
Executive Procurement Committee

TUESDAY, 21ST MARCH, 2006 at 18:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Milner (Chair), Adje, Diakides, Hillman and Milner

AGENDA

1. APOLOGIES FOR ABSENCE

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 12 below. New items of exempt business will be dealt with at item 20 below.

3. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest.

4. MINUTES (PAGES 1 - 4)

To confirm and sign the minutes of the meeting of the Procurement Committee held on 28 February 2006.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. RECTORY GARDENS LANDSCAPING WORKS, HIGH STREET HORNSEY, LONDON N8 (PAGES 5 - 12)

(Report of the Director of Environmental Services): To seek approval to award a works contract for the soft and hard landscaping of the Rectory Gardens open space on Hornsey High Street.

7. REFURBISHMENT OF ALEXANDRA HOUSE (PAGES 13 - 18)

(Report of the Director of Finance): To seek approval to the letting of the contract for the internal refurbishment of Alexandra House. **FAILED TO MEET DESPATCH DATE**

8. REQUEST FOR WAIVER OF REQUIREMENT TO TENDER FOR LOOKED AFTER CHILDREN AND ADOLESCENT MENTAL HEALTH

(Report of the Director of the Children's Service): To seek approval to the commissioning of a mental health service to support Looked After Children and Adolescents. **FAILED TO MEET DESPATCH DATE**

9. RE-INSTATEMENT WORKS TO CROWLAND PRIMARY SCHOOL (PAGES 19 - 32)

(Report of the Director of the Children's Service): To seek approval to the award of the contract for the re-instatement works to Crowland School. **FAILED TO MEET DESPATCH DATE**

10. TETHERDOWN PRIMARY SCHOOL EXPANSION (PAGES 33 - 46)

(Report of the Director of the Children's Service): To seek Member approval to award the contract for the Phase I (new build) expansion of Tetherdown Primary School, Grand Avenue, N10.

11. KENNETH ROBBINS HOUSE: RENEWAL OF INTERNAL WASTES, KITCHENS & BATHROOMS , ELECTRICAL RE -WIRING, INSTALLATION OF AN INTEGRATED RECEPTION SYSTEM AND ASSOIATED WORKS (PAGES 47 - 54)

(Report of the Director of Housing): To seek approval to award the contract for works to be undertaken on Kenneth Robbins House. **FAILED TO MEET DESPATCH DATE**

12. NEW ITEMS OF URGENT BUSINESS

To consider any new items of business admitted at 2 above.

13. EXCLUSION OF PRESS AND PUBLIC

The following items are likely to be the subject of a motion to exclude the press and public from the meeting as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from Head of Member Services

The following item allows for consideration of exempt information (if required) in relation to items 6 – 11 which appear earlier on the agenda.

14. RECTORY GARDENS LANDSCAPING WORK, HIGH STREET HORNSEY, LONDON N8 (PAGES 55 - 58)

(Report of the Director of Environmental Services): To seek approval to award a works contract for the soft and hard landscaping of the Rectory Gardens open space on Hornsey High Street.

15. REFURBISHMENT OF ALEXANDRA HOUSE (PAGES 59 - 60)

(Report of the Director of Finance): To seek approval to the letting of the contract for the internal refurbishment of Alexandra House. **FAILED TO MEET DESPATCH DATE**

16. REQUEST FOR WAIVER OF STANDING ORDER REQUIREMENT TO TENDER FOR LOOKED AFTER CHILDREN AND ADOLESCENT MENTAL HEALTH

(Report of the Director of the Children's Service): To seek approval to the commissioning of a mental health service to support Looked After Children and Adolescents. **FAILED TO MEET DESPATCH DATE**

17. RE-INSTATEMENT WORKS TO CROWLAND SCHOOL

(Report of the Director of the Children's Service): To seek approval to the award of the contract for the re-instatement works to Crowland School. **FAILED TO MEET DESPATCH DATE**

18. TETHERDOWN PRIMARY SCHOOL EXPANSION (PAGES 61 - 66)

(Report of the Director of the Children's Service): To seek Member approval to award the contract for the Phase I (new build) expansion of Tetherdown Primary School, Grand Avenue, N10.

19. KENNETH ROBBINS HOUSE: RENEWAL OF INTERNAL WASTES, KITCHENS & BATHROOMS, ELECTRICAL RE-WIRING, INSTALLATION OF AN INTEGRATED RECEPTION SYSTEM AND ASSOCIATED WORKS (PAGES 67 - 74)

(Report of the Director of Housing): To seek approval to award the contract for works to be undertaken on Kenneth Robbins House. **FAILED TO MEET DESPATCH DATE**

20. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any new items of exempt urgent business admitted at 2 above.

**MINUTES OF THE EXECUTIVE PROCUREMENT COMMITTEE
TUESDAY, 28 FEBRUARY 2006**

Councillors *Milner (Chair), Adje, Diakides and Hillman

* Present

Also Present: Councillor Lister

MINUTE NO.	SUBJECT/DECISION	ACTON BY
PROC78.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were submitted by Councillors Adje (for whom Councillor Lister substituted), Diakides and Hillman.</p>	
PROC79.	<p>MINUTES</p> <p>RESOLVED:</p> <p>That, subject to the figure '£1,351,097' in Resolution 1 of Minute PROC.77 – Rokesley Infant Classroom Extension and Re-modelling – Award of Contract being amended to '£1,363,097, the minutes of the meetings held on 31 January and 2 February 2006 be approved and signed.</p>	HMS
PROC80.	<p>REQUEST FOR WAIVER OF REQUIREMENT TO TENDER FOR FAMILY SUPPORT SERVICES (Report of the Director of the Children's Service – Agenda Item 6):</p> <p>Details of the service provider and the analysis of other potential providers which were set out in Appendices 1 and 2 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p> <p>That approval be granted to a waiver of Contract Standing Order 6.04 (Requirement to Tender) in connection with the provision of Family Support Services and to the award of contracts for the three year period 1 April 2006 to 31 March 2009 to Homestart Haringey and to Ezer Leyoldos in the total sums of £96,000 and £36,000 respectively.</p>	DCS
PROC81.	<p>AWARD OF CONTRACT FOR COMMUNITY BASED RISK AND SAFEGUARDING ASSESSMENT OF CHILDREN AND FAMILIES (Report of the Director of the Children's Service – Agenda Item 7):</p>	

**MINUTES OF THE EXECUTIVE PROCUREMENT COMMITTEE
TUESDAY, 28 FEBRUARY 2006**

	<p>Details of the market research and of the market testing exercise which were set out in Appendices 1 and 2 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Order 11.03, approval be granted to the award of a contract for the provision of community based risk and safeguarding assessment of children and families for the three year period 1 April 2006 to 31 March 2009 to the NSPCC in the total sum of £266,250.</p>	DCS
PROC82.	<p>COMMUNITY CARE STRATEGY - OSBOURNE GROVE NEW BUILD (Report of the Director of Social Services – Agenda Item 8):</p> <p>Details of the tender returns and of the evaluation results which were set out in the Appendix to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11.03, approval be granted to the award of the contract for the building of Osborne Grove Respite Care Home to Jerram Falkus Construction in the sum of £2,420,071.45 with a contract period of 47 weeks. 2. That the total project cost including fees and salaries of £3,479,297.07 be noted. 	DSS
PROC83.	<p>CONTRACTS FOR THE PROVISION OF CULTURALLY SPECIFIC DAY CARE: REQUEST FOR EXTENSION AND VARIATION OF CONTRACTS (Report of the Director of Social Services – Agenda Item 9):</p> <p>Details of the contracts which were set out in Appendices 1 and 2 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p>	

**MINUTES OF THE EXECUTIVE PROCUREMENT COMMITTEE
TUESDAY, 28 FEBRUARY 2006**

	<p>1. That, in accordance with Contract Standing Order 13.02, approval be granted to the extension of up to nine months to the six contracts with the following organisations in connection with the provision of culturally specific day care</p> <ul style="list-style-type: none"> • ACLC • GRACE • Asian Centre • Chinese Community Centre • Cypriot Centre • Irish Centre <p>2. That approval also be granted to variations to the contracts with ACLC, GRACE and the Asian Centre to reflect the current levels of service provided.</p>	DSS
		DSS
PROC84.	<p>AWARD OF CONTRACT- HARINGEY CARERS CENTRE (Report of the Director of Social Services – Agenda Item 10):</p> <p>Our Chair agreed to accept the report as urgent business. The report was late because of the need to complete necessary consultations. The report was too urgent to await the next meeting because of the need to ensure that the contract could commence on 1 April 2006.</p> <p>We noted that a funding agreement between the Council and the Haringey Primary Care Trust would be formalised prior to the signing of the contract and that it was proposed that the funding would come into effect from 1 April 2006.</p> <p>RESOLVED:</p> <p>That approval be granted to the award of the contract for the provision of carers services to Haringey Carers Centre for a period of one year with an option to extend for a further period of two years.</p>	DSS
PROC85.	<p>INTENSIVE SUPERVISION AND SURVEILLANCE PROGRAMME(ISSP): REQUEST FOR A 3 MONTH EXTENSION (Report of the Assistant Chief Executive (Strategy) – Agenda Item 11):</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Order 13.2, approval be granted to the extension of the contract with the Youth Advocacy Programme (YAP) UK for the provision of Intensive Supervision and Surveillance Programme (ISSP) for a period of three months from 1 April 2006.</p>	ACE-S
PROC86.	<p>INTENSIVE SUPERVISION AND SURVEILLANCE PROGRAMME (ISSP): REQUEST FOR AWARD OF CONTRACT (Report of the Assistant Chief Executive (Strategy) – Agenda Item 12):</p>	

**MINUTES OF THE EXECUTIVE PROCUREMENT COMMITTEE
TUESDAY, 28 FEBRUARY 2006**

	<p>Details of the tenders submitted and of their analysis which were set out in Appendix 2 to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods and services.</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for the provision of Intensive Supervision and Surveillance Programme (ISSP) to NACRO in the sum of £230,000 for a period of one year from 1 July 2006 with an option to extend for two further periods each of one year.</p>	ACE-S
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RICHARD MILNER
Chair

HARINGEY COUNCIL

Agenda item: **[No.]**

Report to Procurement Committee

21st March 2006

Report Title: **Rectory Gardens Landscaping Work, High Street Hornsey, London N8**

Forward Plan reference no: **None.**

Report of: **Anne Fisher, Director of Environmental Services**

Wards(s) affected: **Hornsey**

Report for: **Non-Key Decision**

1. Purpose

- 1.1 To seek Procurement Committee approval to award a works contract for the soft and hard landscaping of the Rectory Gardens open space on Hornsey High Street.

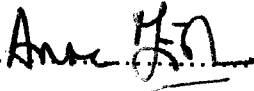
2. Introduction by Executive Lead Member

- 2.1 None.

3. Recommendations

- 3.1 That Members approve the award of contract for the soft and hard landscaping works at Rectory Gardens on Hornsey High Street, in accordance with the recommendations in paragraph 11 and section 6 of the Appendix.

Report Authorised by: **Anne Fisher, Director of Environmental Services**

Signed:  Date: **19/3/06**

Contact Officer: Jimmy Jemal, Team Leader Projects, Strategic Sites and Projects Group

Tel: 020 8489 5527

4. Executive Summary

- 4.1 The proposed re-design and landscaping of the Rectory Gardens open space is the largest of four projects that make up the Hornsey Environmental Improvements programme: a programme designed to regenerate the Hornsey High Street whilst retaining its heritage. The programme is entirely funded using Section 106 Planning Obligation monies in connection with the New River Village Development.
- 4.2 The Rectory Gardens open space creates a sense of arrival onto Hornsey High Street and represents a major opportunity for public realm improvements in the area. The project has strong community support and will implement major improvements to the open space, enhancing the area's green identity and improving the area's functionality.

5. Reasons for any change in policy or for new policy development

- 5.1 Not applicable.

6. Local Government (Access to Information) Act 1985

- 6.1 The following background documents were used in the production of this report:

- S106 Legal Agreement planning reference no. HGY/2002/0247 dated 19th November 2002, in respect of development at the former Water Works site, Hornsey, N8.
- Hornsey High Street Regeneration Study Final Report – December 2004.

- 6.2 This report contains exempt and non-exempt information. Exempt information is contained in the appendix and is **not for publication**. The exempt information is under the following categories:

- (viii) The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
- (ix) Any items proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- (x) The identity of any person offering any particular tender for a contract for the supply of goods or services.

7. Background

- 7.1 The re-design and landscaping of the Rectory Gardens open space is a central component of the Hornsey Environmental Improvements Programme: a regeneration programme funded via the New River Village development through Section 106 obligation monies. The Section 106 provided £400,000 for the programme and an additional £120,000 for management purposes.
- 7.2 The four projects that make up this programme were short-listed from a masterplan after extensive public consultation including local residents, businesses, community groups and other stakeholders. The re-design and landscaping of Rectory Gardens forms the largest of these projects.
- 7.3 A Steering Group, comprising local residents, businesses and Ward Councillors, has been overseeing the programme from its inception and have provided input into the proposed design for the Rectory Gardens open space. The project has strong community support and will implement major improvements to the open space, enhancing the area's green identity and improving its functionality.

8. Report

8.1 The Tenders

- 8.2 Competitive tenders were invited from four firms, which were selected from the Council's approved list of contractors. All contractors on the tender list are landscape contractors who have a proven track record of construction of both hard and soft works. These are listed in section 1.1 of the Appendix. They were invited to implement the new landscape design for the Rectory Gardens open space, which includes the following:
- Re-exposing existing granite sets on Rectory Gardens and raising them to pavement level.
 - Replacing pedestrian quad railings and improving walking routes through the gardens.
 - Planting new trees and replacing those that are ailing or unsafe.
 - Introducing new soft planting.
 - Introducing feature lighting along new footway/walking route.
- 8.3 Three contractors submitted tenders for the recommended project construction programme of 16 weeks. The defects liability period is for a period of 12 months. The returned tenders were evaluated in consultation with our project consultants Farrer Huxley Associates. Bids were assessed on the basis of the lowest price. Details of the tenders received are listed in section 2 of the Appendix.
- 8.4 One of the contractors did not submit a tender. The reason given was confusion as to the return date of the tender.
- 8.5 None of the tenders received are qualified in any way.
- 8.6 The overall range of the tenders was 134%.

8.7 All tenders are open for acceptance for a period of three months from 22nd February 2006, the date for the submission of the tenders. Consequently a tender should be accepted not later than 22nd May 2006.

8.8 Examination of the Lowest Tender

8.9 The tender documents submitted by the lowest fixed price tenderer, was examined by our consultant who advised that the pricing is consistent and competitive. This is considered to represent the best within budget solution because it meets the project's requirements and is at the lowest price. It is considered satisfactory as the basis for a contract.

8.10 Programme

8.11 Within the tender the contractor has confirmed that they are able to complete the works within the 16 week programme. A more detailed programme of works is yet to be received and approved.

8.12 Sustainability

8.13 Rectory Gardens is currently underused and parts of it are not accessible to the public. This project will improve and bring back into use an important area of public open space, which will enable the existing space to be used more efficiently and help support a more sustainable community. The proposed open space have followed the principles of designing out crime in terms of its layout and the materials used. The proposed new lighting will increase the usage of the open space at night. This will increase social interaction, support cultural diversity and ensure safer pedestrian links. The proposed improvements will provide for a more safer and secure environment for children and the elderly.

8.14 The following detailed items have also been allowed within the project/specification

- Re-use of existing stone copings.
- All furniture to be removed is to be delivered to the council store for re-use elsewhere.
- All paving is to be natural stone.
- Proposed lighting will be modern and efficient, using less energy than existing lighting systems (using low voltage LEDs).
- Planting and replacing defective trees.
- Increased biodiversity by introducing a greater variety of trees and planting, including a meadow, which will increase the existing range of flora and fauna.
- There will be no increased hard surfacing. Much of the pavement drainage will be via surface runoff directly into the ground and will not discharge into the drainage system. The proposals have therefore safeguarded the required groundwater for the existing and new planting.

8.15 Conclusions

8.16 The lowest Fixed Price tender received, with a Contract Period of 16 weeks, represents the best within-budget solution by a capable contractor, and is suitable basis on which to award the contract.

8.17 The current assessment of increased costs likely to occur during the course of the contract is £Nil. There is a 10% contingency contained within the tender sum.

8.18 Following discussions with the recommended contractors the consultant confirmed that omitting the works to the existing cope stones will provide a substantial saving, which is detailed in section 5.2 of the Appendix .

9. **Public Consultation**

9.1 The Hornsey Environmental Improvements programme is the result of extensive development work, which has included area user surveys and public consultation. The programme is based upon issues raised in initial consultation undertaken in August and September 2003. Approximately 5,300 leaflets were sent out to Hornsey residents and just under 300 replies were returned.

9.2 More specifically, a penultimate design of the proposed Rectory Gardens landscaping was exhibited at St Mary's Junior School in Hornsey in March 2005. Attendees were asked to comment on landscape designs to which over 200 comments were recieved. Further, a meeting was also held in March 2005 where local residents offered comments which were noted by the architect. The final design reflects the feedback received from these exercises.

10. **Financial Implications**

10.1 The financial implications of this project are detailed in sections 3 and 4 of the Appendix.

11. **Recommendations**

11.1 That members approve the award of contract to the contractor for the tender at the lowest price, for the soft and hard landscaping works at Rectory Gardens on Hornsey High Street. (Refer to section 6 of the Appendix for the recommended contractor.)

12. **Equalities and Health & Safety implications**

12.1 This project has been developed in line with the Council's statutory requirements in relation to the Disability Discrimination Act 1995 (DDA).

12.2 The landscaping of Rectory Gardens will enable Hornsey's diverse community to use the open space for community functions and will contribute to community development.

12.3 The contractor has been vetted with regard to equality issues such as race relations, the Equal Pay Act and the Sex Discrimination Act. Extensive discussions and

consultation have taken place with local residents, businesses and community representatives.

12.4 The construction (Design and Management) Regulations 1994 apply to this project and the contractor's construction phase health and safety plan will be checked and approved by the planning supervisor before works begin on site. All invited tender contractors have been assessed as competent under the Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. These also comply with the requirements of the council's health and safety policy.

13. Comments of the Director of Finance

13.1 A Section 106 planning gain in the sum of £400k was negotiated for Hornsey environmental improvements involving a total of four projects including re-design and landscaping works for Rectory Gardens. A sum of £263,459 is available for the latter.

13.2 The cost of the recommended tender is within the funding available for this project. If the tender is awarded, the scheme will be included in the Environmental Services capital budget for 2006/07. Any on-going maintenance costs will need to be contained within existing approved parks and open spaces maintenance budgets.

13. Comments of the Head of Legal Services

13.1 The estimated value of the contract is below the threshold for tendering in the EU under the Public Works Contracts Regulations 1991. The threshold is £3,611,474.

13.2 Paragraph 8.2 of the report states that the Contract was tendered in accordance with Contract Standing Orders in that tenderers from the Council's Approved Lists were invited to tender as per CSO 8.02. d). The tenders were evaluated on the basis of the lowest price.

13.3 The value of the contract as stated in the report is below £250,000, which the Director may award under CSO 11.02, or may be approved by Members.

13.4 The recommendation is to award the contract on the basis of the lowest price in accordance with Contract Standing Order 11.01. (a).

13.5 No Leaseholder issues are applicable to the recommendations in this report.

13.6 The Head of Legal Services confirms that there are no reasons preventing the Members from approving the recommendations in Paragraph 11 and section 6 of the Appendix of this report.

14. Comments of the Head of Procurement

14.1 The contractors considered for this work have been selected from the Council's approved and pre-qualified list of contractors.

- 14.2 The evaluation of the contractors has been undertaken on the basis of the contractor's capability to carry out the work required at the lowest price, which is an acceptable evaluation method for the appointment of contractors.
- 14.3 Further, a value engineering exercise has ensured affordability, by removing an element of the work which is not deemed to be essential to the project; the project still delivers it's aims and objectives.
- 14.4 The contractor is also able to complete the work within the required timescale.
- 14.5 There has been a significant amount of consultation which has taken into account the views of the 'end user' of the project. This is particularly important to a project with such a high community impact.
- 14.6 The Head of Procurement therefore supports the recommendations made in the Appendix for the appointment of the stated contractor.

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HARINGEY COUNCIL

Agenda item: **[No.]**

Procurement Committee

On 21st March 2006

Report Title: Alexandra House refurbishment (Part A): Award of contract

Forward Plan reference number (if applicable):

Report of: Director of Finance

Ward(s) affected: Woodside

Report for: *Key decision*

1. Purpose

1.1 To seek Member agreement to the award the contract for the refurbishment of Alexandra House, 10 Station Road, N22.

2. Introduction by Executive Member

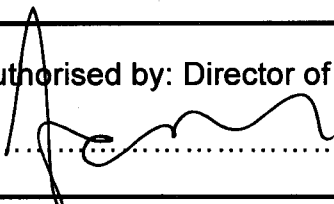
2.1 After an extensive and thorough tendering process I recommend that the tender submitted by the recommended contractor is accepted. I believe the recommended contractor's bid represents value for money, furthermore I believe they will be able to complete the refurbishment to a high standard.

I therefore have no hesitation in endorsing the proposals outlined in this report.

3. Recommendation

3.1 That Members agree to award the contract for the above project, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in paragraph 14.1 of this report subject to satisfactory resolution between the Council and the landlord with respect to the lease terms.

Report Authorised by: Director of Finance

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Contact Officer: Martin Cable, Team Leader – Accommodation Projects.
 Telephone 020 8489 2625.

4. Executive Summary

4.1 Following an exhaustive tendering process this report recommends the award of contract for internal refurbishment works to Alexandra House.

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

5.1 None.

6. Local Government (Access to Information) Act 1985

6.1 List of background documents:

Accommodation Strategy report to the Executive on 15th May 2003

6.2 See Part B for exempt information.

7. Background

7.1 Alexandra House in Station Road, Wood Green, is a 10 storey office block accommodating some 500 Council staff. The building was leased in 1986 on a 20 year full-repairing lease. Very little internal refurbishment has been undertaken during this period. The proposed refurbishment works comprise new flooring, lighting, ceilings, fire alarm, fixtures and fittings, mechanical and electrical services, IT data facilities and redecoration.

7.2 Negotiations are currently underway with the landlord of the building to renew the lease for a further 20 years. The refurbishment contract will only be let following a conclusion to the lease negotiations confirming a renewal period of at least 10 years.

7.3 Preparation of the scheme proposals and evaluation of the tenders received has been undertaken by the Council's Framework consultants Dearle and Henderson.

8. Budget

8.1 Funding for this work is held within the Accommodation Strategy fund.

9. Description of Procurement Process

9.1 Competitive tenders were invited from five contractors from the Council's approved list.

9.2 A number of minor errors and inconsistencies were found and these were discussed with the contractors.

9.3 Following the disqualification of one of the contractors at the first stage (due to the submission of a non-compliant tender), the remaining contractors were invited to post-tender interviews following which a scoring system was applied on a 50% Quality and 50% Cost basis.

9.4 It was necessary to extend the contract period in order to reduce the risk of delays during the fit-out between each floor and thereby delaying the main works contract. It was also decided to modify the specification to reflect operational need.

9.5 Following the post-tender interviews two of the most economically advantageous contractors were selected to proceed to the negotiation stage

9.6 Following the negotiations with the two contractors in para. 9.5 a further Price/Quality assessment was completed against the revised negotiated prices resulting in one contractor being recommended for the award of contract.

10 Consultation

10.1 Consultation has been carried out with Business Units occupying the building.

11 Key Benefits and Risks

11.1 These works both improve the working conditions in the building and increase the staff capacity in line with the Council's Accommodation Strategy.

12 Contract and Performance Management

12.1 The contract will be managed by the named contact officer internally within the Council. Additionally, a project manager has been appointed from the Council's Construction Related Consultancy Services framework agreement, who will ensure (via project feedback Forms) that the project is managed in accordance with construction best practice generally, and the Council's own local requirements.

13 Summary and Conclusions

13.1 An exhaustive tendering process has been carried out to determine the contractor who can best deliver a quality value-for-money product.

14 Recommendations

14.1 That Members award the contract for the refurbishment of Alexandra House to the contractor and sum stated in Part B of this report.

15 Equalities Implications

15.1 The refurbishment works include adaptations in line with the Disability Discrimination Act 1995.

16 Health and Safety Implications

16.1 The works will be carried out under the provisions of the Construction, Design and Management (CDM) Regulations that control the Health and Safety elements of such works.

17 Sustainability Implications

17.1 The Council's Sustainability officer has been involved during the project and her input has been included in the works and design specification of the contract.

18 Financial Implications

- 18.1 Funding for this work is held within the Accommodation Strategy fund. This work will reduce the Council's dilapidation liability.

19 Comments of the Director of Finance

- 19.1 The Director of Finance notes that a protracted delay in the re-negotiation of the lease on Alexandra House beyond the tender expiry date in May 2006 would result in a re-tendering (unless the contractor agrees to honour the original tender) and the risk of a price rise.

20 Comments of the Head of Legal Services

20.1 The estimated value of the contract is below the threshold for tendering in the EU under the Public Contracts Regulations 2006. The threshold is £3,611,474.

12.2 Paragraph 9 of the report states that the Contract was tendered in accordance with Contract Standing Orders in that tenderers from the Council's Approved Lists were invited to tender in accordance with CSO 8,2 (d), the tenders were evaluated on the basis of the most economically advantageous tender .

12.3 Because the value of the contract as stated in the report is in excess of £250,000 any award must be approved by Members in accordance with CSO 11.3.

12.4 The recommendation in this report is to award the contract on the basis of most economically advantageous tender in accordance with Contract Standing Order 11.1 (b).

12.5 The Head of Legal Services confirms that no leaseholders will be obliged to contribute to the proposed works to Alexandra House

12.6 The Head of Legal Services confirms that there are no reasons preventing the Members from approving the recommendations in Paragraph 14.1 of this report.

21 Comments of the Head of Procurement

- 21.1 The tender list of 5 contractors has been selected from the Construction Procurement Group's approved list of contractors.
- 21.2 Contractors are all capable to undertake the work to be carried out.
- 21.3 A full evaluation of the contractors has been undertaken, by an evaluation panel comprising Corporate Procurement, Construction Procurement, Accommodation Services, and a Framework Agreement consultant.
- 21.4 Compliant Tenders were received from only 4 of the five contractors. None of the original bid prices were within the available budget and all four compliant

contractors were asked to confirm their bid price and the preferred time period for the work to be undertaken.

21.5 The selection of the contractor (noted at Appendix B) represents best value; a thorough evaluation of both quality and price has been undertaken.

21.6 The Head of Procurement supports the recommendation to appoint the contractor to undertake the works as specified at para 5 of Appendix B.

22 Use of Appendices

22.1 Part B of this report contains exempt information.

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Procurement Committee
On 21st March 2006

Report Title: Crowland Primary School Re-instatement works – Waiver of contract Standing Orders (CSO) 8.02 as allowed under CSO 7.01

Forward Plan reference number (if applicable): **[add reference]**

Report of: Director of The Children's Service

Wards(s) affected: **South Tottenham**

Report for: **Key**

1. Purpose

- 1.1 The purpose of this report is to inform Members of the action plan for the re-instatement of the fire damaged teaching block in Crowland Primary School.
- 1.2 The Report seeks a waiver of standing orders to allow a single tender action to be undertaken that is in the Council's overall interest

2. Introduction by Executive Member

- 2.1 On 4th October 2005, an accident caused a fire to start on Crowland School which spread rapidly. All children and staff swiftly evacuated the building to safety.
- 2.2 The Children's Service has provided teaching to the pupils at temporary locations. This will have to be maintained until the completion of the re-instatement works at the fire damaged block scheduled for May 2007.
- 2.3 The exceptional circumstances surrounding the delivery of this project are such that contract award has to allow for the earliest possible start of works on site.
- 2.4 To expedite the process the approval to delegate authority for contract award up to a maximum of £3.3m is critical, and in the best interests of the Council.

3. Recommendations

- 3.1 To approve the Waiver of contract Standing Orders (CSO) 8.02 as allowed under CSO 7.01 thus allowing a single tender action with a contracting organisation from the Council's approved Framework Agreement.

Report Authorised by: Director of The Children's Service

Contact Officer: Contact officer: Brendan Wells

Telephone: 020 8489 3805

4. Executive Summary

4.1 A fire seriously damaged Crowland primary School on 4 October 2005.

4.2 The Council has moved quickly to provide education in temporary arrangements, and will continue to provide services until the re-instated block is available for occupation in May 2007.

4.3 Design work for the re-instatement work has progressed to a stage where a lump sum tender can be invited

4.4 Corporate Procurement Unit has developed a Major Works Framework Agreement, that has been approved by the Council however the contracts have not yet been executed. Therefore this report seeks a waiver of CSO 8.02 (competition) allowed under CSO 7.01. The value of the works is below the EU works value threshold of £3.5m

4.5 The Loss Adjustor is satisfied that the competitive element of the Major Works Framework Agreement is an acceptable arrangement for this project given the recent timing of the tender.

4.6 The award of the contract for the works to a maximum sum of £3.3m will be subject to a separate report to Committee.

4.7 The early start date for the construction contract will allow the earliest re-occupation of the teaching block by the School, a benefit to the children and parents affected

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

5.1 [click here to type]

6. Local Government (Access to Information) Act 1985

6.1 [List background documents]

6.2 [Also list reasons for *exemption or confidentiality (if applicable)]

7.0 Background

7.1 The Primary School teaching block was seriously damaged by a fire that occurred on 4th October 2005. The fire occurred at roof level and led to extensive damage to first and ground floor areas. The building was rendered unusable.

7.2 The Council moved quickly to equip an alternative venue – the Professional Development Centre (PDC) – as a temporary school, although this was only ever intended to be a short term solution.

7.3 The Council is currently constructing a purpose built temporary school that will provide accommodation for all displaced Crowland Primary School pupils. The temporary school is located on land adjacent to Crowland School, and will be available for occupation after Easter 2006.

7.4 The Council is proposing to re-instate the fire damaged block at Crowland School. Currently design work is progressing. The re-instated building will comply with current building regulations and construction standards.

7.5 The council will need to select and appoint a main contractor to carry out the re-instatement works. The Council's Corporate Procurement Unit (CPU) has provided names of eligible contractors through its major capital projects framework arrangement. This has been approved by the Council however the contracts have not yet been executed.

7.6 The purpose of this report is to seek a waiver of CSO 8.02 (competition) allowing the use of a framework qualifying contractor to be considered for the Crowland project.

7.7 Under the exceptional circumstances surrounding the Crowland Primary School such delegated authority will allow the Council to adhere to its critical timetable to re-occupy the re-instated teaching block by June 2007.

8.0 Works at the fire damaged block

8.1 The Children's Service is managing a series of contracts for demolition and stripping out of the damaged building. These works are scheduled for completion in March 2006 allowing the re-instatement contractor a cleared site for the installation of new works.

8.2 Site investigations including a measured survey of the structures have been completed with the information being used by the design team.

8.3 The demolition contractors working at the site are providing the council with health & safety, and security services. They have also been able to remove further equipment and possessions from the fire damaged block, and provided access to additional areas previously limited by the fire.

9.0 Design solutions

9.1 The appointed design team, led by Architects Barron and Smith, has developed a full re-instatement solution. This has been worked up in partnership with the School management team, parents and Governors.

9.2 The Council's Loss Adjustor has confirmed that the insurance arrangements will provide a capital sum for a re-instatement of the block plus updating the building to comply with current building regulations and standards. This will include double glazed units, higher levels of thermal insulation, greater energy efficiency, and access arrangements.

10.0 Procurement of contractor for re-instatement works

10.1 CPU has developed a series of framework agreements with main contractors for capital works. Children's Service Property & Contracts has been working with CPU to select a tenderer from their framework agreement since November 2005. CPU has now proposed the name of a suitable contractor for this project at the end of February 2006. Whilst the framework agreements have been approved by the Council the contracts have not yet been executed.

10.2 The Children's Service and CPU have agreed to use a JCT standard form of contract as the basis of the formal arrangement between the council and the contractor.

10.3 The design development will allow the council to invite the preferred contractor to submit a schedule of rates for all the works before a contract is awarded.

10.4 The Loss Adjustor has confirmed that this approach is acceptable, and the use of a single preferred contractor from the framework agreement is acceptable given the recent tender action that process involved.

10.5 The Children's Service aims to place a contract for the re-instatement contract at the earliest opportunity, preferring to allow access to the site in early April 2006.

- 10.6 The forecasted completion date for the re-instatement contract is April 2007 allowing the Children's Service to fit-out and furnish the teaching block ready for re-occupation of the school by June 2007. If Children's Service can improve on these dates it will be beneficial to pupils, parents, staff, and the Council.

11.0 Costs of re-instatement contract

- 11.1 Current cost estimate for the re-instatement works is in the order of £2.95m (excluding fees). Development of design and revisions of cost estimates will continue to be produced until the scope of the works is frozen.
- 11.2 A cost estimate has been prepared for the re-instatement works that includes bringing the building up to DfES guidelines in the sum of £ 3.15m. The value of meeting these standards is approximately £200 000 – a sum that will be funded from Children's Service approved capital programme for 2006/7.
- 11.3 This report seeks a waiver of CSO 8.02 (competition) that will allow the Children's Service to invite a single source tender from a suitable contractor selected from the Framework Agreement. The value of the works is below the £3.5m EU value threshold

12.0 Consultation

- 12.01 There has been widespread consultation on all aspects of this project with individuals and organisations including:
1. The significant local Jewish community
 2. General public
 3. Governors
 4. Staff
 5. Head teachers and support staff
 6. Specialist ICT advisors
 7. Insurers and loss adjustors
 8. Corporate meetings inside council including:
CPG, Legal Services, Insurance Section, School Standards, Education
ICT, Building Control, Planning Department, Finance, Parks and
Recreation, health & safety, catering
 9. Gladesmore School – Head Teacher and School management
 10. City Community College
 11. The Executive Member for The Children's Service Cllr George Meehan

13.0 Summary and Conclusions

- 13.1 The Council has moved rapidly to provide an alternative venue for teaching of pupils of Crowland Primary School.
- 13.2 The Children's Service is demolishing and clearing the fire damaged block ready for a re-instatement contractor to start work.
- 13.3 The Children's Service has worked with CPU to identify a suitable contractor that can be invited to provide rates for works in re-instatement from the Council's approved framework agreement. The value of the works is below the EU threshold of £3.5m
- 13.4 The programme for the re-occupation of the block is geared around the re-instatement contractor moving onto site in April 2006. This is required if the school is to re-occupy the block in June 2007.
- 13.5 The award of the contract will be subject to a separate report to Committee.

14.0 Recommendations

- 14.1 That CSO 8.02 is waived under CSO 7.01 allowing a single source tender action to be undertaken with a suitable contracting organisation from the council's approved Major works Framework Agreement

15.0 Comments of the Director of Finance

- 15.1 The programme for the re-occupation of the block is geared around the re-instatement contractor moving onto site in April 2006. This is required if the school is to re-occupy the block in June 2007
- 15.2 The financing of this project will be underwritten by the council, however the full cost, will be recouped from insurance and poses no financial risk to the council.
- 15.3 Given the exceptional circumstances surrounding this project, the Director of Finance has no objection to the award of the contract with a ceiling value of £3.3m to the contractor named above.

16.0 Comments of the Head of Legal Services

- 16.1 The estimated value of the Contract is below the threshold for tendering in the EU under the Public Contracts Regulations 2006, the threshold is £3,611,474
- 16.2 The Children's Service seeks a waiver of standing orders under contract standing order 6.4, namely the requirement to tender.
- 16.3 The request is made on the ground there are circumstances which are genuinely exceptional (CSO 7.3d) and it is in the Council's overall interest (CSO 7.3e)
- 16.4 Because of the value of the contract, the waiver must be approved by the Procurement Committee under CSO 11.3
- 16.5 The Head of Legal Services confirms that there is no legal reason preventing members from approving the recommendations set out in paragraph 14 above

17.0 Comments of the Head of Procurement

- 17.1 The Children's Service seeks a waiver of contract standing order 6.4, namely the requirement to tender.
- 17.2 An appropriate contractor has been selected from the Council's framework agreement contractor category for this value of project. However, because contracts are not yet in place for the framework agreements, the contractor cannot be appointed directly from the framework.
- 17.3 Contractors have been fully evaluated during the framework agreement evaluation process. During this process, the contractors have all been evaluated on an extensive basis, and price and quality have been fully considered via a complex pricing mechanism, method statements and interviews.
- 17.4 In this instance, the decision to seek a waiver is due to the exceptional circumstances of this reinstatement project, and the time pressures under which the project is working.
- 17.5 Although the Children's Service is seeking a waiver to tender this project, the Council can be confident that the market has been fully tested via the framework agreement mechanism.
- 17.6 The Head of Procurement therefore supports the recommendation at para. 14.

18.0 Equalities Implications

- 18.1 Throughout these processes the equalities implications have been considered and included where appropriate.

19.0 Use of Appendices / Tables / Photographs

[List any Appendices and their titles]

Procurement Committee

On 21st March 2006

Report Title: Crowland Primary School Re-instatement works – Delegated Authority for contract award

Forward Plan reference number (if applicable): **[add reference]**

Report of: Director of The Children's Service

Wards(s) affected: **South Tottenham**

Report for: **Key**

1. Purpose

- 1.1 The purpose of this report is to inform Members of the action plan for the re-instatement of the fire damaged teaching block.
- 1.2 The Report seeks approval of delegated authority to the Director of Children's Service for the award of the construction contract up to a maximum sum of £3.3m to the council's selected contractor partner

2. Introduction by Executive Member

- 2.1 On 4th October 2005, an accident caused a fire to start on Crowland School which spread rapidly. All children and staff swiftly evacuated the building to safety.
- 2.2 The Children's Service has provided teaching to the pupils at temporary locations. This will have to be maintained until the completion of the re-instatement works at the fire damaged block scheduled for May 2007.
- 2.3 The exceptional circumstances surrounding the delivery of this project are such that contract award has to allow for the earliest possible start of works on site.
- 2.4 To expedite the process the approval to delegate authority for contract award up to a maximum of £3.3m is critical, and in the best interests of the Council.

3. Recommendations

- 3.1 To approve the delegation of authority to the Director of Children's Service for the award of the contract to a maximum sum of £3.3m to the council's selected contractor partner.

Report Authorised by: Director of The Children's Service

Contact Officer: Contact officer: Brendan Wells

Telephone: 020 8489 3805

4. Executive Summary

- 4.1 A fire seriously damaged Crowland primary School on 4 October 2005.
- 4.2 The Council has moved quickly to provide education in temporary arrangements, and will continue to provide services until the re-instated block is available for occupation in May 2007.
- 4.3 Design work for the re-instatement work has progressed to a stage where a lump sum tender can be invited
- 4.4 Corporate Procurement Unit has provided the name of a suitable contractor for the works through their Major Works Framework Agreement.
- 4.5 The loss adjustor has indicated that they are satisfied that the competitive element of the Major Works Framework Agreement is an acceptable arrangement for this project given the recent timing of the tender
- 4.6 The selected contractor will be required to price a bill of approximate quantities providing the council with an indication of what final costs will be
- 4.7 The approval of the delegation of authority to the Director of Children's Service for the award of the contract to a maximum sum of £3.3m to the council's selected contractor partner will allow the earliest possible start on site
- 4.8 The early start date for the construction contract will allow the earliest re-occupation of the teaching block by the School, a benefit to the children and parents affected

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

5.1 [click here to type]

6. Local Government (Access to Information) Act 1985

6.1 [List background documents]

6.2 [Also list reasons for *exemption or confidentiality (if applicable)]

7.0 Background

- 7.1 The Primary School teaching block was seriously damaged by a fire that occurred on 4th October 2005. The fire occurred at roof level and led to extensive damage to first and ground floor areas. The building was rendered unusable.
- 7.2 The Council moved quickly to equip an alternative venue – the Professional Development Centre (PDC) – as a temporary school, although this was only ever intended to be a short term solution.
- 7.3 The Council is currently constructing a purpose built temporary school that will provide accommodation for all displaced Crowland Primary School pupils. The temporary school is located on land adjacent to Crowland School, and will be available for occupation after Easter 2006.
- 7.4 The Council is proposing to re-instate the fire damaged block at Crowland School. Currently design work is progressing. The re-instated building will comply with current building regulations and construction standards.

- 7.5 The council will need to select and appoint a main contractor to carry out the re-instatement works. The Council's Corporate Procurement Unit (CPU) has provided names of eligible contractors through its major capital projects framework arrangement. The contracts have not yet been executed by the Council.
- 7.6 The purpose of this report is to seek delegated authority for the Director of Children's Service to place the contract for the re-instatement contract up to a value of £3.3m excluding value added tax.
- 7.7 Under the exceptional circumstances surrounding the Crowland Primary School such delegated authority will allow the Council to adhere to its critical timetable to re-occupy the re-instated teaching block by June 2007.

8.0 Works at the fire damaged block

- 8.1 The Children's Service is managing a series of contracts for demolition and stripping out of the damaged building. These works are scheduled for completion in March 2006 allowing the re-instatement contractor a cleared site for the installation of new works.
- 8.2 Site investigations including a measured survey of the structures have been completed with the information being used by the design team.
- 8.3 The demolition contractors working at the site are providing the council with health & safety, and security services. They have also been able to remove further equipment and possessions from the fire damaged block, and provided access to additional areas previously limited by the fire.

9.0 Design solutions

- 9.1 The appointed design team, led by Architects Barron and Smith, has developed a full re-instatement solution. This has been worked up in partnership with the School management team, parents and Governors.
- 9.2 The Council's Loss Adjustor has confirmed that the insurance arrangements will provide a capital sum for a re-instatement of the block plus updating the building to comply with current building regulations and standards. This will include double glazed units, higher levels of thermal insulation, greater energy efficiency, and access arrangements.

10.0 Procurement of contractor for re-instatement works

- 10.1 CPU has developed a series of framework agreements with main contractors for capital works. CPU has proposed the name of a suitable contractor for this project at the end of February 2006. The Framework Agreement has been approved by the Council however the contracts have not yet been executed, and so this project will be based on a stand alone contract arrangement.
- 10.2 The Children's Service and CPU have agreed to use a JCT standard form of contract as the basis of the formal arrangement between the council and the contractor.
- 10.3 The design development will allow the council to invite the preferred contractor to submit a schedule of rates for all the works before a contract is awarded.
- 10.4 The Loss Adjustor has confirmed that this approach is acceptable, and the use of a single preferred contractor from the framework agreement is acceptable given the recent tender action that process involved.
- 10.5 The Children's Service aims to place a contract for the re-instatement contract at the earliest opportunity, preferring to allow access to the site in early April 2006.
- 10.6 The forecasted completion date for the re-instatement contract is April 2007 allowing the Children's Service to fit-out and furnish the teaching block ready for re-occupation

of the school by June 2007. If Children's Service can improve on these dates it will be beneficial to pupils, parents, staff, and the Council.

11.0 Costs of re-instatement contract

- 11.1 Current cost estimate for the re-instatement works is in the order of £2.95m (excluding fees). Development of design and revisions of cost estimates will continue to be produced until the scope of the works is frozen.
- 11.2 A cost estimate has been prepared for the re-instatement works that includes bringing the building up to DfES guidelines in the sum of £ 3.15m. The value of meeting these standards is approximately £200 000 – a sum that will be funded from Children's Service approved capital programme.
- 11.3 This report seeks approval to delegate authority to the Director of Children's Service for the award of the contract to a maximum sum of £3.3m to the council's selected contractor partner

12.0 Consultation

- 12.1 There has been widespread consultation on all aspects of this project with individuals and organisations including:
 - 1. The significant local Jewish community
 - 2. General public
 - 3. Governors
 - 4. Staff
 - 5. Head teachers and support staff
 - 6. Specialist ICT advisors
 - 7. Insurers and loss adjustors
 - 8. Corporate meetings inside council including:
 - CPG, Legal Services, Insurance Section, School Standards, Education ICT, Building Control, Planning Department, Finance, Parks and Recreation, health & safety, catering
 - 9. Gladesmore School – Head Teacher and School management
 - 10. City Community College
 - 11. The executive member for The Children's Service Cllr George Meehan

13.0 Summary and Conclusions

- 13.1 The Council has moved rapidly to provide an alternative venue for teaching of pupils of Crowland Primary School.
- 13.2 The Children's Service is demolishing and clearing the fire damaged block ready for a re-instatement contractor to start work.
- 13.3 The Children's Service has worked with CPU to identify a suitable contractor that can be invited to provide rates for works in re-instatement.
- 13.4 The programme for the re-occupation of the block is geared around the re-instatement contractor moving onto site in April 2006. This is required if the school is to re-occupy the block in June 2007.
- 13.5 The Director of Children's Service, with delegated authority provided by this committee can award a contract to a maximum of £3.3m, and can ensure that all measures have been taken to safeguard the council's position prior to letting the re-instatement contract.

14.0 Recommendations

- 14.1 That delegated authority be given to the Director of The Children's Service to award a contract for the re-instatement works at Crowland Primary School to a maximum of £3.3m to council's selected contractor partner.

15.0 Comments of the Director of Finance

- 15.1 The programme for the re-occupation of the block is geared around the re-instatement contractor moving onto site in April 2006. This is required if the school is to re-occupy the block in June 2007
- 15.2 The financing of this project will be underwritten by the council, however the full cost, will be recouped from insurance and poses no financial risk to the council.
- 15.3 Given the exceptional circumstances surrounding this project, the Director of Finance has no objection to the award of the contract with a ceiling value of £3.3m to the council's selected contractor partner.

16.0 Comments of the Head of Legal Services

- 16.1 The estimated value of the Contract is below the threshold for tendering in the EU under the Public Contracts Regulations 2006, the threshold for works is £3,611,474
- 16.2 A waiver of contract standing order 6.4 the requirement to tender was sought at this committee on the grounds that there are circumstances which are genuinely exceptional (CSO 7.3d) and it is in the Councils overall interest (CSO 7.3e), if the waiver is granted the recommendation in para 14 of this report may be approved.
- 16.3 Tenders were selected from all those contractors who have recently been evaluated under the MEAT (most economically advantageous tender) for the purposes of the proposed framework. The framework was advertised under the EU regulations and contractors who were selected for the framework have gone through the tender selection process as outlined by the Head of Procurement.
- 16.4 The Committee under the council constitution has power to delegate its powers to an officer; the power is derived from section 15 of the Local Government Act.
- 16.5 The Head of Legal Services confirms that there is no legal reason preventing members from approving the recommendations set out in paragraph 14 above
- 16.6 The Head of Legal Services confirms that there are no leasehold issues affecting this report

17.0 Comments of the Head of Procurement

- 17.1 A waiver for contract standing order 6.4 (not to tender) has been sought on the grounds of genuinely exceptional circumstances (CSO 7.3d).
- 17.2 However, even though a tender exercise has not expressly been undertaken for the purpose of this reinstatement project, the market has been fully tested.
- 17.3 The selected contractor is a pre-qualified contractor on the Council's approved list.
- 17.4 The contractor is also a contractor selected for the appropriate category of work under the framework agreements which are about to become operational, and which have been fully approved by Members.
- 17.5 Under EU regulations, the selection of a single contractor is allowable and appropriate. The contractor has been selected based on the most economically advantageous tender (MEAT) criteria.
- 17.6 Relevant and suitable experience of the type of work this project proposes has also been considered.

17.7 The Head of Procurement supports the appointment of the contractor as outlined above.

18:0 Equalities Implications

18.1 Throughout these processes the equalities implications have been considered and included where appropriate.

19.0 Use of Appendices / Tables / Photographs

Appendix I

Appendix I

Jerram Falkus is the selected contractor partner the council wishes to appoint for the Crowland School Fire reinstatement Project.

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Agenda item:

Procurement Committee**on 21st March 2006**

Report Title: **Expansion of Tetherdown Primary School, Grand Avenue, N10
(Part A): Award of Contract**

Forward Plan reference number (if applicable):

Report of: **Director of The Children's Service**

Wards(s) **Fortis Green and
Muswell Hill**

Report for: **Key Decision**

1. Purpose

- 1.1 This report seeks Member approval to award the contract for the expansion of Tetherdown Primary School, Grand Avenue, N10

2. Introduction by Executive Member

- 2.1 The expansion of Tetherdown School forms an integral part of The Children's Services strategy of expanding schools to meet pupil place needs where they are greatest. Acquiring the land from TreeHouse Trust provides a unique opportunity to expand a successful school, meet parental aspirations in the West of the borough. I fully support and endorse this report.

3. Recommendations

- 3.1 That Members agree to award the contract for the above project, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in paragraph Part A 13.1 and Part B 1.3 of this report.
- 3.2 That this award be subject to completion of the purchase of the land adjacent to the school, and that final acceptance of the award be delegated the Director of The Children’s Service in consultation with the Lead Member following completion of the land purchase.

Report Authorised by: **Sharon Shoesmith, Director of The Children’s Service.**

Signed **Date**

Contact Officer: **Brendan Wells, Head of Property and Contracts**
020 8489 3805

4. Executive Summary

- 4.1 Following tender analysis of the bids received, four (of the six) contractors who submitted suitable bids were interviewed on the 3rd February at Hornsey Town Hall. The Children's Service, Corporate Procurement, the School and the Design team were represented on the interviewing panel.

Prior to the interviews, the method of assessment of the contractors was agreed and a scoring matrix produced. This matrix was completed following the interviews and the results are included within this report.

As a result, the recommendation to Members is that the contract be awarded allowing construction works to commence in April 2006 and complete in July 2007.

5. Local Government (Access to Information) Act 1985

- 5.1 List of background documents:

The following background documents were used in production of this report:

- Post-tender interview minutes – as recorded by Mace
- Tender cost report as prepared by Potter Raper Partnership, January 2006 (Appendix B)
- Stage D Design Report
- Stage D Cost Plan No 7 dated 5th August 2005

- 5.2 See Part B for exempt information

6. Background

- 6.1 Tetherdown Primary School is a popular and successful school in Muswell Hill currently with one form of entry of 210 pupils. Due to a high demand for school places in the area, the Council identified Tetherdown Primary School for expansion to two forms of entry to accommodate a maximum of 420 pupils from Foundation to Year 6.
- 6.2 An opportunity arose to purchase adjacent land which allows for the expansion of Tetherdown to the recommended DfES standards. This land adjoins Tetherdown School to the south. The Central Foundation Schools of London sold the redundant playing field to the TreeHouse Trust, a London based UK charity planning to build a school for children with autism and who have established a temporary campus on the remaining land and the two schools are already forming a good relationship.
- There is land surplus to the TreeHouse scheme which is being purchased by the Council to allow for this primary school expansion.
- 6.3 The existing Tetherdown school accommodation comprises of a three-storey Victorian classroom block with a single storey extension providing a school hall,

servery and kitchen, and a later single storey timber cabin two-class reception annex. Externally there is a single playground. The original classrooms and facilities are very cramped and well below current standards recommended by the DfES. The original 3-storey main building is in poor condition and in need of external and internal repairs. The school has no nursery.

- 6.4 The proposed works include for deconstruction of single storey hall and kitchen, construction of new classroom building, hall and kitchen building and link to existing school.
- 6.5 The scheme has been carefully planned with the Headteacher and school governors to cause the minimum disruption to pupils and staff and make a safe environment for the school during works. The work will be undertaken with a timber hoarding separating the occupied school and children from construction operations.
- 6.6 The design has been developed in accordance with the DfES Building Bulletin BB99 "Briefing Framework for Primary School Projects" and follows extensive consultation with key stakeholders including school staff and governors. A number of open consultation events have been held at the school, inviting parents, local residents and other interested parties to view and comment on the project proposals.
- 6.7 The planning application was submitted on 24th June 2005.
- 6.8 Pre-submission discussions were held with Planning Officers to consider the design approach and details of the scheme. Two open events were held at the school for parents, local residents and other parties to view and comment on the proposals. (9th July 2004 and the 17th June 2005) and a public Development Control Forum was held, also at the school on the 19th July 2005.
- 6.9 At its meeting on the 10th October 2005 the Planning Applications Sub-Committee granted permission for the development including conservation area consent to demolish the hall and timber cabin. Permission is subject to materials, landscaping, access and boundary fencing details. These were submitted on the 23rd January 2006 and a decision is expected by the 19th March 2006.
- 6.10 The pre-tender estimate is £3,483,083.

This is below the EU Threshold for the period 1st Jan 2006-31st Jan 2006 of £3,611,319 for Works Contracts; therefore the EU Public Procurement Rules for advertising within OJEU (Official Journal of the European Union) are not applicable.
- 6.11 The Executive agreed at its meeting of the 22nd February 2005 to acquire the land adjacent to Tetherdown Primary School for the school expansion. A price has been agreed with the vendors, TreeHouse and exchange of contracts and completion is expected by 31st March 2006.

7.0 Budget

- 7.1 Total funding provision has been made for the Tetherdown Expansion project of £5.5m through the DfES Formulaic allocation to the Council for New Pupil Places 2005-2008.

8.0 Description of Procurement Process

- 8.1 Tenders were invited from six companies on a fixed price basis with a 52-week contract period. The Corporate Procurement Group selected the companies from the Council's list of approved contractors, for inclusion on the tender list. The selected companies are detailed at Appendix B.
- 8.2 The tenders were received on 23rd January 2006 and the results are as Part B paragraph 2.2.

Evaluation

- 8.3 The bidders were asked to submit method statements for the project quality assessment based on the following:-
- Contract Management, risk management and experience
 - Supply chain management
 - School liaison, choice and satisfaction
 - Labour resources, recruitment, training and development
 - Cost management and incentivisation
 - Health, safety and the environment
 - Sustainability
 - Quality
- 8.4 Each contractor's cost submission was evaluated and scored by the quantity surveyor. These scores contributed towards the collective score for that contractor. Cost submissions included assessment of profit and overhead, preliminaries.
- 8.5 The technical and quality submissions were evaluated by a panel which consisted of: -
- Bennett SEF - Architects
 - Potter Raper Partnership - Quantity Surveyors and Cost Consultants
 - Mace Ltd - Project Manager
- 8.6 Post-tender interviews were held at Hornsey Town Hall on the 8th February 2006. The panel was as above with additional key stakeholders:-
- The Children's Service - Property and Contracts
 - Finance Services - Corporate Procurement
 - Headteacher - Tetherdown Primary School
 - Governor - Tetherdown Primary School

8.7 The results of these submissions is contained in Part B paragraph 3.4.

9.0 Consultation

9.1 Pre-statutory consultation ran from 1st March 2004 to 2nd April 2004, the statutory representation was from the 21st April 2004 to 4th June 2004 and the Schools Organisational Committee ratified the expansion at its meeting on the 24th June 2004.

9.2 School and school governor consultation and involvement, and local resident consultation through the planning approval process are outlined in paragraphs 6.9 to 6.14.

10.0 Key Benefits and Risks

10.1 Tetherdown is a popular and successful primary school that is heavily oversubscribed (ref. paragraph 6.1). The Council has previously agreed to expand this school to allow more local children to attend (paragraph 16.3),

10.2 Until the land purchase has been completed there is a risk therefore it is recommended that this award be made subject to completion of the land purchase and that final approval be delegated to the Executive Member for The Children's Service and the Director of the Children's service.

11.0 Contract and Performance Management

11.1 The Conditions of Contract will be the Joint Contracts Tribunal (JCT) Standard Form of Building Contract, Local Authorities with Quantities 1998 Edition with Contractors Design Portion Supplement.
The Contract Administrator is Bennett SEF Architects and the Project Manager is MACE limited both commissioned through and in accordance with the Haringey Design Services Framework.

11.2 Performance Management will be undertaken:

- in accordance with the method statements supplied as part of the tender
- in accordance with the BREEAM environmental requirements (see paragraph 16.7)
- in accordance with the key performance indicators (kpi's) recommended by the Council's corporate procurement section (see appendices)

12.0 Summary and Conclusions

12.1 Expansion of this school with new accommodation will go some way to meet the rising demand for additional primary pupil places in the west of the borough and reduce the longer journey that pupils and parents would otherwise make to the next nearest school with surplus capacity.

12.2 There is an acceptable tender that can be afforded within the overall budget and the school will be able to accept an additional reception class this September (2006).

- 12.3 This is a unique opportunity to expand a popular and successful primary school in a phased manner, keeping disruption to a minimum and clearly separating construction activities from those of the school.

13.0 Recommendations

- 13.1 That Members award the contract for the school expansion at Tetherdown Primary School including a new build classroom, hall, dining block and link, to the contractor named in Part B Appendix 6.1 in the sum named in Part B Appendix 6.1.
- 13.2 That this award be subject to completion of the purchase of the land adjacent to the school, and that final acceptance of the award be delegated to the Lead Member and the Director of The Children's Service following completion of the land purchase.

14.0 Equalities Implications

- 14.1 The design includes for a link between the existing school and the new block at each floor level with a lift, stairs and level access and circulation to all areas of the school.
- 14.2 The scheme is designed to ensure the Authority complies with statutory requirements in relation to the Building Regulations Part M 2004 "Access to and Use of Buildings", and the Disability Discrimination Act 2005 (DDA). This includes accessibility for wheelchair users by means of level access, 900mm clear door openings, and accessible toilet. Contrasting colours will be used to aid the visually impaired including tactile flooring to indicate changes in level and identification of edges of all stairs. The scheme includes conventional, tactile and pictorial signage at different heights to assist the easy movement of all users throughout the facility.
- 14.3 Expansion of the school will mean that an additional 210 children (30 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. The expanded school will reach full pupil capacity (420 pupils) in 2012-13.

	Admission Year	Existing school planned capacity	Additional Reception Pupil Intake	Total school net capacity
	2005-06	210	0	210
1	2006-07	210	30	240
2	2007-08	210	30	270
3	2008-09	210	30	300
4	2009-10	210	30	330
5	2010-11	210	30	360
6	2011-12	210	30	390
7	2012-13	210	30	420

	2013-14	420	0	420
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15.0 Health & Safety Implications

- 15.1 All contractors have been assessed as competent under Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.
- 15.2 As required by the Construction (Design and Management) Regulations 1994, the Principal Contractor's Construction Phase Health and Safety Plan will be checked and approved by the client and Planning Supervisor prior to the commencement of work on site and assistance will be given to the school to modify its own Health and Safety Plan should it be necessary, due to the adjacent construction works.
- 15.3 As part of this contract and in conjunction with the Headteacher, the contractor will organise, a presentation to the school from their Health and Safety advisor. There will also be regular supervised on-site visits for pupils, staff and governors focusing on areas relating to the National Curriculum.
- 15.4 A rigid security hoarding will be erected around the site compound with observation panels to allow pupils and staff to monitor site progress whilst maintaining site safety.

16.0 Sustainability Issues

- 16.1 The school grounds are not extensive, although they comply with expected standards for an inner city primary school without a sports pitch or extensive habitat area.
- 16.2 The design has been developed to complement the natural and built environment of the local area, and to maintain the semi-rural feel of the site.

The elevation of the new buildings will be sympathetic to views particularly from Grand Avenue and Woodside Avenue.

- 16.3 The expansion also provides an opportunity to improve efficiency of the existing school by careful remodelling. The additional capacity will also allow more non-sibling children to attend their local school rather than a school well outside the catchment area for Tetherdown, thus reducing travel distances, consequential traffic congestion and vehicle exhaust emissions.
- 16.4 Daylight and Shading

Environmental design and sustainability have been important considerations within the project and the emphasis has been on the use of passive systems that are effective yet simple in operation. Consideration has been given to the orientation and areas of glazing in teaching areas, to provide acceptable levels of natural daylight. Daylight factor calculations show that the majority of rooms will be adequately naturally lit for most of the day. The windows will have a safe opening function to allow for natural ventilation.

16.5 Energy Efficiency

Energy efficiency is being designed into general engineering systems serving the building including boilers for space and water heating, provision of low energy lighting.

16.6 Materials

Timber cladding will be from managed forestry sources. There is a planning requirement for brickwork that reflects the local "Muswell Hill" orange stock brick. Materials from deconstruction of the hall and cabins will be recycled / reclaimed where possible.

16.7 Environmental Assessment

The DfES require schemes of this value to follow BREEAM (Building Research Establishment Environmental Assessment Method) for Schools. Thus the design process and construction and through to the operation of the building is considered to ensure that suitable sustainability considerations continue to completion and in the running of the building

16.8 Waste Management and Recycling

Delivering a sustainable development, and managing and minimising waste have been significant factors in the selection criteria for choosing the contractor. During the design and construction process materials will be assessed with regards to source, waste, energy, recyclables and waste minimisation by use of standardised or modular components.

Waste management solutions will be further developed with the contractor where feasible, implemented and measured through key performance indicators.

16.9 Outdoor Environment

The development will provide opportunities for staff and children to influence their classroom and outdoor environments. The contractor will be able to arrange educational 'site' visits so that children can understand more about the construction process and be aware of what is done and what jobs are involved to bring a project of this nature together.

Unfortunately some of the existing semi-mature trees are self-seeded and have grown through the metal railings on the northern boundary. The Council's arborist has inspected the trees and advises that several trees will have to be removed as they are weak and unsafe (one tree fell over in 2005). All the trees recommended for removal are marked on the external works plan and will be replaced either in the same position or in a new stand. Critical replacements will be planted with extra heavy standard stock. There will also be a planted tree and shrub screen on the boundary between the Tetherdown and TreeHouse developments.

16.10 Thermal Performance

New construction will exceed the thermal performance requirements of the Building Regulations, Part L2. A full submission has been made to Building Control to demonstrate compliance.

16.11 Lighting

Energy saving electric lighting will be provided throughout the school including low energy light sources, occupancy sensors and time switch/photocell control of external lighting.

16.12 Shading:

Solar control glass will be provided, to reduce solar gains. Calculations indicate that acceptable temperatures, (within the limits set in the Building Regulations, Part L2), will be maintained by opening windows.

16.13 Ventilation:

The classrooms and hall will be naturally ventilated with openable windows and high level clerestory windows. The classrooms on the lower floors of the new teaching block will also be provided with 'wind catcher' displacement ventilation system, incorporating roof terminals, to improve the natural ventilation. The wind catchers can be safely left open at night to cool the building.

Apart from extract systems in the kitchen and WC's, only the hall has been provided with mechanical ventilation, to cope with times of high occupancy. No cooling will be provided.

16.14 Water saving:

Sanitary appliances will be water efficient low flush WCs and aerator spray taps.

16.15 Drainage:

Thames Water require the installation of a large water tank to store rainfall and water run-off during heavy storms and release this slowly into the public sewer to avoid overflowing. This will be installed under the lower playground area.

16.16 Heating and Hot water systems:

High efficiency boilers with carbon emissions lower than required by the Building Regulations will provide heating and hot water to the school. The heating system has been designed in zones, to allow parts of the school occupied outside normal hours to be separately heated. Heating controls include compensation and optimisation, to ensure the buildings are only heated when required.

17.0 Financial Implications

17.1 These are contained in Part B paragraphs 7.1 – 7.4.

18.0 Comments of the Director of Finance

- 18.1 The funding provision is based on DFES Formulaic Allocation of £11.4m to the council for New Pupil Places in 2005/06 and 2007/08. This has been confirmed by the DFES.
- 18.2 The value of this scheme can be contained within the overall formulaic allocation for new pupil places and there is no financial risk to the Council. However the award of this contract is subject to the purchase of land adjacent to the school.
- 18.3 The overall Children's Services Capital programme for the next three years, which includes this project, was approved at the Executive on 31st January 2006. The Executive in a separate meeting also approved the purchase of the Land on the 22 February 2006 and the exchange of contract and completion is expected on 31 March 2006.
- 18.4 Provided the purchase of land is completed as planned (ref. par. 6.2 above), the Director of Finance has no objection to the award of contract to the contractor named above.

19.0 Comments of the Head of Legal Services

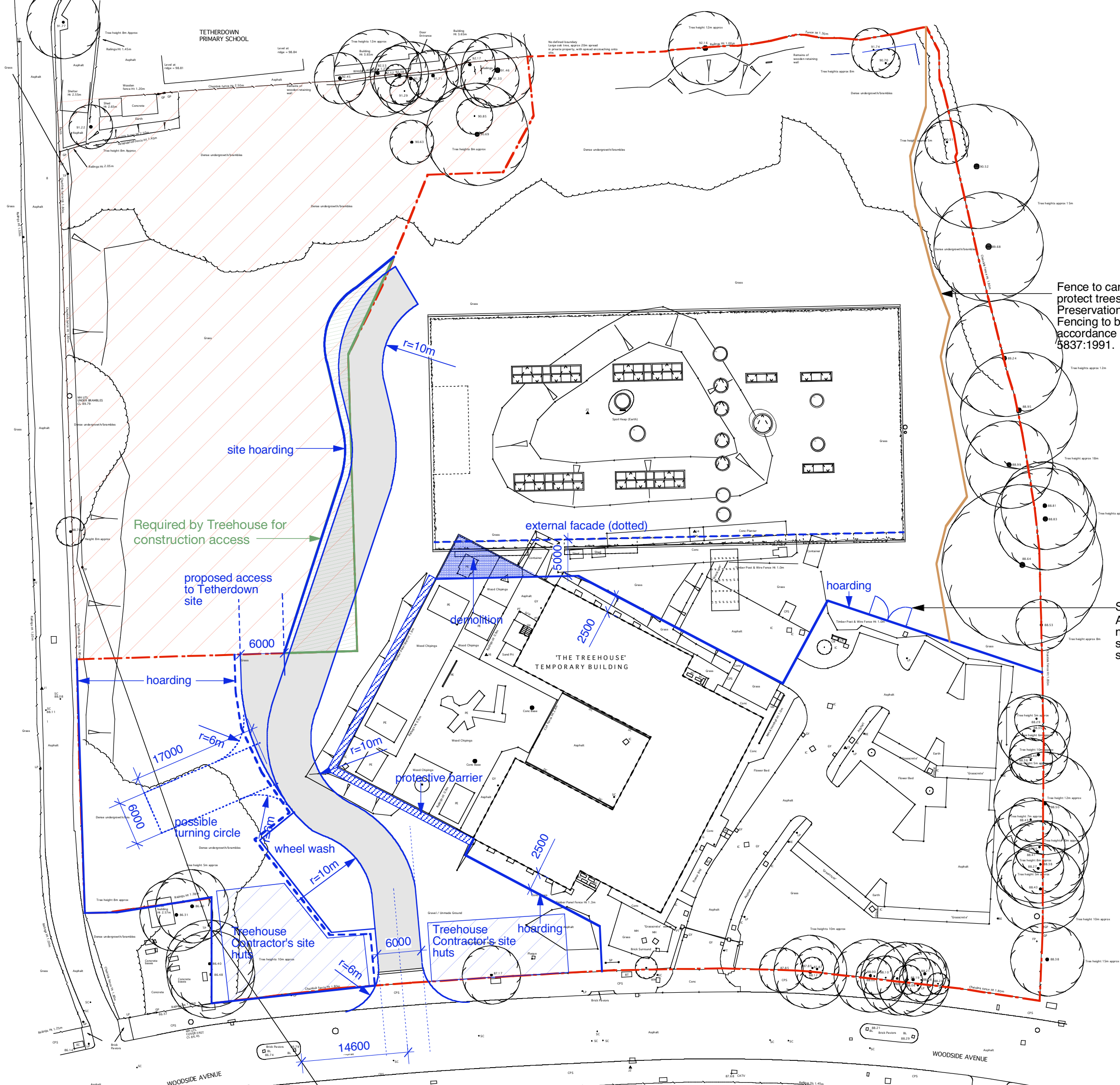
- 19.1 The estimated value of the contract is below the threshold for tendering in the EU under the Public Contracts Regulations 2006. The threshold is currently £3,611,474., however at the time of tender the threshold was (£3,834,411) for works.
- 19.2 Paragraph 8.1 of the report states that the Contract was tendered in accordance with Contract Standing Orders in that tenderers from the Council's Approved Lists were invited to tender in accordance with CSO 8,2 (d), the tenders were evaluated on the basis of the most economically advantageous tender .
- 19.3 Because the value of the contract as stated in the report is in excess of £250,000 any award must be approved by Members in accordance with CSO 11.3.
- 19.4 The recommendation in this report is to award the contract on the basis of *most economically advantageous tender* in accordance with Contract Standing Order 11.1 (b).
- 19.5 Where the project value is near the EU threshold consideration should be given to tendering under the EU rules.
- 19.6 The Procurement Committee has powers under the Councils constitution part H2.1.02 (based on S.15 of the Local Government Act 2000) to delegate any of its powers to officers.
- 19.7 The Head of Legal Services confirms that no leaseholder issues are applicable.
- 19.8 The Head of Legal Services confirms that there are no reasons preventing the Members from approving the recommendations in Paragraph 13. of this report.

20.0 Comments of the Head of Procurement

- 20.1 The contractors asked to tender were selected from the Council's approved list of pre-qualified contractors; all have financial capacity and capability to undertake the work as outlined above.
- 20.2 All 6 of the contractors were asked to resubmit prices and timescales, and the project can therefore demonstrate equal treatment of all contractors throughout the process.
- 20.3 The lowest price tender was only 2.7% higher than the pre-tender estimate, giving confidence that a thorough cost management process is being undertaken.
- 20.4 A thorough consultation process has been undertaken to ensure that the design and project proposals meet with stakeholder requirements.
- 20.5 As is to be expected with a project of this size, nature and value, a robust evaluation of the construction contractors' quality methodologies has been undertaken.
- 20.6 In summary, this report represents a thorough and robust procurement, and the Head of procurement supports the recommendations made at Appendix B of this report.

21.0 Appendices

- 21.1 Appendix A: Site Access Strategy Plan 135-SK-D-32 Sept 2005
- 21.2 Part B of this report contains exempt information.



- Site Hoarding
- - - Temporary site hoarding to enclose & secure south western corner of site
- New tarmacdem site access road

Fence to canopy line to protect trees with Preservation order. Fencing to be in accordance with BS 5837:1991.

Site Access gate Access as/ when necessary basis - specifically out of school hours.

Required by Treehouse for construction access

site hoarding

external facade (dotted)

hoarding

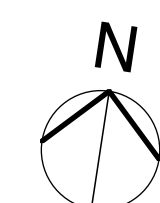
protective barrier

possible turning circle

wheel wash

Treehouse Contractor's site huts

Treehouse Contractor's site huts



- B 18.11.05 Amend Site boundary to tetherdown to reflect current title plan MX345708 + AAGL96501
- A 11.11.05 FINAL Stage D Report Issue
- * 27.10.05 Draft B Stage D Issue

Tree House Trust
Stage D
135-SK-D-32
Site Access Strategy Plan

DATE: September 2005
 SCALE: 1:500 @ A3

penoyre & prasad

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**REPORT TEMPLATE:
PROCUREMENT COMMITTEE***** HARINGEY COUNCIL ***Agenda item: **[No.]****Procurement Committee On 21st March 2006****Award of contract:**

Report Title: 1-128 Kenneth Robbins House.

Renewal of internal wastes, kitchens and bathrooms, electrical re-wiring, installation of an Integrated Reception System (IRS) and associated works .

Report of: Director of Housing**Wards affected:** Northumberland Park**Report for:** Non-Key Decision**1.0 Purpose**

1.1 To seek Members agreement to award the contract for the renewal of internal wastes, kitchens, bathrooms, electrical re-wiring, installation of an integrated reception system (IRS) and associated works.

2.0 Introduction by Executive Member

2.1 I concur with the recommendations.

3.0 Recommendations

3.1 That Members agree to award the contract for the above project, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in paragraph 11.1 of this report.

Report Authorised by*Stephen Clarke*

 Stephen Clarke Director of Housing
Contact Officer: Graham Clarke - Project Manager - Telephone: 0208 489 1160**4.0 Executive Summary**

4.1 See 1.1

5.0 Reasons for any change in policy or for new policy development)

5.1 Not Applicable

6.0 Local Government (Access to Information) Act 1985

6.1 List of background documents:

- JCT 1998 Intermediate Form of Building Contract
- Feasibility study by Dunlop Haywards. August 2004.
- Tender Report by Dunlop Haywards. September 2005
- Decent Homes Guidance February 2004

6.2 **Appendix A of this report is NOT FOR PUBLICATION as it contains exempt information.**

7.0 Background

7.1 Over the last few years there has been an ongoing maintenance problem with the corroding copper waste pipes at Kenneth Robbins House, which has caused persistent leaks within the flats. This has led to serious water damage to ceilings, walls and adjacent surfaces. The works needed to remedy this problem is extensive and beyond the scope of the day-to-day maintenance team.

7.2 The original project brief was to replace all corroded pipe work to resolve the maintenance problem. However, following a detailed feasibility report produced by Dunlop Haywards in August 2004 and in order to bring the properties up to the Haringey Standard i.e. all works described in the Decent Homes guidance dated February 2004, it became necessary to include additional works. This involves the renewal of kitchens & bathrooms, rewiring including smoke detectors and extractor fans and overhauling the main extractor fans on the roof. In addition, as a result of the consultation process it was agreed that the opportunity will be taken to upgrade the communal TV aerial to an integrated reception system.

7.3 It should be noted however that works involving the leasehold flats would be confined to the renewal of internal waste branch pipe work, overhauling the existing mechanical extraction system serving the inner bathrooms and installation of IRS and associated works.

8.0 Budget

8.1 This project will be funded from the Planned Maintenance Budget within the 2005/2006, 2006/2007, 2007/2008 Housing Capital Programmes.

9.0 Tenders

9.1 Tenders were invited from five firms from the Approved List of Contractors.

- 9.2 Tenders were invited on the basis of a fixed price contract, for a period of 24 weeks.
- 9.3 All five contractors invited to tender submitted a tender.
- 9.4 The overall range of tenders, that is the difference between the highest and the lowest tenders submitted, was 45%.
- 9.5 All tenders are open for acceptance for a period of six months from 24th August 2005, the closing date for receipt of tenders. Therefore tenders should have been accepted by 24th February 2006. This date has, however, been extended by 3 months to 24th May 2006. The contractors who submitted the two lowest tenders have confirmed that they will stand by their price.
- 9.6 The lowest firm price tender received with a contract period of 24 weeks is recommended for acceptance.
- 9.7 Full details of the tendering exercise are laid out in Appendix A.

10.0 Consultation

- 10.1 Detailed consultation has been carried out on this project by a number of residents meetings, detailed newsletters and door to door consultation.
- 10.2 Following door to door consultation, access has been gained to 90 out of 128 flats, all of which have been fully surveyed prior to tender invitation. This compares favourably with similar schemes undertaken to date.
- 10.3 Visits to other Boroughs were arranged to see similar projects so lessons learnt could be incorporated into the design and the benefits passed on to the residents within this scheme.

11.0 Recommendations

- 11.1 That Members agree to award the contract for the above project as allowed for under contract standing orders (CSO) 11,1 based on the lowest price.

12.0 Equalities Implications

- 12.1 This improvement will benefit all occupants of the properties included in this scheme which includes disabled, elderly and people from ethnic minority groups and will improve their quality of life.
- 12.2 Tenants have been given a choice of kitchen layouts designed to suit their individual needs.

13 Health and Safety Implications

- 13.1 All contractors have been assessed as competent under the Construction Health

and Safety Assessment Scheme (CHAS), which is an industry-wide-body. They also comply with the requirements of the Council's Health and Safety policy.

13.2 The construction Design and Management Regulations 1994 apply to this project and the contractors Construction Phase Health and Safety Plan will be checked and approved by the Planning Supervisor prior to the commencement of work on site.

14.0 Sustainability Implications

14.1 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the products. This includes the installation of steel baths and PVC flooring.

14.2 Although PVC floors are long lasting, PVC is not good for the environment.

14.3 Part of the scheme includes for overhauling the existing mains water distribution system . This will consist of a new rising main complete with break tanks and booster pumps to allow showers to be used without loss of pressure.

14.4 The contractor will be required to register and comply with the Considerate Constructors Scheme.

14.5 Providing an integrated satellite reception system reduces the quantity of satellite dishes fixed to the property, resultant damage to the building fabric and gives lower income families access to increased TV viewing choice..

14.6 The selected kitchen, Moores High Performance 2, has received the F.I.R.A Gold Award and Kite mark Certification with a life expectancy of twenty years.

14.7 A detailed asbestos survey was carried out during the design phase of this project. This revealed 64 flats with access panels in the bathrooms containing asbestos. Any asbestos found within the flats will be removed in a controlled way and will be transported under controlled conditions to a registered site in strict accordance with current regulations and legislation. Air monitoring will be carried out in accordance with regulations to eliminate the risk of pollution from such sources for the continued use and maintenance of the building.

15.0 Financial Implications

15.1 This scheme is estimated to cost £1,463,676, and projected to be phased as set out in paragraph 6.0 of Appendix A.

15.2 Provision for the spend in 2005/2006 and 2006/2007 exists in the Planned Maintenance Budget within the Housing Capital Programmes for the respective years. The balance of the expenditure £36,592 is forecast to be spent in financial year 2007/2008; this will be a first call on the resources available in that year.

16.0 Comments of the Director of Finance

16.1 The Director of Finance has been consulted in detail and advises that provision for the spend in 2005/2006 and 2006/2007 exists in the Planned Maintenance budget within the Capital programmes for the respective years.

16.2 The balance of the expenditure £36,592 is forecast to be spent in financial year 2007/2008, this will be a first call on the resources available in that year.

17.0 Comments of the head of Legal services

17.1 The estimated value of the proposed contract is below the threshold for tendering public works contracts in the EU under the Public Contracts Regulations 2006, currently £3,611.474.

17.2 The Contract has been tendered in accordance with CSO 8.2(d) by inviting tenders from five firms on the Council's Approved List of Contractors. CSO 8.3 (d) provides that where an Approved List exists in respect of a subject matter, tenders shall be invited from capable contractors on the List having regard to the principles of best value.

17.3 Leaseholder consultation has been carried out in compliance with the Landlord and Tenant Act 1985 and the Service Charge (Consultation Requirements) (England) Regulations 2003.

17.4 This report recommends award of the contract to the firm which has submitted the lowest priced tender. Under CSO 11.1 tenders may be accepted on the basis of either the lowest price or the most economically advantageous tender.

17.5 Because the estimated value of the contract is above £250,000, pursuant to CSO 11.3, the contract can only be awarded by Members.

17.6 The Head of Legal Services confirms that there is no legal reason preventing Members from approving the recommendation set out in paragraph 3 of this report.

18.0 Comments of the head of Procurement

18.1 The contractors selected to tender for this project have been selected from the council's approved list of pre-qualified contractors and as such they are recognised to be capable and have the financial capacity to undertake this work as outlined above.

18.2 The tender submissions have been evaluated on the basis of the lowest price submitted by the contractor which is acceptable and admissible under the Council's Contract Standing Orders.

- 18.3** A thorough breakdown of the work to be undertaken has been provided, thereby reducing the risk of increased cost due to previously unidentified work to be undertaken.
- 18.4** Consultation with leaseholders has also been undertaken in the appropriate manner, ensuring optimum recover of costs.
- 18.5** The Head of procurement supports the recommendation to Members to approve the award of contract to the contractor as named.

19.0 Use of Appendices / Tables

19.1 Appendix A Tenders. Finance. Leaseholders Information.

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