded for a period of two years with an option to extend for two further periods of one year on the basis detailed in the report.

Report Authorised by: **Stuart Young, Assistant Chief Executive P&OD**

Contact Officer: Karen Rowing, OD&L Manager, tel 0208 489 1093 email karen.rowing@haringey.gov.uk

4. Executive Summary

- 4.1 This report describes the process to place suppliers onto a number of framework agreements to supply learning and development courses and activities for the council. The agreements will run from May 07 for two years with an option to extend for one year, twice. The indicative value for all the agreements over four years is £500,000. They will be funded through OD&L's budget and Directorate budgets.
- 4.2 The use of the framework agreements will bring about benefits through; greater consistency in suppliers delivery and performance and, through mini competitions, regular market testing.

5. Reasons for any change in policy or for new policy development (if applicable)

- 5.1 N/A

6. Local Government (Access to Information) Act 1985

6.1 Procurement Committee Report –17 April 2007. The following background papers were consulted in the preparation of this report:

- Contract specification and other contract documentation
- Pre qualification questionnaires returned by potential tenderers
- Tender and tender support documents returned by tenderers
- Evaluation assessments and other relevant papers and files
- Report to CEMB 16 January 2007 "Council wide short course learning and development programme – evaluation and way forward"
- Report to CEMB 27 March 2007 "Evaluation of four council wide learning and development programmes 2006/07"

This report contains exempt and non-exempt information. Exempt information is contained in Part B 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)

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

6.2 See Part B for exempt information.

7. Background

- 7.1 The aim of the Corporate Learning and Development Programme is to make a major contribution to the councils objective to become an excellent authority. It will do this by supporting the development of employees and ensuring that they

have the right skills, knowledge and behaviours required to do their jobs, now and in the future.

7.2 It is believed that opportunities exist for improvements to the ways in which expenditure on learning and development across the council is managed and monitored. A more controlled and centralised approach to procurement and management in these areas will lead to cost savings as well as greater visibility and better management of expenditure.

7.3 The aim of the tender is to identify and implement cost savings through the process used to access learning and development activities across the council. The approach is to introduce framework agreements, covering all learning and development activities, including courses, that are applicable across the council (ie excluding areas such as specialist, technical and professional training). The framework agreements cover five Lots:

- Short courses to support the newly developed Competency Framework, (Lot 1)
- IT training for standard MS office based applications or upgraded equivalents (Lot 2)
- Accreditation of development programmes for which ILM is a component (eg Aiming High, Graduate programme, Leadership programme) (Lot 3)
- Facilitation of workshops and other team based activities based in the directorates (Lot 4)
- The diagnostic, design and delivery of programmes cutting across the organisation (Lot 5)

7.4 Lots 1,4 and 5 are frameworks for multisuppliers and contain a process for call off or mini-competition. Lots 2 and 3 are frameworks for single suppliers and contain a process for call-off.

7.5 The framework agreements will run for an initial period of two years, starting in May 2007. At the end of this period (May 2009) and again in May 2010 the Council may decide to exercise an option to continue the frameworks for another year. These decision will be taken on the basis of the suppliers' performance and continued ability to demonstrate value for money for the services they provide.

8. Budget

8.1 The anticipated budget for the work delivered by this tender, over the four years of the agreements, is £500,000.

8.2 Most centrally provided courses will be paid for out of OD&L budget, which is charged to Directorates in proportion to their headcounts.

8.3 The cost of centrally provided IT courses is recharged to Directorates at a fixed rate per attendee.

8.4 Directorates will pay for services that they order for themselves under the framework agreements.

9. Description of Procurement Process

- 9.1 A restricted tender process was followed in accordance with Contract Standing Orders.
- 9.2 At the end of January 2007 an advert inviting expressions of interest appeared on the Haringey Website, and was posted to BiP Solutions (www.bipsolutions.com) who manage and host interactive portals including supply2gov (www.supply2gov.uk). The advert also appeared in Muswell Hill Journal, the Hornsey & Crouch End Journal and the Tottenham, Wood Green & Edmonton Journal.
- 9.3 193 pre-qualification questionnaires (PQQs) were sent out in response to requests received. 73 completed PQQs were returned.
- 9.4 The PQQs were assessed according to the following criteria: organisation; capability; quality; environmental/sustainability; financial status/legitimacy; diversity; health and safety. The PQQs were evaluated by Organisational Development and Learning, Corporate Procurement, Health and Safety, Equalities and Diversity and Finance.
- 9.5 The 25 potential suppliers who satisfied the criteria were invited to submit tenders. Bids were sought on the basis of the most economically advantageous tender and not simply the lowest tender.
- 9.6 20 valid tenders were received by the deadline, 1700 on Friday 24 March. One tender could not be considered because it was returned without using the standard return label and was opened before the deadline. The tenderers are listed in part B.
- 9.7 The tenders were assessed using the Council's agreed tendering process and in compliance with Council Standing orders. The following criteria were used:
- | | |
|--|-----|
| Understanding the Council's requirements | 15% |
| Technical ability | 15% |
| People | 15% |
| Working arrangements | 5% |
| Added value | 10% |
| Price | 40% |
- Each of these criteria was judged on the following scale
- 1 – below expectation
 - 2 - approaching expectation
 - 3 – meets most expectation
 - 4 – meets all expectations
 - 5 – exceeds most expectations
- 9.8 The marks (out of 500) were as shown in Part B. The highest performing tenderers in each lot were invited for interview to enable the Council to discuss and confirm their markings.
- 9.9 Only one supplier tendered for Lot 3. Their submission did not meet our requirements.

9.10 Interviews were held on 29 and 30 March. The interview panel included officers from Organisational Development and Learning; Urban Environment; Corporate Finance; Adult, Culture and Community Services; and Children and Young People's Service.

9.11 At the interviews each of the tenderers was asked the same set of standard questions to help check whether they could justify the marks that had been awarded on the basis of their method statements. As a result of their answers to these questions (and individual follow-up questions which were used to ensure that each of the tenderers had every opportunity to fully explain their answers to the standard questions) it was agreed by the interviewing panel that, in a number of cases, the original paper based marks should be adjusted, to reflect the actual practise of the organisations. This has all been documented to ensure a transparent process.

9.12 As a result of the interviews:

- six suppliers (D, F, I, M, S,T) were selected for Lot 1 ;
- one (N) for Lot 2;
- five (D, F, I, S,T) for Lot 4
- and four (D,F,I,S) for Lot 5.

Their schedules of rates are shown in Part B.

10. Key Benefits and Risks

10.1 Comprehensive learning and development activities are key to excellence. The aim of this procurement exercise was to source a range of suppliers who, between them, will provide a range of high-quality learning and development services, across the Council, at competitive rates

10.2 Framework agreements applied across the whole Council will lead to greater consistency in the way that learning and development is sourced, managed and monitored (both for performance and cost).

10.3 Tenderers were asked to provide schedules of rates that included discounts for quantities of days delivered. This gives potential for cost savings over the life of the agreements.

10.4 Although every effort has been made to derive frameworks that will meet the needs of Council for next four years, there may be occasions when completely new types of L&D are required which the framework agreements will not supply. In these cases, there will be a need to source externally again.

11. Contract and Performance Management

11.1 In Lots 1,4 and 5 work will be allocated under the framework by call-off and (if required) by mini-competition. Mini-competitions will be run according to the following process:

- all capable providers will be invited to submit competitive bids against a statement of requirement.
 - all bids received will be evaluated on the basis of the most economically advantageous tender and against pre-determined criteria, notified at the time of the invitation to tender.
- 11.2 Expenditure against the framework agreements will be monitored by OD&L and Corporate procurement
- 11.3 Requests to use new suppliers to provide services covered by the frameworks will not be granted,
- 11.4 All suppliers on the frameworks have their own quality management systems
- 11.5 OD&L will collect and monitor feedback from participants on all courses and other activities provided under the frameworks.
- 11.6 OD&L will meet regularly with suppliers to discuss their performance

12. Summary and Conclusions

- 12.1 The report describes the process and results of the Corporate Learning & Development programme tender. The suppliers who have been selected onto the frameworks will provide high quality, value for money services for a period of up to four years.

13. Recommendations

- 13.1 That Members agree to award the agreements for the corporate learning and development programme to the contractor(s) named in Part B Appendix [number] in the sums named in Part B Appendix [insert number/letter].

14. Equalities Implications

- 14.1 In the Equality Public Duty Scheme recently adopted by the Council, the Council is committed to promoting equality through procurement.

- 14.2 The Council seeks to do this in three fundamental ways:

- i. **Equality of opportunity to Council contracts.** The aim is to open up the supply chain so that all potential suppliers who are interested have the opportunity to tender through a process that is fair, transparent and accessible to all. (Equality Scheme, para 5.11 – 5.11.1)

In regard to the proposals in this report, the advert inviting an expression of interest was publicised in a range of outlets to attract as much range and diversity of potential suppliers as possible. Local Haringey journals were also used in order to attract potential local suppliers who might be interested.

The evaluation criteria and process were also made available to bidders. The highest performing tenders were interviewed and given the opportunity to present their proposals and answered questions on their submissions, and their performance evaluated against the same criteria and ratings. The requirements of accessibility, transparency and fairness are therefore satisfied in accordance with the council's Equality Scheme in respect of procurement.

- ii. **Influencing (promoting equality with) the people we do business with.**
The aim is to ensure that we continue to operate a tender process embedded with equalities criteria that are part of the Pre-Qualification Questionnaires (PQQ) and in contract performance monitoring. The PQQ was used in regard to this tender evaluation, thus complying with the Equality Scheme in respect of procurement.
- iii. **Taking account of equalities issues when drafting contact specifications.** The aim is to ensure that good, services or works provided on behalf of the Council not only meet the fit-for-purpose and value-for-money criteria but also meet the needs of Haringey service users in all their diversity and reflect the Council's commitment to equal opportunity. We expect therefore that the eventual provider will supply training programmes that will have equalities considerations as essential components.

15. Health and Safety Implications

- 15.1 Failure to provide systems that ensure appropriate training to Council employees will increase the risk of work related sickness and accident absence loss.

16. Sustainability Implications

- 16.1 All the recommended suppliers have policies for the sustainable use and disposal of materials.

17. Financial Implications

- 17.1 The cost of this contract will be funded through existing OD&L budget and Directorate budgets as stated in 4.1. There are no other financial implications.

18. Comments of the Director of Finance

- 18.1 The Director of Finance has been consulted on this report and has no further comments to make

19. Comments of the Acting Head of Legal Services

- 19.1 The Council's People and Organisational Development Directorate ("the Directorate") wishes to set up framework agreements for the provision of corporate learning and development services.
- 19.2 The service is a Part B service under the Public Contracts Regulations 2006 and, as such, it was not necessary to advertise the services in Europe.
- 19.3 The Directorate carried out a tender exercise using a restricted tender procedure in accordance with Contract Standing Order 8.03 (c).

- 19.4 The services were tendered on the basis of establishing framework agreements under which subsequent awards of contract may be made, either by way of call-off or mini-competition.
- 19.5 The Directorate now wishes to award framework agreements to the contractors named in Part B of the report .
- 19.6 The awards are based on most economically advantageous tender in accordance with Contract Standing Order 11.01 (b).
- 19.7 Because of the value of the framework agreements, any award must be approved by the Procurement Committee in accordance with Contract Standing Order 11.03
- 19.8 The Acting Head of Legal Services confirms that there are no legal reasons preventing Members from awarding the framework agreements.

20. Comments of the Head of Procurement

- 20.1 The recommendation's in this report are in line with the Procurement code of practice.
- 20.2 The recommendations represent best value to the council as the framework agreements allow for current and future needs within the specified lots to be met, from within the framework agreements.
- 20.3 Contract management arrangements are identified within the report to ensure that any contractual non compliance is identified by the council and brought to the attention of the supplier to rectify.
- 20.4 The risk of contract failure is mitigated by the use of the Framework agreements and its multiple suppliers.

21. Use of Appendices / Tables / Photographs

- 21.1 Part B of this report contains exempt information.

HARINGEY COUNCIL

Agenda item: **[No.]**

Report to Procurement Committee 17 April 2007

Report Title: **Expansion of Coleridge Primary School from two to four form entry.**

Forward Plan reference number (if applicable): N/A

Report of: Steve Barns – Interim Head of Property and Contracts

Ward(s) affected: **Crouch End**

Report for: key decision

1. Purpose

1.1 This report seeks Member approval for award of a contract in principle to the contractor named in part B of this report to enter into a contract for refurbishment and construction works to provide a new teaching block and ancillary spaces at the existing TUC site adjacent to the existing Coleridge primary School.

1.2 In addition this report seeks Member approval to grant the Director of The Children and Young People's Service delegated authority to complete the contract in accordance with the terms of the Framework Agreement and to finalise a Contract Price not exceeding the Agreed Maximum Price as stated in Part B of this report.

2. Introduction by Executive Member

2.1 The Executive Member concurs with the conclusions of this report.

3. Recommendations

3.1 That Members agree to award the contract in principle for the construction works to the contractor named in part B of this report, as allowed under Contract Standing Order CSO 11.03

3.2 That Members agree to grant the Director of The Children & Young People's Service delegated authority to finalise the contract price with the Contractor named in Part B of this report in accordance with the terms of the Framework Agreement, the price not to exceed the Agreed Maximum Price as stated in Part B of this report..

Report Authorised by: Sharon Shoesmith

Director of The Children and Young People's Service

Signature:

Contact Officer: Peter Gudge, Project Manager (CYPS)

(Tel. 020 8489 5905)

4. Executive Summary

- 4.1 London Borough of Haringey has identified Coleridge Primary School as requiring expansion to service the increased pupil numbers in the area.
- 4.2 Contractor selection is from the Framework Agreement (over £3.8m value band).
- 4.3 Agreement has been reached on construction site establishment & management costs, contractors design costs and contractors Overheads & Profit in accordance with the Framework Agreement.
- 4.4 Agreement of the works cost will be achieved by competitive tendering of the supply chain as described within the Framework Agreement.
- 4.5 Funding has been agreed by the Executive.
- 4.6 This report seeks the approval of Members to award the contract in principle to the Contractor named in Part B of the report.
- 4.7 The report also seeks delegated authority for the Director of The Children and Young People's Service to finalise the contract price with the contractor named in part B of this report (in accordance with the framework agreement) not exceeding the Agreed Maximum Price. The reason for this request is outlined fully in paragraph 13.4 of this report.

5. Reasons for any change in policy or for new policy development (if applicable)

- 5.1 N/A

6. Local Government (Access to Information) Act 1985

- 6.1 List of background documents:
 - Framework Agreement for Major Works, January 2006 (Band over £ 3.8 million)
- 6.2 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).

7. Background

- 7.1 Coleridge Primary School is a popular and successful school in Crouch End currently with nursery provision and two forms of entry totalling around 450 pupils.

7.2 Due to a high demand for school places in the area the school is to expand to four forms of entry to accommodate a total of 870 pupils from Nursery to Year 6.

7.3 The accommodation currently comprises single storey accommodation constructed in the 1960's. Externally there is a playground area although the existing site has limited capacity for expansion.

7.4 The new scheme is to be carried out in 3 Phases.

- Phase 1 – provision of temporary accommodation to the existing site to allow a new intake in September 2007
- Phase 2 – redevelopment of the existing TUC site adjacent to the existing school site to provide a new teaching block, ancillary spaces and playground areas for Key Stage 1
- Phase 3 - extension of the existing accommodation to provide permanent increased capacity for Key Stage 2

This report relates only to the construction works required under Phase 2 of the project i.e. redevelopment of the existing TUC site

7.5 The Children & Young People's Service is project managing this project. Nicholas Hare & Partners LLP was appointed as lead designer in summer 2006 from the Haringey design framework and the Contractor has been selected via the construction Framework Agreement. The works are being procured utilising a two stage approach under the framework agreement which is detailed under section 9.

7.6 Planning and Building Control approval has been received.

7.7 The key decision is included in the March Forward Plan Version 58 (15 March – 14 July 2007) and The April Forward Plan Version 59 (15 April – 14 August 2007)

8. Budget

8.1 This information is exempt refer section 8.1 of Part B.

8.2 This information is exempt refer section 8.2 of Part B.

8.3 This information is exempt refer section 8.3 of Part B.

9. Description of Procurement Process

9.1 Framework Agreement

- 9.1.1 The Construction Procurement Group (CPG) has recently implemented a number of framework agreements for the selection of contractors and consultants. The principles of the framework agreements are described below.
- 9.1.2 Following an Official Journal of the European Union compliant process contractors have entered into a framework agreement with Haringey Council. The framework agreement selection process comprises an evaluation process measuring both financial and non financial aspects of a large number of contractors. The framework agreement process has resulted in a small number of pre-approved contractors for different project value bands. The framework agreement contractors can be awarded projects via two basic methods:
- A 'call off' process, whereby one contractor is selected and prices works based on a pre-agreed Schedule of Rates or on the basis of open book pricing of the supply chain
 - A 'mini-competition' whereby all suitable contractors from a framework agreement undertake a competition
- 9.1.3 The key cost information contained within the framework agreement is a) the contractors percentage uplifts for Overheads & Profit and b) pricing models for site establishment and construction management costs.
- 9.1.4 Qualitative information has been obtained in procuring the framework agreement contractors. The framework agreement also anticipates further evaluation of both pricing and qualitative aspects for specific projects where the scale or complexity merit this further competitive process.
- 9.1.5 The required works for this project are both large and complex and the timescale for delivery is challenging. The procurement strategy for the works has reflected this by adopting an approach and contract form that involves the contractor in the final design process and passes both final design detailing and programme risk to the contractor on execution of the contract.
- 9.1.6 It was agreed with CPG that due to both the scale and nature of the works this project would benefit from a mini-competition rather than a single contractor selection.
- 9.1.7 The procurement process for this project comprises a two stage process:
- Stage 1- selection of preferred contractor based on prices contained within the Framework Agreement for Site establishment & construction management costs, contractors design costs and overhead & profit recovery together with evaluation of the quality of their bid by reference to a project specific submission and an interview.
 - Stage 2 – Development of design and pricing through competitive tendering of the supply chain.

9.2 Stage 1 evaluation

- 9.2.1 This project falls under the Major Works (over £3.80m) band in the framework agreement and there are 9 contractors within this band. An evaluation of the suitable framework agreement contractors to deliver this type of work under the proposed contract arrangement was carried out by CPG and members of the

project team on 8th March 2007. This evaluation was based upon an examination of the prospective tenderers' specific experience of delivering projects of this nature.

9.2.2 As a result of this analysis a tender list comprising 8 suitable companies was compiled

9.2.3 Tender documentation was issued to the selected 8 tenderers on 8th March 2007. Tenders were received on 26th March 2007 and opened on 27th March 2007.

9.2.4 The evaluation criteria were clearly set out within the tender documentation and comprised an evaluation breakdown as follows

- 40% Quality of submission
- 20% Interview (if called)
- 40% Price

9.2.5 Tenderers were requested to provide a qualitative submission addressing the following key areas.

- Construction works register
- Management Structure and personnel
- Works packages breakdown
- Design co-ordination proposals
- Health & Safety Plan
- Proposals for car parking
- Proposals for siting huts and welfare facilities
- Proposals for wheel washing, haul roads and other site facilities
- Security arrangements
- Proposals for temporary works, scaffolding and craneage
- Site induction arrangements
- Proposals for waste management

9.2.6 3 members of the Project Team and an Officer from CPG evaluated the tenderers' qualitative submissions.

9.2.7 The scores of the qualitative submission were combined with the financial evaluation (exempt see Section B) to determine which tenderers would be called for interview. The tender documentation clearly states that not all tenderers would necessarily be called for interview.

9.2.8 The tender interviews were held with the four highest scoring tenderers on 30th March at Coleridge Primary School. The interview panel comprised the Head teacher and Deputy Head teacher of Coleridge Primary School, an officer from the Children's and Young People's service and 3 members of the Project Team.

9.2.9 The result of the combined qualitative and price evaluation score (exempt see Section B) indicates that the contractor named in part B of this report is the most suitable to deliver the project to the required cost time and quality constraints having scored consistently high in all elements of the evaluation.

9.3 Stage 2 process

- 9.3.1 Following Committee approval the contractor will attend a meeting with both the cost consultant and CPG to agree the scope of all of the packages of work and suppliers which are to be sub contracted to the contractor named in part B of this report.
- 9.3.2 The contractor named in part B of this report will procure prices for these packages of work by tendering in the open market to selected sub-contractors and suppliers as agreed with the cost consultant and CPG. Tendering processes for sub-contractors and suppliers will comply with CSO's and the Framework Agreement.
- 9.3.3 In the event that the contractor named in part B of this report intends to carry out any of the works utilising their own labour they will tender such elements against alternative sub-contractors or suppliers.
- 9.3.4 The agreed Contract Sum will comprise the following
- Site establishment and Construction Management Cost (as Stage 1 tender)
 - Provision for design completion and design risk (as Stage 1 tender)
 - Aggregated value of sub-contract and suppliers tendered packages obtained at Stage 2
 - Percentage additions for overheads and profit contained within the Framework and resubmitted at Stage 1
 - Provisional Sums for areas of risk that cannot be foreseen at Stage 2
- 9.3.5 The form of contract that will be used is the "Standard Form of Contract 2005 With Contractors Design" published by the Joint Contracts Tribunal (JCT). This form of contract places the majority of the risk with the contractor following execution of the contract. The defects liability period is 12 months.

10 Consultation

- 10.1 Extensive consultation has been carried out with the end users in arriving at the agreed layouts and in addition an open event was held to invite comments and debate. Children & Young People's Services, Governors, the school head, teachers and school staff have all had input in agreeing the schemes. Information and feedback from the consultation event was collated and incorporated in the final layouts and designs.

11 Key Benefits and Risks

- 11.1 Benefits: Coleridge Primary School is a high performing school that is heavily oversubscribed. Demographic pressures are increasing this problem. The pressure for places in the local area is leading to children travelling outside their local area and out of borough. The expansion will relieve this pressure within the local area.
- 11.2 Risks:

- The first four form entry is taking place in September 2007 and Phase 2 of the works (TUC Site) must be complete by September 2008 for the next year's intake.
- Expectation within the School and local community is high and communication to ensure expectations are met is essential.

12 Contract and Performance Management

12.1 Contract and performance management will be overseen by the project manager appointed to work with the CYPS, with advice and support from the Construction Procurement Group.

13 Summary and Conclusions

13.1 In order to facilitate the expansion of Coleridge Primary School from 2 to 4 form entry the existing TUC site adjacent to the existing school has been purchased for redevelopment.

13.2 Selection of a contractor to carry out the main works has been carried out in compliance with CSO's and the Construction Framework Agreement developed by CPG.

13.3 The contractor named in part B of this report have demonstrated by evaluation of both financial and non financial measures their suitability to execute the works within the required timescales and financial constraints.

13.4 The contractor named in part B will develop the design and procure the works competitively leading to a firm price. In order to avoid any delay following completion of the first stage this report seeks delegated authority to finalise the contract price as the May committee will be convened before finalisation of the contract price and the June committee is too late to enable a commencement date commensurate with completion to enable four form intake in September 2008.

14 Recommendations

14.1 That Members agree to award the contract in principle for the construction works to the contractor named in part B of this report.

14.2 That Members agree to grant the Director of The Children & Young People's Service delegated authority to finalise the contact upon the successful development of a Contract Price (in accordance with the framework agreement) not exceeding the Agreed Maximum Price.

15 Equalities Implications

15.1 The scheme has been designed to allow the Authority to meet its statutory requirements in relation to the Disability Discrimination Act 1995. The provision of level or ramped access to the ground floor and a lift to upper floors will enable full accessibility throughout the main school building.

15.2 The expansion of the school will mean that an additional 60 children per year from the local area will be able to attend the school which is popular and high achieving. This is in line with Government policy to expand successful schools.

16 Health and Safety Implications

16.1 This project has appointed a CDM Co-ordinator from the approved list of framework consultants. The CDM Co-ordinator is responsible for the management of the demolition and construction health and safety and risk management issues.

17 Sustainability Implications

17.1 The design has been developed to minimise the energy used in the building by passive means and incorporates the following measures:

- Materials will be specified to be robust and long lasting so that the building will have along lifespan.
- Load bearing masonry walls and floors that act as thermal stores, re-radiating stored heat as necessary and absorbing heat in the summer months. This traditional technology will also allow future alterations and fitting out by the school (fixing shelves and equipment, etc.) without compromising the acoustic performance of the building.
- The new buildings are well-insulated and detailed to have a low air-leakage rate in order to reduce heat loss and hence reduce the energy requirements for heating.
- The new classrooms will have underfloor heating that runs at lower water temperatures than traditional radiators. The system is more energy-efficient as the heat source is closer to the children. This is particularly appropriate to infant schools where younger children spend a portion of their time sitting or playing on the floor.
- Hot water heating will be provided using solar thermal panels mounted at roof level.
- The buildings are designed to shade the classrooms to reduce over-heating. The glass will however provide a passive heating source, especially at the start of the school day.
- 'Sun-pipes' are included in ground floor rooms to block A to supplement natural lighting from windows rather than utilise artificial lighting
- Lighting control systems are included that sense daylight levels within the room and adjust the artificial lighting as necessary. This obviously reduces electrical energy usage.
- Rooflights are located at the centre of each wing to naturally light the circulation spaces where possible.

- Materials will be obtained from local sources where possible.

18 Financial Implications

18.1 This information is exempt refer section 8 of part B.

19 Comments of the Acting Director of Finance

19.1 It is confirmed that this is an agreed project in the 2007-08 Children and Young People's Services Capital programme, as agreed by the Council on 23 January 2007, with a total budget of £6.5m.

The progress of the project will be reported regularly as part of the monthly budget monitoring process, and as part of the Project monitoring process.

It should be noted that the proposed contract represents a material proportion of the total project budget. The level of risk transferred to the contractor is limited to the specifications confirmed in the contract. Any changes to contract are likely to incur extra cost; these should normally be managed by planned savings else where in the contract or wider Children and Young People's Service capital programme

20 Comments of the Acting Head of Legal Services

1. The Children and Young People's Directorate ("the Directorate") wishes to award a contract for Phase 2 of the expansion of Coleridge Primary School.
2. The Directorate has utilised a Council Framework Agreement, specifically the Framework Agreement for Major Works. The Framework Agreements were advertised in OJEU..
3. The terms of the Framework Agreement require that subsequent awards are either by way of call-of or by undertaking a mini-competition.
4. The Directorate has undertaken a mini-competition by inviting 8 tenderers to submit bids.
5. The Directorate requests an award in principle to the preferred contractor with the finalisation of the contract price delegated to the Director. The price is not to exceed the Agreed Maximum Price.
6. Because of the value of the contract, the award must be approved by the Procurement Committee in accordance with Contract Standing Order 11.03.

7. Members have power under Section 15 of the Local Government Act 2000 and the Council's Constitution to delegate any of their powers to officers.
8. Because the value of the proposed contract is over £3,000,000 it is a "key decision". It must therefore be included in the Council's Forward Plan (CSO 11.04). This contract is included in the March Forward Plan Version 58 (15 March-14 July 2007) and the April Forward Plan Version 59 (15 April – 14 August 2007).
9. The Acting Head of Legal Services confirms that there is no legal reason preventing Members from approving the recommendations contained in this report.

21 Comments of the Head of Procurement

- 21.1 The selection of the contractor to undertake these works has been undertaken in accordance with the Construction Procurement Group's framework agreements.
- 21.2 Rather than call off one contractor, a mini competition has been undertaken, with a wide range of contractors, a process which can provide further assurance that the best value for money has been achieved for this project.
- 21.3 The decision to enter into a contract in principle prior to the agreement of the Agreed Maximum Price should deliver more cost certainty at an earlier stage of the project.
- 21.4 The Head of Procurement therefore supports the recommendations made to Members at paragraph 14 of this report.

22 Use of Appendices / Tables / Photographs

- 22.1 Part B of this report contains exempt information.

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