

MINUTES OF MEETING Cabinet Member Signing HELD ON Tuesday, 16th April, 2024, 10:10-10:20

PRESENT:

Councillors: Zena Brabazon

ALSO ATTENDING: Kodi Sprott, Principal Committee Coordinator, Joanna Heard, Project Manager, Michael Coleman, Children's Capital Programme Manager, Claire Barnes, Major Projects Delivery Manager, Jane Edwards, Assistant Director

1. FILMING AT MEETINGS

The Cabinet Member for Children, Schools and Families referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. DEPUTATIONS/PETITIONS/QUESTIONS

There were no deputations, petitions or questions.

5. HORNSEY SCHOOL FOR GIRLS - URGENT CONDITION AND SAFETY WORKS - AWARD OF CONSTRUCTION WORKS CONTRACT

This signing sought approval to award a contract to T&B (Contractors) Ltd pursuant to Contract Standing Orders 7.01.b) and 9.07.1 d) for urgent condition and safety works at Hornsey School for Girls. Pursuant to Pursuant to Contract Standing Order (CSO) 9.07.3 to approve the issuance of a letter of intent in the value of £100,000.

On 14th November 2023, RAAC panels were discovered in the school kitchen and one third of the school dining room, which had not previously been identified in the original survey. The kitchen was closed immediately, with hoarding installed to close off the section of dining room identified as containing RAAC and a temporary catering facility had been provided until these RAAC panels could be encapsulated. The DfE had agreed with the school for further RAAC encapsulation works to take place to provide a total of 7 Science teaching labs and associated prep room space. This would

provide the school with sufficient Science classroom space to provide a full curriculum.

T&B (Contractors) Ltd were instructed with two enabling works packages, under delegated authority; to complete a scope of validation works in April 2024 to open up areas and test services to confirm works completed to date, to provide scaffolding for access for validation works, and a temporary office for a staff member whose office space is within the domain of the temporary kitchen. The combined value of these awards was approved under delegation for £55,245.41. The defects liability period (rectification period) is 12 months. The contract was to be awarded on a fixed price basis. The procurement route is based on a traditional (full design) form of contract – JCT Standard Building Contract without Quantities 2016 edition with Contractor’s Design Portion (SBC/XQ 2016). Completion of the remaining works was projected to be end of August 2024. There was currently a temporary kitchen in place to provide school meals.

RESOLVED

1. To approve, pursuant to Contract Standing Order (CSO) 16.02 and 9.07.1d to award a contract to T&B (Contractors) Ltd based on their tender value of £956,302.54 for urgent condition and safety works at Hornsey School for Girls.
2. To approve a client contingency as set out in Part B of this report which will be strictly managed under change control governance arrangements. This is in addition to the award value noted in 3.1.1 Refer to Part B section 3 for the contingency value and total award value.
3. Approve the issuance of a Letter of Intent up to the value of £100,000 as allowed under Contract Standing Order 9.07.3.

Reasons for decision

Diamond Build Plc was appointed in August 2023 to carry out works to Block initial five classrooms, Block G plus and option to undertake works to the Block A hall. A variation of contract was granted in November 2023 to fully encapsulate the block A hall roof, in line with the latest DfE Guidance.

Diamond Build Plc placed themselves into Voluntary Liquidation on the 8th January 2024 and withdrew from site immediately The Gazette (official public record) published this as insolvency on the 25th January 2024. A default notice was issued to Diamond Build Plc on 12th January 2024 and a termination letter issued on 29th February 2024. This has resulted in the need to re-procure outstanding works. A direct award is considered to offer the Council best value in terms of minimising further disruption to service, time and cost.

T&B (Contractors) Ltd are on the LCP Major Works Framework, which permits a Direct Call off. The pre-tender estimate for remaining and additional works was £1,223,177.43. T&B are currently working on RAAC mitigation works at Welbourne Primary, which is progressing well, has experience of the design that we are working with to make RAAC areas safe to use, and experience of working in Haringey schools.

Alternative options considered

Do nothing – this would result in a failure by the Council to make adequate provision for catering, teaching and learning for the students at Hornsey School for Girls.

Relocate pupils to other schools for lessons taught in Block A 2nd Floor and the Block A hall. This option was considered but it was noted that there are no suitable alternative secondary school teaching spaces available within the vicinity of Hornsey School for Girls. It was also discounted as being detrimental to the children’s education.

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.

The Council’s Dynamic Purchasing System for Minor Works (DPS) does not permit a direct award. A mini competition was discounted as it was felt negotiating with a single contractor as allowed under LCP Major Works Framework would be most efficient in terms of time. A cost management consultant has been appointed to assess the tender price and confirm value for money.

A competitive tender exercise would have extended the procurement programme, resulting in further delays to completion of works. This would extend the impact on the operation of the school, due to closure of teaching spaces and provision of full catering facilities.

6. EXCLUSION OF THE PRESS AND PUBLIC

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.

7. EXEMPT - HORNSEY SCHOOL FOR GIRLS - URGENT CONDITION AND SAFETY WORKS - AWARD OF CONSTRUCTION WORKS CONTRACT

As per item 5.

CHAIR:

Signed by ChairCllr Brabazon.....

Date17.04.2024.....

