

# CABINET MEMBER SIGNING

**Thursday, 10th March, 2022, 10.00 am**

**Members:** Councillor Zena Brabazon – Cabinet Member for Early Years, Children, and Families

## **1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

## **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. ALEXANDRA PRIMARY SCHOOL URGENT CONDITION WORKS - CONSTRUCTION WORKS CONTRACT AWARD (PAGES 1 - 8)**

## **4. PARK VIEW SCHOOL - REPLACEMENT OF SPORTS HALL ROOF AND WALL CLADDING WITH ASSOCIATED WORKS – VARIATION OF CONSTRUCTION CONTRACT (PAGES 9 - 14)**

## **5. ALEXANDRA PARK LIBRARY - ENHANCEMENT WORKS - AWARD OF CONSTRUCTION CONTRACT (PAGES 15 - 22)**

**6. EXCLUSION OF THE PRESS AND PUBLIC**

Items 7-8 are likely to be subject to a motion to exclude the press and public be from the meeting as they contain 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 - ALEXANDRA PRIMARY SCHOOL URGENT CONDITION WORKS - CONSTRUCTION WORKS CONTRACT AWARD (PAGES 23 - 26)**
- 8. EXEMPT - ALEXANDRA PARK LIBRARY - ENHANCEMENT WORKS - AWARD OF CONSTRUCTION CONTRACT (PAGES 27 - 28)**

Fiona Rae, Acting Committees Manager  
Tel – 020 8489 3541  
Email: [fiona.rae@haringey.gov.uk](mailto:fiona.rae@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 02 March 2022

**Report for:** Cabinet Member Signing – 10 March 2022

**Title:** Alexandra Primary School - Urgent Condition Works – Award of Construction Contract

**Report authorised by:** Ann Graham, Director of Children’s Services

**Lead Officers:** Keith Mattacks, Project Manager – Major Projects, 07804318526, [keith.mattacks@haringey.gov.uk](mailto:keith.mattacks@haringey.gov.uk)

**Ward(s) affected:** Noel Park

**Report for Key/  
Non-Key Decision:** Key Decision

**1. Describe the issue under consideration**

1.1 To request approval for an award of contract to provide Urgent Condition Work at Alexandra Primary School, pursuant to Contract Standing Order (CSO) 16.02.

1.2 Pursuant to CSO 16.02 to approve the issuance of a letter of intent.

**2. Cabinet Member Introduction**

2.1 As this report is being presented to Cabinet Member for Early Years, Children, and Families for a decision, Cabinet Member introduction is not required.

**3. Recommendations**

For Cabinet Member for Early Years, Children, and Families is asked:

3.1 Pursuant to Contract Standing Order 16.02, to approve the award of contract to Contractor A (identified in the exempt part of the report).

3.2 To approve a client construction contingency as outlined in the exempt part of this report strictly managed under change control governance arrangements. Regular updates on any expenditure of the contingency can be provided to the Cabinet Member on request.

3.3 To approve the issuance of a letter of intent for up to 10% of the contract value (identified in the exempt part of this report).

**4. Reasons for decision**

4.1 A major review of the condition and suitability of the Children’s Services estate has been undertaken which has informed the Children’s Service’s asset management

plan (CSAMP). This identified condition and suitability deficiencies in the primary, secondary, and wider Children's Service estate that need addressing in the short, medium, and long-term. Alexandra Primary School is high priority for major works due to issues relating to health and safety and school closure risks.

4.2 These works at Alexandra Primary School form part of the programme of repair and improvement works being undertaken by Children's Services to the school estate following an estate wide review of school condition and compliance. A number of programme delivery options were presented for consideration and approval was subsequently granted to proceed with the design of a number of the most urgent projects. This project forms one of those given approval for urgent commissioning.

4.3 While the scheme at Alexandra Primary School relates to the resolution of a number of condition and health and safety issues as part of these works there will be improvements in the school buildings in terms of energy consumption. Specific works generating are:

- Replacement of existing sash windows with double glazed units
- Improvements to ceiling/roof insulation
- Replacement of heating pipework – the new pipework will have improved insulation which will reduce the energy required to heat to temperature required
- Replacement of flat roof coverings

It is anticipated that these measures will result in a reduction in energy consumption equivalent to a cost saving of £5,870 per year.

4.4 The works at Alexandra Primary School are being delivered as a single phase. This construction award report requests a decision on the procurement of a contractor to undertake the following works:

- Replacement of the heating distribution pipework
- Replacement of hot and cold water distribution pipework
- Upgrading of fire compartmentation within the school buildings
- Repairs to window frames
- Replacement of existing single glazed sash windows with new double glazed sash windows.
- Major repairs to the roof
- Repairs to gutters and downpipes.

4.5 A Cabinet Member signing has been requested in March 2022 to enable the mobilisation of the contractor after Easter to enable scaffolding of the whole building to commence in May half term 2022 and the main works from the school summer holiday period. This is essential due to the need to maximise the school summer holiday period as the school site is constrained with no available decant spaces available once the school return in September, limiting all works to out of hours after the summer holiday. A later signing would severely impact on the school and would be disruptive to teaching and learning.

## **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 education estate by undertaking essential condition improvements. This would increase the likelihood of reactive works which will create greater disruption and cost to the Council and potentially result in the loss of education days. All of which would undoubtedly impact on the quality of teaching and learning.
- 5.2 Delaying a decision further would add additional time to the programme. Not being able to award a contract and place orders in time to complete all scaffolding and other enabling works before the school summer holiday 2022 would result in greater cost due to additional out of hours working and a prolongation of the programme. Minimising disruption to learning and the safety and wellbeing of both pupils and staff is of paramount importance. Although these are intrusive works, the area of the development will be clearly segregated from the staff and pupils.
- 5.3 Due to limitation on teaching space, temporary decant accommodation on site was explored but discounted due to site constraints and cost.

## **6. Background Information**

- 6.1 London Borough of Haringey (Haringey) are seeking to identify and address building condition and suitability issues across the Education/schools estate.
- 6.2 Initial condition and suitability surveys followed by comprehensive feasibility studies have evolved an extensive Children's Capital Programme which seeks to support essential condition improvements across the education estate.
- 6.3 From this data, Alexandra Primary School was considered high priority and as a result was placed in wave 2 of the programme and is accessed to be one of the school sites requiring urgent condition works.
- 6.4 The work at Alexandra Primary School is planned to be undertaken in a single phase or works.
- 6.5 This condition project will bring a number of benefits to the school and the Council, with the primary objective of providing improved educational environments for Children in line with Haringey's borough plan. Along with improving educational outcomes, this project will significantly reduce the risk of a health and safety incident or school closure through condition failure such as mechanical failure or roof leaks. The project will also help the school reduce its energy demands and relieve some budgetary pressure.
- 6.6 Alongside this it will support the Borough's carbon reduction and climate change ambition by delivering approx. 29.3 tCO<sub>2</sub>pa carbon reduction through a combination of building services improvement and external envelope works. This work also benefits the Council in reducing the reactive maintenance requirements at the school

in future by economically fixing the root cause of the condition issues within a single project whilst avoiding additional temporary repairs costs.

- 6.7 Procurement of a contractor has been undertaken on a traditional basis. The form of contract will be JCT Standard Building Contract with Quantities 2016.
- 6.8 As part of the RIBA design stages 2-4, visual and intrusive surveys and investigations were completed including; asbestos, lead paint, and roof structure.
- 6.9 A planning application was submitted to Development Control in relation to the replacement of the sash windows with double glazed unit. This application has been approved.
- 6.10 A Building Control approval application was also made including clarifications. This application has been approved.
- 6.11 Following completion of the developed design, the proposal was issued to the construction market via the London Construction Programme Major Works Framework LCP 2019 Lot 2.1b North Education and Leisure tenders were received on January 21, 2022. Tenders have been evaluated on a 60% cost and 40% quality by an independent evaluation panel. Arithmetical adjustments have been applied to the tenders during the clarification process with the result of this assessment shown below:

Tenderer	Price Score (40%)	Moderated Quality Score (60%)	Combined Cost and Quality Score	Final Ranking
Contractor A	32.00	60.00	92.00	1
Contractor B	33.60	56.35	89.95	2
Contractor C	Withdrawn			

- 6.12 All 3 Contractors who submitted a tender scored above the minimum required quality Score and therefore no bidders were eliminated for their quality response. Post submission, one tenderer withdrew as they were unable to comply with the requirements of the tender in terms of programme.
- 6.13 Details of the evaluation of the 3 tenders 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.
- 6.14 The quantity surveyor for this project is satisfied with the pricing offered by Contractor A against the Pre-Tender Estimate (PTE). A detailed analysis of the tender returns against the PTE is provided within the tender analysis report and summarised in Part B.
- 6.15 The total projected cost of the scheme is set out in Part B of this report.

- 6.16 The school's Leadership Team has been involved in the design process and have been part of the team that undertook the quality evaluation of the tenders received. The school fully support this project.

## **7 Contribution to Strategic Outcomes**

- 7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23, in particular:

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, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

- 7.2 Alexandra Primary School is part of the Children's Service's asset management plan (CSAMP) and is therefore procured in accordance with the priorities set out in the Children's Capital Programme.

## **8. Statutory Officers comments (Director of Finance, Procurement, Head of Legal and Governance, and Equality)**

### **8.1 Finance**

- 8.1.1 The recommendation of this report is to award a contract to Contractor A as detailed in part B of this report.

- 8.1.2 In addition to this contract sum and based on the tendered value, there will be other costs in delivering the scheme. These are PM fees, design fees, QS fees, statutory costs, contingencies and sundry other costs. The overall Children's Services capital programme for 2021/22 is currently forecast to underspend its allocation by £12.9m and will need to be carried forward into 2022/23 to meet contractual commitments. The carry forward when added to the agreed MTFS capital programme for 2022/23 will be able to meet the cost of this scheme.

### **8.2 Procurement**

- 8.2.1 Strategic Procurement (SP) note that this report relates to the approval of award for Alexandra Primary School Urgent Condition Works to Contractor A.

- 8.2.2 SP support the recommendations in this report in accordance with Contract Standing Orders clause 7.0.1. (b) 10.01.01 (a), and 16.02.

- 8.2.3 Pursuant to CSO 7.01(b) and Regulation 33 of the Public Contracts Regulations 2015, SP confirms that tenderers were invited to Tender through the London Construction Programme Education Framework.

8.2.4 Compliant tenders were received from two contractors with further clarifications needed to achieve the final price.

8.2.5 SP note that tender returns were evaluated independently by the Quality Panel prior to release of the Price element of the Tender. Contractor A scored 92.00% overall (combined cost and quality scores).

8.2.6 SP notes that as per section 8.1.1 of this report, funding is available for this Contract.

8.2.6 SP support the recommendations within this report and have no objections with awarding this Contract to Contractor A for value outlined in Section 1.1 of Part B of this report.

### 8.3 Legal

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

8.3.2 The contract referred to in the recommendations in the report has been procured through the London Construction Programme Major Works Framework 2019. This complies with procurement legislation and the Council's Contract Standing Orders.

8.3.3 In accordance with Contract Standing Order 16.02 the Cabinet Member for Early Years, Children, and Families has authority to approve the award of the contract referred to in the report.

8.3.4 The Cabinet Member for Early Years, Children, and Families also has authority to approve the issue of a letter of intent for the value set out in the recommendations and Part B of the report.

8.3.5 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Early Years, Children, and Families from approving the recommendations in the report.

### 8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty 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 those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and



sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

- 8.4.3 The decision to undertake Urgent Repairs to Alexandra Primary School will deliver key benefits of improved educational outcomes, reduced health and safety risks for attendees and staff at the school, and better energy efficiency for the school. It is expected that this decision will lead to improved health and safety and accessibility for all students and members of staff. A number of pupils are from disadvantaged backgrounds, eligible for free school meals and children looked after (in the care of the local authority for a day or more or who have been adopted from care), a range of minority ethnic backgrounds and speak English as an additional language. Evidence shows that, overall, performance of disadvantaged pupils is lower than that of other pupils both at the school and nationally. The proposed decision is expected to support improved educational outcomes for all students, including those from minority ethnic backgrounds, with special education needs and who receive support through the pupil premium, who are more likely to face barriers to education. No negative consequences are identified for those who share a protected characteristic, and it is concluded that the works will have a wholly positive impact by improving the health and safety of Alexandra Primary School, including attendees and staff with protected characteristics under the Equality Act 2010. The proposed decision will therefore support equality of opportunity across all students.
- 8.4.4 As an organisation carrying out a public function on behalf of a public body, Contractor A will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

## **9 Use of Appendices**

- 9.1 Appendix A – Part B

## **10 Local Government (Access to Information) Act 1995**

- 10.1 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 authority holding that information).

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**Report for:** Cabinet Member Signing – 10 March 2022

**Title:** Park View School - Replacement of Sports Hall Roof and Wall cladding with Associated Works – Variation of Construction Contract

**Report authorised by:** Ann Graham, Director of Children’s Services

**Lead Officers:** Claire Barnes, Delivery Manager (interim), Major Projects Team, [claire.barnes@haringey.gov.uk](mailto:claire.barnes@haringey.gov.uk)

**Ward(s) affected:** West Green

**Report for Key/  
Non-Key Decision:** Key Decision

### **1. Describe the issues under consideration**

- 1.1 On 13<sup>th</sup> April 2021 the Cabinet Member for Early Years, Children, and Families approved an award to Cosmur Construction for the Construction Contract for Park View School up to £869,431.24. This was broken down into an initial award of £790,392.04 and contingency allowance of £79,039.20.
- 1.2 This award was amended under officer delegation to correct the company name to Cosmur Construction (London) Ltd and subsequently reported to Cabinet on 8<sup>th</sup> February 2022.
- 1.3 This report seeks Cabinet Member approval to vary the contract with Cosmur Construction (London) Ltd for Park View School as allowed under Contract Standing Order (CSO) 16.02 and 10.2.1.b.

### **2. Cabinet Member Introduction**

- 2.1 As this report is being presented to Cabinet Member for Early Years, Children, and Families for a decision, Cabinet Member introduction is not required.

### **3. Recommendations**

The Cabinet Member for Early Years, Children, and Families is asked:

- 3.1 Pursuant to Contract Standing Order 16.02, to approve a variation of the construction contract to Cosmur Construction (London) Ltd in the sum of £39,271.59 giving a varied contract value of £908,702.83.
- 3.2 To approve a contingency allowance of 5% at £45,435.14 offering a total award value up to £954,137.97. The contingency will be managed under strict change control governance.

#### **4. Reasons for decision**

- 4.1 During construction, additional condition works have been identified that include the replacement of the hall flooring, lighting and redecoration. This was discovered once the works commenced and the contractor was able to fully access and intrusively inspect the hall flooring and lighting. Scaffolding and working crash deck in place for new mechanical works provided greater access to inspect lighting.
- 4.2 The opportunity to complete these additional works as part of the current construction contract provides best value for the council and minimises disruption for the school.
- 4.3 The Children's Capital Programme Budget is sufficient to cover this contract increase.

#### **5. Alternative Options Considered**

- 5.1 Do nothing – a decision not to support the increase in the value of the construction works contract would leave the school with inadequate facilities to meet curriculum requirements which the community also benefit from.

#### **6. Background Information**

- 6.1 London Borough of Haringey are seeking to identify and address building condition and suitability issues across the Education/schools estate.
- 6.2 A major review of the condition and suitability of the Children's Services estate has been undertaken which has informed the Children's Service's asset management plan (CSAMP). This identified condition and suitability deficiencies in the primary, secondary, and wider Children's Service estate that need addressing in the short, medium, and long-term.
- 6.3 The condition survey for Park View School identified issues relating to the condition of the Sports Hall Roof including regular water penetration during rainfall. These issues were backed up by the school providing information about the history of the water penetration and the failure of recent attempts to repair the roof. During outline and design development the scope of the project evolved to also include:
  - Replacement of wall cladding
  - Replacement of the halls ventilation system as this presented a health and safety issue due to inadequate supply of fresh air.
  - There was no safe access to the roof for routine maintenance.
  - Existing gutters and downpipes poorly sized to cater for the currently predicted heavy rainfall events.
  - The underground drainage associated to the removal of rainwater from the sports hall had failed in a number of locations and needed significant repairs.

- 6.4 Further works were identified during construction (refer to paragraph 4.1) which this variation seeks additional funding for: Replacement of flooring, lighting and redecoration.
- 6.5 In full discussion with the school, its likely once the programme of work is finalised not all of the additional work will be achieved in advance of May exams. To ensure we carefully manage the risk of any delays associated with the main roof project and the current vulnerable climate around materials and resources, the school have agreed a window of return in June and July 2022, once exams are complete. There is a keenness to complete before the summer holiday due to current booking commitments in the hall. The contractor has not applied any additional preliminary costs to accommodate this split in the completion of works.
- 6.6 The quantity surveyors have verified and confirmed the additional condition work costs are in line with market rates and will not result in the Council paying any additional costs compared with them being included within the tender.
- 6.7 The contract increases are within the Children's Capital Programme Budgets for the works and therefore there is no additional funding requirement.
- 6.8 The total anticipated final outturn costs of Park View can be contained within the approved Children's Capital Programme Budget:

Description	Park View
Construction Cost = £908,702.83 + 5% contingency £45,435.14	£954,137.97
Other Costs (including contingency)	£354,263.17
<b>Total Cost</b>	<b>£1,308,401.14</b>

**7 Contribution to  
Strategic**

### Outcomes

- 7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23, in particular:

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, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

7.2 To confirm Park View is not in Wave 1 but is a high priority due to high risk in relation to health and safety or operational delivery impact to the school (i.e. not being able to use their sports facility).

## 8. Statutory Officers comments (Chief Finance Officer, Procurement, Head of Legal and Governance, Equalities).

### 8.1 Finance

8.1.1 The recommendation of the report is to vary the contract value for works at Park View School. If agreed the revised contract sum will be as follows:

	Original Award (M)	Variation (M)	Revised Award (M)
Park View	£.870	£.85	£.955

The above figures include contingency and are rounded up.  
The revised contract sums can be contained within the programme budget.

### 8.2 Procurement

8.2.1 Strategic Procurement note the content of the report. The variations noted in the paper are in line with the authority's CSO's and the PCR's. Strategic procurement approves the variation for Park View at £.85M.

### 8.3 Legal

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report. The aggregate values of the original contract awards and the variations referred to in the report are below the threshold where the rules on contract modifications set out in Regulation 72 of the Public Contracts Regulations 2015 apply. The variations are therefore outside the scope of Regulation 72.

8.3.2 Pursuant to CSO 16.02 and CSO 10.02.1(b) a Cabinet Member with the relevant portfolio responsibilities has authority to approve the variations referred to in the report.

8.3.3 The variation for Park View School contract is a key decision and, as such, need to comply with the Council's governance arrangements in respect of Key Decisions, including publication on the Forward Plan.

8.3.4 The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Early Years, Children, and Families from approving the recommendations in this report.

### 8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty 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 those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 The three parts of the duty applies 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.

8.4.3 The proposed decision is to vary the contract awarded to Cosmur Construction (London) Ltd to account for additional works that have been identified during initial construction works to replace the sports hall roof at Park View School. This will affect roughly 1136 students and members of staff, among whom BAME communities and/or individuals experiencing socioeconomic disadvantage may be overrepresented (in line with the wider demographic profile of the West Green ward).

8.4.4 The objective of the proposed decision is to replace the hall flooring and lighting, and undertake redecoration works, in addition to the works identified upon the original award to Cosmur Construction (London) Ltd. Works are proposed to coincide with the conclusion of summer exams to minimise the impact of works on Park View School pupils. The additional works will ensure the Sports Hall is of an adequate standard that will allow for its continued use for physical education and other purposes, irrespective of weather conditions. It is expected that this decision will lead to improved health and safety of all students and members of staff. It will also ensure that pupils are not adversely impacted by the works by timing work to avoid the exam period. The proposed decision therefore represents a measure to advance equality of opportunity for all protected groups by ensuring that the standard of the Park View School estate is safe and fit for use.

8.4.5 As an organisation carrying out a public function on behalf of a public body, Cosmur Construction (London) Ltd will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

## **9 Use of Appendices**

9.1 None

## **10 Local Government (Access to Information) Act 1995**

10.1 None

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**Report for:** Cabinet Member Signing – 10 March 2022

**Title:** Alexandra Park Library - Enhancement Works - Award of Construction Contract

**Report authorised by:** David Joyce, Director of Housing, Regeneration & Planning

**Lead Officers:** David Webb, Senior Project Manager, Major Projects, 07841 687496, [david.webb@haringey.gov.uk](mailto:david.webb@haringey.gov.uk)

**Ward(s) affected:** Alexandra

**Report for Key/  
Non-Key Decision:** Key Decision

## **1. Describe the issue under consideration**

- 1.1 To request approval for an award of contract to carry out enhancement, compliance and condition works at Alexandra Park Library, pursuant to contract standing order 16.02.
- 1.2 Pursuant to Contract Standing Order (CSO) 16.02 to approve the issuance of a letter of intent.

## **2. Cabinet Member Introduction**

- 2.1 As this report is being presented to Cabinet Member for Early Years, Children, and Families for a decision, Cabinet Member introduction is not required.

## **3. Recommendations**

The Cabinet Member is asked:

- 3.1 Pursuant to Contract Standing Order 16.02, to approve an award to Contractor A (identified in the exempt part of the report) of up to £644,655.00.
- 3.2 To approve a client construction contingency of 10% that equates to £64,466.00, which will be strictly managed under change control governance arrangements.
- 3.3 To approve other sundry costs such as: PM fees, design fees, QS fees, statutory costs, contingencies, and sundry other costs amounting to £334,928.
- 3.4 To approve the issuance of a letter of intent for up to 10% of the contract value totalling £64,466.00.

## **4. Reasons for decision**

- 4.1 In 2019, the Council allocated capital funds for major improvements to the Council owned libraries. The Council has committed funds from the Capital Programme for the Library IT and Building Upgrade works, and following completion of Stroud Green and Harringay, and Coombes Croft Libraries, currently the available budget is £1.91m. The aim of this programme is to improve the environment for customers and staff. Coombes Croft Library was completed in 2020 and Stroud Green and Harringay Library in November 2021. Alexandra Park Library is the next library in the Enhancement Programme sequence and will be followed by Highgate Library, Muswell Hill Library and Wood Green Library. Marcus Garvey and Hornsey Libraries were the subject of a separate refurbishment programme budgets and have been completed.
- 4.2 The objectives of the Library IT and Buildings Upgrade Programme are as follows:
- Revitalising internal space by reorganizing how the space is utilised and to upgrade finishes.
  - Redecoration in the main library areas.
  - Interior redesign of the library space to modernize and better facilitate library floor walking and self- service technology.
  - Enhanced lighting.
  - New furniture.
  - New stock and books.
  - New wayfinding signage.
  - IT upgrades including new hardware, RFID self-service kiosks, and improved Wi-Fi.
- 4.3 In early 2020, it was discovered that in addition to the aesthetic enhancements to be undertaken in the Library IT and Building Upgrade Programme, significant compliance and condition works were also required to all of the branch libraries. Following a gap analysis and review, the scope of the compliance and condition works at Alexandra Park Library has been agreed with Corporate Landlord, and to avoid unnecessary disruption to library customers and staff, the agreed scope of those works is now incorporated into the IT and Buildings Upgrade scheme.
- The works include external redecoration, paving repairs and improved accessibility ramp, roof repairs and insulation, new fire alarm, electrical rewire, and a new heating system.
- Corporate Landlord will be contributing the funding value of the compliance and condition works which has been agreed as £341,000 plus fees of £61,380, their total contribution being £402,380.
- 4.4 A Cabinet decision is requested in March 2022 to enable the mobilisation of the contractor, meaning works can commence in late March 2022 with completion of the works in August 2022. The Libraries IT and Building Upgrade programme is sequential so as not to impact Library Services, therefore, delay to commencement

of Alexandra Park Library will have a knock-on effect to the libraries that follow on in the programme sequence.

## **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 the Alexandra Park Library by undertaking essential condition and compliance works, and further delay may mean the building fabric deteriorates in the ensuing years causing further disruption and expense. This would also increase the likelihood of reactive works at further cost to the Council. In addition, the experience of staff and customers will continue to be impaired as the aesthetic and ICT improvements will not have been carried out.
- 5.2 Delaying a decision further would add additional time to the programme. Not being able to award a contract and place orders at the earliest opportunity in March 2022 would mean that the ensuing libraries in the programme (Highgate, Muswell Hill and Wood Green) would also be delayed, as these are to be started and completed sequentially to minimise disruption to Library Services and customers.

## **6.0 Background Information**

- 6.1 This project, forming part of the Library IT and Building Upgrade Programme is being undertaken to improve the current user experience and conditions at Alexandra Park Library. The aim is that this is to deliver the following benefits:
- Give a modern library space that meets the needs of its customers with fresh furniture, books, and decoration
  - Improvements to accessibility by the provision of a new entrance ramp, new internal lift and compliant staircase to the first floor.
  - The look and feel will be one that is clearly identifiable with LBH and have the capability to be adapted to suit the needs of the local communities and the building
  - The space available, and flexibility of that space, meets the needs of our partners and customers.
  - The library space has increased opportunity for working with partners and other service providers.
  - Working with the Libraries IT project to install new computing equipment and self-service technologies and provide containment and access routes for any equipment to be installed. Innovation and modern technologies relating to libraries will be used as an enabler for service provision, including improved self-services.
- 6.2 Inclusion of the identified condition and compliance works within this project will avoid additional disruption later whilst undertaking these extensive works, and further expense incurred due to programme prolongation and duplication.

- 6.3 The condition and compliance works include external redecoration, paving repairs, replacement of the roof covering, roof insulation, a new fire alarm system, electrical rewire, and a new heating system.
- 6.4.1 Additional budget allocation from the existing Corporate Landlord capital allocation has been made to cover the compliance and condition works, which will be contracted as one building contract along with the IT and Building Upgrade works. The total agreed Corporate Landlord budget contribution is £402,380 inclusive of associated fees.
- 6.4.2 This condition project will bring several benefits to the library and the Council, with the primary objective of providing an improved environment and enhanced accessibility for library customers and staff in line with Haringey’s borough plan. The incorporation of the compliance and condition works into this project will significantly reduce the risk of a health and safety incident or library closure through condition failure such as mechanical or electrical failure or roof leaks. The project will also help the library reduce its energy demands and relieve some budgetary pressure.
- 6.4.3 The 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 Without Quantities 2016.
- 6.4.4 A Building Control approval will also be required for both the enhancement and the compliance and condition elements of the works, provision was made for its application and discharge of any conditions within the tender.
- 6.4.5 Following completion of the developed design, the proposal was issued to the construction market via the Minor Works (DPS) Dynamic Purchasing System (London Construction Programme) – under the Education, Principal Construction Category. 7 tenders were received on the 14<sup>th</sup> January 2022. Tenders have been evaluated on a 60% cost and 40% quality basis by an independent evaluation panel. Arithmetical adjustments have been applied to the tenders during the clarification process with the result of this assessment shown below:

Tenderer	Price	Price Score (60%)	Moderated Quality Score (40%)	Combined Cost and Quality Score	Final Ranking
Contractor A	£644,655.00	60%	35.2%	95.2%	1

- 6.4.6 Details of the evaluation of 6 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. up to the value of £709,121.00 (tender value £644,655.00 plus construction risk of £64,466.00).

- 6.5 The quantity surveyor for this project is satisfied with the pricing offered by Contractor A against the Pre-Tender Estimate (PTE). A detailed analysis of the tender returns against the PTE is provided within the tender analysis report and summarised in Part B.
- 6.6 The contract award to Contractor A can be delivered within the approved Libraries IT and Buildings Upgrade budget, with additional funding being provided from Corporate Landlord for compliance and condition related elements of the scope. A breakdown of the project budget can be found in the Part B report.
- 6.7 Library Services were involved in the design process, invited to be part of the evaluation panel and support the project. They are keen for the project to progress to avoid delay to the libraries later in the programme.

## **7 Contribution to Strategic Outcomes**

- 7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23, in particular:

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, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

## **8. Statutory Officer comments (Director of Finance, Procurement, Head of Legal and Governance, and Equalities)**

### **8.1 Finance**

- 8.1.1 The recommendation of this report is to award a contract to Contractor A. for £0.64m for the Phase 2 IT and Building Upgrade works and hold a client construction contingency of £0.06m offering an award value of up to £0.70m
- 8.1.2 In addition to this contract sum and based on the tendered value, there will be other costs in delivering the scheme. These are PM fees, design fees, QS fees, statutory costs, contingencies, and sundry other costs of £0.33m, resulting in a projected cost of £0.99m for the scheme inclusive of the cost of the Corporate Landlord condition and compliance works. Corporate Landlord have agreed a contribution of £0.40m, meaning that the IT and Buildings Upgrade costs are a total of £0.59m which can be contained within the approved 2021/22 and 2022/23 capital programme, under capital scheme reference number 621 – Libraries IT & Building Upgrade.

## 8.1.4 Forecast annual expenditure:

	2021/2022	2022/2023	2023/2024	Total
	£m	£m	£m	£m
Expenditure	0.05m	0.858m	0.082m	0.990m

## 8.2 Procurement

8.2.1 Strategic Procurement (SP) note that this report relates to the approval of award for Alexandra Park Library IT and Building Upgrade Works to Contractor A.

8.2.2 SP support the recommendations in this report in accordance with Contract Standing Orders clause 7.0.1. (b) and 16.02.

8.2.3 Pursuant to CSO 7.01(b) and Regulation 33 of the Public Contracts Regulations 2015, SP confirms that tenderers were invited to Tender through the Minor Works (DPS) Dynamic Purchasing System (London Construction Programme) – under the Education, Principal Construction Category.

8.2.4 Compliant tenders were received from 7 contractors with further clarifications needed to achieve the final price.

8.2.5 SP note that tender returns were evaluated independently by the Quality Panel prior to release of the Price element of the Tender. Contractor A scored the highest in quality and in price, scoring 95.2% overall

8.2.6 SP notes that as per section 8.1.1 of this report, funding is available for this Contract.

8.2.7 SP support the recommendations within this report and have no objections with awarding this Contract to Contractor A for value outlined in Section 1.1 of Part B of this report.

## 8.3 Legal

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

8.3.2 The contract referred to in the recommendations in the report has been procured through the Council's Minor Works Dynamic Purchasing System. This complies with procurement legislation and the Council's Contract Standing Orders.

8.3.3 In accordance with Contract Standing Order 16.02 the Cabinet Member for Early Years, Children, and Families has authority to approve the award of the contract referred to in the report.

## 8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty 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 those protected characteristics and people who do not

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

8.4.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

8.4.3 The proposed decision to approve the award of a contract to carry out enhancement, compliance and condition works at Alexandra Park Library. This will impact all residents, in particular those of Alexandra ward, and users of library services, among whom older residents are overrepresented. These residents are also likely to share the protected characteristic of disability and/or poor health, including limited mobility.

8.4.4 The objective of the proposed decision is to improve the environment for customers and staff as part of the Library IT and Building Upgrade Programme affecting numerous Haringey libraries. The programme aims to revitalise internal spaces, redecorate, and redesign main library areas to modernise and introduce self-service technology, put new furniture, stock and signage in place, and upgrade IT systems. Works will also increase accessibility of Alexandra Park's library facilities by providing a new entrance ramp, internal lift and compliant staircase. This will lead to improved accessibility to the facilities for older residents, including those with disabilities or limited mobility. This will ensure that older and/or disabled residents are able to use the library more effectively. The proposed decision therefore represents a measure to address a known inequality disproportionately affecting older and/or disabled residents and advancing equality of opportunity for these residents by meeting their particular access needs.

8.4.5 As an organisation carrying out a public function on behalf of a public body, Contractor A will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

## **9 Use of Appendices**

9.1 Appendix A – Part B

## **10 Local Government (Access to Information) Act 1995**

10.1 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 authority holding that information).



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

Document is exempt

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