

NOTICE OF MEETING

CABINET MEMBER SIGNING

Monday, 4th December, 2023, 10.00am - 10:30am (watch the live meeting [here](#), watch the recording [here](#))

Councillors: Zena Brabazon

Quorum: 1

1. FILMING AT MEETINGS

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

4. 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

5. DEPUTATIONS/PETITIONS/QUESTIONS

6. SOUTH HARRINGAY PRIMARY SCHOOL - URGENT CONDITIONS WORKS (PAGES 1 - 8)

7. NEW ITEMS OF URGENT BUSINESS

8. EXCLUSION OF THE PRESS AND PUBLIC

Item 9 is likely to be subject to a motion to exclude the press and public be from the meeting as *it* contains 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.

**9. EXEMPT - SOUTH HARRINGAY PRIMARY SCHOOL - URGENT
CONDITION WORKS (PAGES 9 - 12)**

10. NEW ITEMS OF EXEMPT URGENT BUSINESS

Kodi Sprott, Principal Committee Coordinator
Email: kodi.sprott@haringey.gov.uk

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

Friday, 24 November 2023

Decision Making Report Cover Sheet

Report Title: South Harringay Primary School – Urgent Condition Works – Construction Works Contract Award

Date of Decision: 30th November – 30th December 2023

Report Author: Pauline Hinds, Senior Project Manager, Major Project Delivery Team

Contact No: pauline1.hinds@haringey.gov.uk

Report Title	Answer/comments
*Legal Comments Provided by:	Margaret O'Connor
*Financial Comments Provided by:	John O'Keefe
*Equalities Comments Provided by:	Vlada Shevelkova
*Procurement Comments Provided by:	Yaw Tawiah
Number of Appendices included	1 Appx B – Part B Exempt report
*Background documents listed that are available for public inspection or web links exists? [These are the documents that have been relied upon to a material extent in the preparation of the report. Any background papers that are listed must be retained and accessible for public inspection for a period of 6 years. It is the responsibility of the report author to ensure this is done.]	None
Date considered by SLT or Priority Board [Key decisions which are implementing MTFS agreed savings or are part of an overarching Council Policy would normally go to Priority Board meetings. Politically sensitive strategic key decisions would need to be considered by SLT.] Please contact Ben Hunt on x1164 if you have any queries about which meeting your report should be considered at.	N/A as contract award only
Date considered by CAB [Politically sensitive strategic key decisions would need consideration at CAB – Please contact Joe McBride on x2709 with any queries about CAB.]	N/A
Is a briefing on this key decision required at Labour Group / Liberal Democrat Group meetings ? When?	No
Is the decision compliant with the Council's Budget and Policy Framework as set out in Part Four Section E of the Constitution?	Yes

Report for Cabinet Member for Children, School and Families, scheduled for 30th November – 30th December 2023

Item number: TBC

Title: **South Harringay Primary School – Urgent Condition Works – Award of Construction Contract**

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



Lead Officer: Claire Barnes, Major Projects Delivery Manager

Ward affected: Harringay

Report for Key/Non-Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 To request approval to award a contract as part of the Children’s Capital Programme to undertake external condition works at South Harringay Primary School and to approve issuance of a letter of intent.

2. Cabinet Member Introduction

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

3. Recommendations

For Cabinet Member for Children’s Schools and Families pursuant to Contract Standing Order (CSO) 16.02 to:

- 3.1 Approves an Award to Contractor B to the value of £1,720,833.00.
- 3.2 Approve a client contingency as set out in Part B of this report which will be strictly managed under change control governance arrangements.
- 3.3 Approve the issuance of a letter of intent for up to 10% of the contract value, as set out in Part B 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 need addressing in the short, medium, and long-term.
- 4.2 South Haringay Primary School is high priority for major works due to issues relating to health and safety or the school is at risk of school closure.
- 4.3 In 2019 a commission was given to further investigate and address urgent works relating to the condition of building services. This construction contract award is to achieve the following:
- Replacement of windows
 - Repairs to stone and ceramic tile cills
 - External masonry brickwork and repointing
 - Underpinning to brick pier of school boundary wall
 - Localised roof repairs and rainwater goods repairs to make full use of the scaffolding
 - Installation of pigeon deterrent system
- 4.4 This construction award report requests a decision on the procurement of a contractor to undertake all the external envelope works identified, designed and approved by the project sponsor.
- 4.5 There is no Cabinet Meeting scheduled in August. A Cabinet Member decision is required in August 2023 to enable timely mobilisation and facilitate procurement of longer lead in materials as soon as possible which will offer greater likelihood of achieving maximum grant funding available.

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 and cost to the council. Not being able to award a contract and place orders at the earliest opportunity would increase the risk of bidders not holding their price which could be impacted by inflation. The tender is based on bidders holding their price for up to 28.5 weeks, which this decision sits within.

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, South Haringay Primary School was considered high priority.
- 6.4 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 Corporate 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 window deterioration or roof leaks. The project will also help the school reduce its energy demands and relieve some budgetary pressure.
- 6.5 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 with Quantities 2016.
- 6.6 As part of the RIBA stage 2-4 design the following surveys and investigations have been completed:
- Education Space Standard Review
 - Suitability of Site and Buildings
 - Rising Damp Survey
 - CCTV Drainage Survey
 - Land surveys
 - Drone surveys
 - Window and external door surveys
 - Ventilation survey
 - Roof survey
 - Mechanical Engineering and Health and Safety survey
 - Structural survey
 - Fire Safety Audit
 - Lead survey
 - Condition survey report
 - Swimming pool survey
- 6.7 Whilst a range of surveys have been carried out in the preparation of the tender documents for this refurbishment scheme, they will never provide absolute certainty as to the condition of the building. Therefore, a contingency has been allowed for in the budget and its use will be carefully monitored and reported upon during the projects progress.

- 6.8 A building control application has been submitted for the scope of works which has been examined and approved by Haringey Council Building Control on 10 January 2023.
- 6.9 Following completion of a full RIBA 4 design, the tender was issued to the construction market via the HPCS, under the London Construction Programme (LCP) Framework. Under Lot 2.1b (Education and Leisure – North London - £1m-£5m) five contractors were invited, with two tenders received on the 13th June 2023. Tenders were evaluated on a 60% cost and 40% quality by an independent evaluation panel. Arithmetical adjustments were applied to the tenders during the clarification process with the result of the assessments shown below:

Tenderer	Price Score (60%)	Moderated Quality Score (40%)	Combined Cost and Quality Score	Final Ranking
Contractor A	50.96	30.40	81.36	2
Contractor B	60.00	29.49	89.49	1

- 6.10 Full details of the evaluation of 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 B.
- 6.11 All works have been specified and measured by independent design and cost consultants to ensure best value for the Council against pre-determined market rates.
- 6.12 The quantity surveyor for this project is satisfied with the pricing offered by Contractor B against the Pre-Tender Estimate (PTE) is provided within the tender analysis report and summaries in Part B.

7 Contribution to Strategic Outcomes

- 7.1 The client project brief outlined that the project aims to contribute to Council's Corporate Delivery Plan 2019-23. 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.
- 7.2 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.
- 7.3 It's acknowledged the borough plan has been superseded by the Corporate Plan 2022/23 – 2023/24. The client team are presently realigning the previous objectives of the Borough Plan with this.
- 7.4 South Haringay Primary School falls into wave 1 (priority 1) 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. Carbon and Climate Change

8.1 This project will support the Borough's carbon reduction and climate change ambition by delivering approx. 20.99 tCO₂pa carbon reduction through the installation of energy efficient measures such as double glazing. 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.

9. Statutory Officers comments (Chief Finance Officer, Procurement, Corporate Governance, Equalities).

9.1 Finance

9.1.1 Comments contained in Part B Exempt Information.

9.2 Procurement

9.2.1 Strategic Procurement (SP) note that this report relates to the approval to award a contract as part of the Children's Capital Programme to undertake external condition works at South Harringay Primary School and to approve issuance of a letter of intent.

9.2.2 A competitive tender process was undertaken in line with Contract Standing Order (CSO) 9.04.01(b)

9.2.3 SP support the recommendation to approve the award in accordance with CSO 9.07.01(d) and 16.02.

9.3 Legal

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

9.3.2 The procurement for this contract was undertaken via the London Construction Programme Framework Agreement. Framework Agreements are an approved procurement process under the Public Contracts Regulations 2015 (Reg 33) and also provided for in the Council's Contract Standing Orders (CSO 9.01.2 f).

9.3.3 As this award is a Key Decision, a decision in respect of award would normally be taken by Cabinet in accordance with CSO 9.07.1 (d) (contracts valued at £500,000 or more). In between meetings of the Cabinet, the Leader may take any such decision or may allocate to the Cabinet Member with the relevant portfolio (CSO 16.02).

9.3.4 A recommendation is also included for issuance of a letter of intent up to a value of 10% of the contract (CSO 9.07.3).

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

9.4 Equality

9.4.1 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

9.4.2 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.

9.4.3 The proposed decision is to request approval to award a contract to Contractor B to undertake works to the building fabric. It was identified that the condition and suitability deficiencies at South Haringay Primary School are a high priority for major works due to issues relating to health and safety or school closure risks.

9.4.4 The decision 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. Movement around the school will not be compromised by ensuring doorways and corridors are not restricted. Consideration would also be given to carrying more complex works during lesson times – to avoid disruption and accessibility limitations to students and staff.

9.4.5 A number of pupils are from disadvantaged backgrounds, eligible for free school meals from a range of minority ethnic backgrounds and speak English as an additional language. South Haringay School also have a significantly higher percentage of pupils with special needs. Evidence shows that, overall, performance of disadvantaged pupils is lower than that of other pupils both at the school and nationally.

9.4.6 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 South Haringay 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 pupils.

- 9.4.7 Specific consideration for the duration of the works will be given to the following:
- Disruption to the school and the effect on children from different cultural backgrounds
 - Impact of the works on the school, particularly ethnic groups
 - Decanting of classrooms to ensure children do not miss out on levels of learning
 - Consideration of pupils and staff mobility issues
 - Consideration for the significantly higher percentage of pupils with special needs at the school who have frequent movement breaks with intervention
- 9.4.8 This will be achieved by regular communication with the school to discuss and address their needs. Additional furniture and equipment will be provided to the school for a new special needs decant area for the duration of the works to ensure the organisation and running of the school remains consistent.
- 9.4.9 There will be no negative impact on those with disabilities and mobility requirements. The provision of ramps and external lifts will be considered throughout the construction works to maintain accessibility and minimise disruption.
- 9.4.10 As an organisation carrying out a public function on behalf of a public body, Contractor B will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above.

10. Use of Appendices

- 10.1 Appendix A – Part B

11. Local Government (Access to Information) Act 1995

- 11.1 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 statutory holding that information).

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

Document is exempt

This page is intentionally left blank