

MINUTES OF MEETING Cabinet Member Signing HELD ON Friday, 23rd June, 2023, 9.00 am

**PRESENT: Councillor Zena Brabazon, Cabinet Member for Children,
Families & Schools**

6. APOLOGIES FOR ABSENCE

There were no apologies for absence.

7. DECLARATIONS OF INTEREST

There were no apologies for absence.

8. STROUD GREEN PRIMARY SCHOOL - CONTRACT AWARD FOR PHASE 3 REMAINING WORKS - CONSTRUCTION CONTRACT

The Cabinet Member for Children, Schools and Families received a report which sought approval for an award of contract to Diamond Build Plc, to undertake Phase 3 Remaining Works at Stroud Green Primary School.

The Cabinet Member enquired whether the costs were being met within the existing Children's Services budget. In response, officers advised that yes, this was the case as the project was within the original allocation set out in the Children's Services capital programme for 2022/23.

In response to a further question, officers advised that notwithstanding the fact that the building was Grade Two listed, the scheme was not particularly any more complicated than similar building works carried on other schools in the borough. The increased costs reflected the fact that the works had been partially undertaken by the previous contractor and the fact that this had created a degree of duplication.

RESOLVED

That:

- I. The Cabinet Member for Children's Schools and Families approved a waiver pursuant to Contract Standing Order 9.01.1
- II. The Cabinet Member approved the contract award to Diamond Build Plc to undertake Phase 3 remaining works to the main building at Stroud Green Primary School as a main contractor for the fixed price sum of £537,480.28
- III. The Cabinet member noted Phases 1 & 2 were previously awarded to Diamond Build Plc as a waiver of contract standing orders under delegated powers.
- IV. The Cabinet member noted a total award for all 3 phases set out in the exempt Part B of the report.

- V. The Cabinet member approved the construction contingency sum set out in the exempt Part B of the report.
- VI. That Pursuant to Contract Standing Order 9.07.3, authority was given for the issuance of a letter of intent to the value of £100,000 pending the issuance and execution of a formal contract.

Reasons for decision

- The original contract for these works at Stroud Green Primary School was terminated by the Council on 30 March 2023. Further details are set out in the exempt part of the report. In order to maintain site set-up, security and scaffolding a contract was awarded to Diamond Build PLC under delegated approval as Phase 1. Subsequently an additional waiver for Phase 2 Annex works was approved under delegated authority and a contract issued to the contractor. The final remaining works contract is under consideration in this award report, Phase 3. In line with relevant legislation and contract standing order 6.03 on aggregation of contracts, this report references the previous awards.
- The remaining works in Phase 3 include minor flat roof works, minor pitched roof works, minor window remedial works, window decorations, above ground drainage, below ground drainage and boundary wall repairs.
- Due to the project's urgent nature a direct award is considered to offer the Council best overall value. Diamond Build Plc are a local supplier and LCP Major Works Framework Supplier with a proven track record and have the capacity to undertake the work. The price submitted has been evaluated against market rates and considered acceptable. The direct award was raised via the HPCS.
- Due to the above a waiver is requested under CSO 10.01.2(d)ii, i.e., that it is in the Council's overall interest.

Alternative options considered

- There are no resources within the Council that have the capacity along with the necessary experience, qualifications, and expertise to deliver this service in house.
- Use of the LCP Major Works Framework; Education Lot was discounted as this framework is not available for works below £1m.
- The Dynamic Purchasing System (DPS) does not permit a direct award.
- A mini competition (via the DPS or LCP Major Works Framework) was discounted as it was felt negotiating with a contractor would be most efficient due to the urgent need to replace the previous failed contractor. An independent quantity surveyor and contract administrator is appointed to evaluate all costs to ensure value for money.

9. EXEMPT REPORT

RESOLVED

That the report contains exempt information as per paragraphs 3 & 5 of Schedule 12A of the Local Government Act 1972, in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

10. EXEMPT - STROUD GREEN PRIMARY SCHOOL - CONTRACT AWARD FOR PHASE 3 REMAINING WORKS - CONSTRUCTION CONTRACT

RESOLVED

That the Cabinet Member agreed the recommendations as set out in the Exempt Part B of the report.

CHAIR:

Signed by Chair

Date