



**NOTICE OF MEETING**  
**\*PLEASE NOTE STARTING TIME**

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## Cabinet Procurement Committee

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TUESDAY, 4TH SEPTEMBER, 2007 at \*18:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Adje (Chair), Meehan, Diakides and Santry.

### **AGENDA**

**1. APOLOGIES FOR ABSENCE (IF ANY)**

**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 x below. New items of exempt business will be dealt with at item x 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 - 8)**

To confirm and sign the minutes of the meeting of the Procurement Committee held on 24 July 2007.

**5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Standing Orders.

**6. HEALTHY ALLIANCE BUDGET, ENFIELD & HARINGEY JOINT INDEPENDENT SECTOR HIV PREVENTION PROGRAMME (PAGES 9 - 16)**

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships and Communication): To seek a waiver of the requirement to tender under Contract Standing Orders and to extend the existing contract for a period of time not to exceed 12 months.

**7. SOCIAL SERVICES SPOT CONTRACTS - OUTCOME OF BENCHMARKING EXERCISE (PAGES 17 - 22)**

(Report of the Director of Adult, Culture and Community Services): To inform Members of the outcome of a benchmarking exercise undertaken at the request of the Committee on 27 June 2007.

**8. MARKFIELD PARK IMPROVEMENTS - AWARD OF CONTRACT TO CONSTRUCTION CONTRACTOR (PAGES 23 - 30)**

(Report of the Director of Adult, Culture and Community Services): To seek approval to appoint a contractor that has been selected from the framework for the construction of a café in Markfield Park.

**9. CONSTRUCTION OF NEW HARINGEY MORTUARY (PAGES 31 - 38)**

(Report of the Director of Urban Environment): To seek approval to award the contract for the main construction work (Phase 2) for the new Haringey Public Mortuary situated at the Lodge, Church Lane, N.17.

**10. WAIVER REPORT FOR THE PROVISION OF SERVICES FOR HARINGEY CHILDREN & YOUNG PEOPLE IN NEED (PAGES 39 - 46)**

(Report of the Director of the Children and Young People's Service): To seek approval to a waiver of Contract Standing Order 7.02.

**11. AWARD REPORT FOR THE PROVISION OF SERVICES FOR HARINGEY CHILDREN & YOUNG PEOPLE IN NEED (PAGES 47 - 54)**

(Report of the Director of the Children and Young People's Service): To seek approval to award a contract for the provision of services to Haringey Children & Young People in Need to NCH Children's Services Ltd.

**12. BUILDING SCHOOLS FOR THE FUTURE - EDUCATIONAL ADVICE FRAMEWORK (PAGES 55 - 62)**

(Report of the Director of the Children and Young People's Service): To seek approval to the establishment of a framework agreement of between three and seven educational and transformation consultancy specialists to provide education advice, guidance and support at various stages throughout the life of the BSF Programme.

**13. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at 2 above.

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

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

Note from the Head of Local Democracy and Member Services

The following items allow for consideration of exempt information (if required) in relation to items 6 - 12 which appear earlier on this agenda.

**15. HEALTHY ALLIANCE BUDGET, ENFIELD & HARINGEY JOINT INDEPENDENT SECTOR HIV PREVENTION PROGRAMME (PAGES 63 - 64)**

(Report of the Assistant Chief Executive – Policy, Performance, Partnerships and Communication): To seek agreement to waive the requirement to tender under Contract Standing Orders and to extend the existing contract for a period of time not to exceed 12 months.

**16. MARKFIELD PARK IMPROVEMENTS - AWARD OF CONTRACT TO CONSTRUCTION CONTRACTOR (PAGES 65 - 66)**

(Report of the Director of Adult, Culture and Community Services): To seek approval to appoint a contractor that has been selected from the framework for the construction of a café in Markfield Park.

**17. CONSTRUCTION OF NEW HARINGEY MORTUARY (PAGES 67 - 70)**

(Report of the Director of Urban Environment): To seek approval to award the contract for the main construction work (Phase 2) for the new Haringey Public Mortuary situated at the Lodge, Church Lane, N.17.

**18. AWARD REPORT FOR THE PROVISION OF SERVICES FOR HARINGEY CHILDREN YOUNG PEOPLE IN NEED (PAGES 71 - 72)**

(Report of the Director of the Children and Young People's Service): To seek approval to award a contract for the provision of services to Haringey Children & Young People in Need to NCH Children's Services Ltd. for a period of three years with an option to extend for up to two years.

**19. BUILDING SCHOOLS FOR THE FUTURE - EDUCATION ADVICE FRAMEWORK (PAGES 73 - 76)**

(Report of the Director of the Children and Young People's Service): To seek approval to the establishment of a framework agreement of between three and seven educational and transformation consultancy specialists to provide education advice, guidance and support at various stages throughout the life of the BSF Programme.

**20. NEW ITEMS OF EXEMPT URGENT BUSINESS**

To consider any new items admitted at 2 above.

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24 August 2007

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE  
TUESDAY, 24 JULY 2007**

Councillors \*Adje (Chair), \*Diakides, \*Meehan and \*Santry

\*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC13.	<p><b>MINUTES</b>(Agenda Item 4)</p> <p><b>RESOLVED</b></p> <p>That the minutes of the meeting held on 27 June 2007 be approved and signed.</p>	HLDMS
PROC14.	<p><b>BRUCE GROVE, TOWNSCAPE HERITAGE INITIATIVE, PHASE 2 (GROUPS 2 &amp; 3)</b> (Report of the Director of Urban Environment – Agenda Item 6 )</p> <p>Details of the contracts 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 the business or financial affairs of any particular person (including the Authority holding that information).</p> <p>Concern was expressed that the analysis of project cost provided did not contain details of any fees, salaries and disbursements involved in the contract. Disquiet was also voiced about the possible impact on the works of the adjustments made to the specification during negotiations between the contractor and the Quantity Surveyor.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That, in accordance with Standing Order CSO 11.03, approval be granted for building contract services on the second phase of the Townscape Heritage Initiative in Bruce Grove to Lengard Limited in the sum of £259,294.49 for a contract period of 16 weeks.</li> <li>2. That the cost of the tender plus any commitments already made and/or to be made must not exceed the overall budget provision for the project of £338,500.</li> <li>3. That Members of the Committee be provided with a briefing note with details of the sundry costs and of the changes made to the work specified in the contract following the negotiations outlined above.</li> </ol>	<p>DUE</p> <p>DUE</p> <p>HPr</p>
PROC15.	<p><b>ST ANN'S LIBRARY HALL REDEVELOPMENT PROJECT</b>(Report of the Director of Adults, Culture and Community Services – Agenda Item 7)</p>	

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	<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 the funding for this project was through the Bridge New Deal for Communities capital programme which was time limited.</p> <p>Details of the contracts 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 the business or financial affairs of any particular person (including the Authority holding that information).</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That, in accordance with Standing Order CSO 11.03, approval be granted in principle to the award of a Design and Build construction contract to Breyer Group PLC in the sum of £894,336.46 for a contract period of 40 weeks.</li> <li>2. That the Director of Adult, Culture and Community Services be authorised to finalise the contract price with Breyer Group PLC in accordance with the terms of the Major Works Framework Agreement, the price not to exceed the overall funding available for the project.</li> </ol>	<p>DACCS</p> <p>DACCS</p>
<p><b>PROC16.</b></p>	<p><b>WAIVER OF REQUIREMENT TO TENDER RESIDENTIAL MENTAL HEALTH BLOCK CONTRACT</b>(Report of the Director of Adults, Culture and Community Services – Agenda Item 8)</p> <p>Concern was expressed that the contract had already been extended because a competitive process had not secured an alternative provider due to the fact that suitable property was not available within or adjacent to the Borough. In his connection it was noted that efforts to source properties on behalf of the sector had been made but without success.</p> <p>It was also noted that Mental Health Commissioning proposed to waive the requirement to tender and reconfigure the service which would involve partnership working with the PCT and embedding the service in emergent rehabilitation strategy for Mental Health. Having regard to the fact that the current contract with Tulip expired on 30 September 2007, we were informed that an extension of up to 6 months would allow negotiations and time for any service reconfigurations in line with service user requirements.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That, in accordance with Contract Standing Order 7.03, approval be granted to a waiver of the requirement to tender the mental health residential care and support service.</li> <li>2. That approval be granted to Mental Health Commissioning negotiating with Tulip in order to remodel the service and meet</li> </ol>	<p>DACCS</p> <p>DACCS</p>

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	<p>current identified need for dual diagnosis provision and to a further report being presented with a view to an award of contract for a period of 3 years with a provision to extend for up to 2 years.</p> <p>3. That approval be granted to an extension of the current contract with Tulip for a period not exceeding 6 months from 1 October 2007 to allow negotiations, remodelling and reconfiguration of service provision.</p> <p>4. That a report be made to the September Cabinet Advisory Board meeting setting out details of the proposed reconfiguration of mental health residential care.</p>	<p>DACCS</p> <p>DACCS</p>
<p><b>PROC17.</b></p>	<p><b>CONNEXIONS SERVICES FROM APRIL 2008</b> (Report of the Director of the Children and Young People's Services – Agenda Item 9)</p> <p>With the consent of the Committee the box in Appendix 2 to the interleaved report in relation to post 16 provision was amended to read as follows -</p> <p>'To directly contract with schools who have a sixth form and the sixth form centre through a Service Level Agreement.</p> <p>To prepare a contract waiver and award for post 16 provision through CoNEL.</p> <p>To deliver PA support for young people in work based learning as part of targeted support.'</p> <p>In response to a question about apprenticeships, we noted that engagement with employers to ensure that there were work opportunities and apprenticeships available formed part of the delivery of the Connexions service.</p> <p><b>RESOLVED</b></p> <p>That approval be granted to the commissioning approach to the delivery of Connexions services from April 2008 as detailed below –</p> <p><b>1. Provision of in-house centrally managed services</b></p> <p><b>a) Targeted information, advice and guidance service</b></p> <p><b>Target Group</b> Young people 13-19 and up to 25 who had a special need where there were additional factors which could impact on their engagement such as mental health or teenage pregnancy.</p> <p><b>Internal Services - Delivery Approach</b> This area of work to be delivered by Personal Advisers (PA) allocated to the specialist teams providing support and the PA staff be managed by those teams e.g. Youth Offending Team. There would also need to be a</p>	<p>DCYPS</p>

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small central team who worked with targeted groups who were not covered within the specialist teams.

This to be quality assured through a separate centralised QA team within the 14-19 section.

**b) Intensive intervention information, advice and guidance**

**Target Group**

Young people 13-19 and up to 25 who had a special need where there were exceptional factors that were preventing their re-engagement with education, training or employment and those who were NEET.

**Internal Services - Delivery Approach**

This area of work to be delivered through the Connexions central team focused on working with young people who were NEET. It would link with contracting for provision through local providers including the voluntary sector for entry to employment type programmes.

**c) Quality Assurance**

**Target Group**

Systems and processes for delivery to all young people.

**Internal Services - Delivery Approach**

The Children & Young People's Service, 14-19 team to take overall lead on quality assurance as part of the reshaping of the service.

The role to include a scrutiny function linked to Performance Management and Workforce Development below.

**d) Performance management**

**Target Group**

All staff

**Internal Services - Delivery Approach**

This area of work to be managed by the Head of Youth Service with close links to the QA function above, as part of the reshaping of the service.

All staff to be part of a performance management scheme.

**e) Increasing participation**

**Target Group**

Young people 13-19 and up to 25 who had a special need

**Internal Services - Delivery Approach**

This area of work to be managed by the Head of Youth Service with close links to the Head of Participation, Parental and Community Involvement.



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Building on the work currently undertaken by Connexions to promote participation and decision making in all aspects of service delivery.

**2. Commissioning process from April 2008.**

**a) Universal Information, advice and guidance services (Value approximately £1 million)**

**Target Group**

All young people 13-16 registered at a Haringey school (secondary/special)

**Commissioning Approach**

To directly contract with secondary and special schools to provide a core offer of universal IAG services, through a Service Level Agreement.

Special Schools to provide enhanced training and support PA's to deliver a universal service for children and young people with LDD/SEN and to meet standards, e.g. for Section 140 assessments.

**Target Group**

Haringey young people 16-19 and up to 25 with SEN who accessed post 16 education and training through school sixth forms, the Sixth Form Centre, further education providers (CoNEL) and work based learning.

**Commissioning Approach**

To directly contract with schools who have a sixth form and the sixth form centre through a Service Level Agreement.

To prepare a contract waiver and award for post 16 provision through CoNEL.

To deliver PA support for young people in work based learning as part of targeted support.

**Target Group**

Young people 13-19 and up to 25 with SEN who accessed youth service provision or drop in centres at Wood Green and Tottenham.

**Commissioning Approach**

The Youth Service to take the overall lead on integrating the work of Connexions within the targeted youth support framework. Reshaping the service and delivery of Connexions.

IAG not being delivered by the Youth Service to be commissioned at pre and post 16 stages. Drop in centres providing support to young people who came to the centres.

**b) Targeted information, advice and guidance**

**Target Group**

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Young people 13-19 and up to 25 who had a special need where there were additional factors which could impact on their engagement such as mental health or teenage pregnancy.

**Commissioning Approach**

Commission specialist services to deliver targeted/intensive work e.g.

- YOS
  - Leaving Care
  - CAMHS
  - Pupil Support Centre
  - LAC Team
  - Voluntary Controlled Services
- (This is not an exhaustive list).

**c) Intensive intervention information, advice and guidance**

**Target Group**

Young people 13-19 and up to 25 who had a special need where there were exceptional factors that were preventing their re-engagement with education, training or employment and those who are NEET.

**Commissioning Approach**

This would be led by the central NEET team of Personal Advisers able to commission specialist services to deliver targeted/intensive work as required for the client group.

**d) CCIS data tracking system**

**Target Group**

All young people to be recorded on a pan London database to enable tracking of progression post 16.

**Commissioning Approach**

To be commissioned following market research.

Connexions were currently providing this service. To be explored as part of the market research on the viability of Connexions continuing to provide this service from April 2008.

**e) Workforce development**

**Target Group**

All staff

**Commissioning Approach**

Prospects currently provided the CPD training for Connexions; this would need to be commissioned following market testing with a PQQ stage. Training provisioned by Organisational Development & Learning to be explored

**f) Communications and marketing and provision of careers information**

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	<p><b>Target Group</b> All young people</p> <p><b>Commissioning Approach</b> Restricted tender to be sought following market research with a PQQ stage. In 2 parts –</p> <ul style="list-style-type: none"> <li>• Market testing to identify service providers that could provide the booklets, library, employer links and IT based programmes.</li> <li>• Careers Event – tendered e.g. through the VCS. Had to link to employers to ensure progression routes to avoid NEETs (see below).</li> </ul> <p><b>g) Employer Links</b></p> <p><b>Target Group</b> Young people post 16</p> <p><b>Commissioning Approach</b> Restricted tender following market research with PQQ stage.</p> <p>The tender process to consider creating a dedicated employer links and events organiser. The communications aspect of the work detailed above could also be combined. This would be dependent on the outcome from the market research.</p> <p><b>h) Positive Activities for Young People (PAYP)</b></p> <p><b>Target Group</b> Young people 13-19 and up to 25 who had a special need where there were exceptional factors that are preventing their re-engagement with education, training or employment and those who are NEET.</p> <p><b>Commissioning Approach</b> There would need to be central co-ordination and commissioning through the LAA to link with the targets and meet needs analysis. This could lead to commissioning services through a competitive tendering process and also through direct commissioning of Council services.</p>	
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CHARLES ADJE  
Chair

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## Agenda item:

Procurement Committee

On 4 September 2007

Report Title: Healthy Alliance Budget, Enfield & Haringey Joint Independent Sector HIV Prevention Programme **(Part A): Request for waiver of requirement to tender and Extension of Contract**

Forward Plan reference number (if applicable): **N/A**

Report of: Tim Dauncey, Interim Assistant Chief Executive PPPC

Ward(s) affected: **All**

Report for: **non-key decision**

### 1. Purpose

1.1 To seek Cabinet agreement to waive the requirement to tender under Contract Standing Orders and to extend the existing contract for a period of time not to exceed 12 months i.e. until September 2008.

### 2. Introduction by Cabinet Member

- 2.1 Haringey Council, in partnership with Haringey TPCT, Enfield PCT and Enfield Council has commissioned HIV prevention programmes targeting local communities at higher risk of HIV infection and poor sexual health since 1996. The recent pressures on the Primary Care Trusts' budgets resulted in serious delays to the approval of funding for both 2006/07 and 2007/08. As a consequence, the partnerships capacity for forward planning has been severely restricted. Despite these significant risks, the voluntary sector has continued to provide HIV prevention services to our residents.
- 2.2 The PCT's are now looking for approval for a 3 year funding commitment for 2008-11 and the partnership is planning to re-tender local prevention services during the second half of this financial year. This CSO waiver request reflects these changing circumstances and allows the Council to continue to provide an important service to residents during the transition period.

### 3. Recommendations

3.1 That the Cabinet agree's the waiver of Contract Standing Order (CSO) 6.04

(requirement to tender), as allowed under CSO 7, in accordance with waiver requirements noted under CSO 7.03.

3.2 That the Cabinet further approves the request for an extension, for a period not to exceed 12 months from September 2007.

Report Authorised by:

Contact Officer: Joan Badcock, Healthy Communities Development Officer

#### **4. Executive Summary**

4.1 The Procurement Committee note that :

- The circumstances leading to the delay of the re-tendering process for local community based HIV prevention funded through the Healthy Alliance Budget are outside of the control of any one of the contributing partners.
- Haringey TPCT, in recognition of the problems caused by short term funding and late approval of budgets, is currently seeking approval for three year funding
- The Partnership is making plans to re-tender HIV prevention programmes delivered by the voluntary sector for 2008/11.
- This request to waive CSO's meets the requirements laid out in Section 7: Waiver of Contract Standing Orders in the Council's Procurement Code of Practice.
- Approval of this request will ensure that community HIV prevention programmes targeting groups at most risk of HIV infection, poor sexual health and unequal health outcomes continue to receive HIV prevention services while the programme is re-tendered for 2008-2011.

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

5.1 We are not requesting a change in policy or for a new policy to be developed.

#### **6. Local Government (Access to Information) Act 1985**

6.1 List of background documents:

6.2 This report contains exempt and non-exempt information. Exempt information is contained in Part B and is not for publication. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

6.3 Information relating to the financial or business affairs of any particular person (including the authority holding that information). See Part B for exempt information.

#### **7. Background**

7.1 The Healthy Alliance budget is managed by a partnership group (comprising Haringey Council's Healthy Communities Development Officer, the Sexual Health

Manager at Enfield PCT and the Health Improvement Officer at Haringey TPCT) and is hosted by the Council's Corporate Voluntary Sector Team. The partnership reports to the Well-being Partnership Board, via Haringey's Sexual Health Partnership Board. During 2006/07 the PCT's approved for six months funding only between April and September 2006. This was extended to the end of the year in September. As a consequence the programme's capacity for forward planning has been severely restricted.

- 7.2 In April 2007 Haringey Council received confirmation from the PCT's of full year funding for 2007/08. A proposal to roll forward the 2006/07 work programme was agreed at a meeting comprising Vicki Hobart, Head of Inequalities and Partnerships at Haringey TPCT, Susan Humphrey's Head of the Corporate Voluntary Sector Team at Haringey Council and Zena Brabazon, Head of Corporate Partnerships at Haringey Council on the 25 April 2007. This proposal was subsequently accepted by Enfield Council and Enfield PCT. On going discussions with the three voluntary sector providers has enabled the programme to continue to provide community HIV prevention interventions.
- 7.3 The services provided by the voluntary sector meet the requirements laid out in Department of Health's 'Effective Sexual Health Promotion, a Toolkit for PCT's and others working in the field of promoting good sexual health and HIV prevention, 2003'.
- 7.4 The HIV Prevention programme funded by this budget was reviewed in 2006. The review concluded that the collaboration between the two primary care trusts and councils is appropriate for work designed to meet the sexual health needs of 'harder to reach' groups such as African and Caribbean communities and young gay men. It also recognised the need for the programme to match national and London wide best commissioning practice and **'seek to establish a budget to support three year commissioning arrangements with local community and voluntary sector providers'**.
- 7.5 In recognition of the problems caused by the uncertain funding last year Haringey TPCT, the major investor responsible for 76% of the total budget, is currently taking steps to secure agreement to a three year funding commitment between 2008/2011 in order to ensure that these problems are not repeated in future years.
- 7.6 The Joint Programme has set a Compact compliant timetable for re-tendering these programmes and aims to have new contracts approved by the end of the 2007/2008 financial year. **If the successful tenders are different from the existing providers it will be necessary to roll forward these services for the first quarter of 2008/09 in order to ensure a seamless hand over of responsibility for delivery of targeted HIV prevention in the community.**
- 7.7 In order to ensure that these services are continuously provided to the target groups, the Partnership has requested that Haringey Council's Procurement Committee agree to waive CSO for 2007/08 in to allow the existing services to be rolled forward while the re-tendering for 2008/2011 is completed.

## 8. Budget

- 8.1 The Joint Programmes currently holds four contracts with three voluntary sector providers. These are as follows:

Ethiopian Community Centre (UK):	
<b>Pan African &amp; Caribbean Primary Prevention</b>	<b>£137,000</b>
<b>Pan African &amp; Caribbean Secondary Prevention</b>	<b>£ 49,000</b>

PACE:	
<b>Outzone (young gay men's services)</b>	<b>£ 41,500</b>

African HIV Policy Network:	
<b>Community HIV Network</b>	<b>£ 27,880</b>

These details are also included in Part B of the report. **Total £255.380**

## 9. Description of Procurement Process

- 9.1 Voluntary sector contracts for the provision of HIV prevention services in the community across the two boroughs were first tendered in 2003. Following a review of the monitoring data, primary prevention services targeting African and Caribbean men was re-tendered in 2005. The new services were first delivered during 2005/06.
- 9.2 Delays in budget approval within the two PCT's have genuinely affected the Partnership's ability to plan ahead.
- 9.3 This request to waive CSO is under 7:03 d. i.e. it is in the council's overall interest. Evidence for this is provided by:

*'Keeping our Communities Healthy'* (commissioned by the Teaching Programme at HTPCT in 2005) mapped health promotion skills in the local voluntary sector. The report showed that there are very few organisations with the capacity to deliver outcomes focused health promotion interventions in Haringey. This matches the Partnership's experience of tendering these programmes in 2003 and 2005. We conclude that the market for these services (both locally and London wide) is very small.

*'Changing Perspectives'*, AHPN's Annual Report 2004-05 stated that 'HIV prevention should be ongoing to reinforce messages as people have short term memories and to avoid complacency by reminding people in different ways that HIV continues to be a threat'.

## 10. Consultation (if applicable)

- 10.1 Decisions to re-tender services are agreed by all of the funding partners. The re-tendering exercise planned for 2007 will meet the best practice guidelines outlined in 'Working BETTER Together'; - Haringey's Compact and will include consultations with service users, including people living with HIV, the wider voluntary sector and existing providers in order to ensure that the new Commissioning Intentions documents are informed by the needs of end user groups, are clear to the voluntary



sector and are based around achievable outcomes and processes.

## **11. Key Benefits**

11.1 The proposal to extend the existing contracts for a period of up to twelve months ensures that community based HIV prevention services will be delivered continuously.

## **12. Risk**

12.1 The primary risk to the Healthy Alliances Programme is that the PCT's will not allocate funding for the three year period commencing April 08. Although a commitment to the funding has been given, it has not been confirmed formally. If the funding ends in March 08, it will not pose a direct financial risk to the Council. It will however, pose a risk to local public health with a possible increase in incidence and prevalence of HIV following the termination of the local community HIV primary and secondary prevention programmes, funded from this budget. This could have a knock on effect to the Council with an increased need for social care services provided for people with HIV.

## **13. Contract and Performance Management**

13.1 The contract for each of these four services follows the standard template agreed by the Council's Legal Department for use by the Corporate Voluntary Sector Team. This specifies that monitoring data, including quality assurance data, showing progress against an agreed profile of targets is provided quarterly and reviewed by regular monitoring meetings.

## **14. Summary and Conclusions**

14.2 The services commissioned through these four voluntary sector contracts have been delivered in accordance with the standards outlined in the Council's standard template for contracts with the voluntary sector and the agreed targets identified within the individual service level agreements.

14.3 The services were reviewed as part of a whole programme review of the 'Healthy Alliance Budget' in October 2006, which found that they were designed and delivered in accordance with national guidance set by the Department of Health.

14.4 The rationale behind the request to waive CSO meets the requirements outlined in Section 7: Waiver of Contracts of Standing Orders in the Procurement Code of Practice.

## **15. Recommendations**

15.1 That the Cabinet approve the waiver of CSO 6.04 as allowed under CSO 7.02 and that the Cabinet further agree an extension from September for a period of 12 months in order to ensure the seamless transfer of responsibilities for providing services to new providers if necessary.

## **16. Equalities Implications:**

- 16.1 1,534 residents of Enfield and Haringey received treatment for HIV in 2005. In addition, approximately 33% of infected people do not know of their status and the actual figure is therefore likely to be over 2,040.
- 16.2 The Joint Programme targets HIV prevention and sexual health promotion to communities at higher risk of HIV infection as a result of poor access to mainstream services, discrimination, HIV related stigma and fear and social exclusion. Many of diagnoses of HIV infection in people who acquired their infection through heterosexual contact are among black and minority ethnic adults. An estimated 3.6% of black Africans and 0.3% of black Caribbean's living in the UK had diagnosed HIV infection. This correlates respectively to 46 and 3.7 times the estimated prevalence of diagnosed HIV infection in white heterosexuals (0.08%).
- 16.3 In 2005, the annual incidence of HIV infection in men who have sex with men attending GUM clinics remained high at 3.2% AND, the prevalence of previously undiagnosed HIV infection in MSM aged under 25, an indicator of relatively recent transmission, was 1.5% for London and 1.3% for outside London.

## **17. Health and Safety Implications**

- 17.1 All organisations that carry out the services required under this contract shall have and be able to demonstrate effective risk assessment procedures in relation to all activities.

## **18. Sustainability Implications**

- 18.1 Haringey TPCT are seeking a commitment to three year contracts for the voluntary sector from 2008. This will ensure that the community HIV services are planned and delivered within a more sustainable model.

## **19. Financial Implications**

- 19.1 The contributing partners have approved the 2007/08 budget on the understanding that the work will continue to deliver against the targets and milestones set in the 2006/07 service level agreements. Any significant variation in the level of activity delivered by the voluntary sector would be identified during regularly monitoring and would undermine the partner's current efforts to secure a 3 year funding commitment.

## **20. Comments of the Director of Finance**

- 20.1 The Director of Finance has been consulted in the preparation of this report and notes that to ensure continuity of provision it is in the Council's overall interest to extend the existing contract as described above.
- 20.2 The cost of the proposed new contract will not exceed the available funding for this service.

## **21. Comments of the Acting Head of Legal Services**

- 21.1 This report is seeking Cabinet approval to a waiver of Contract Standing Order 6.05 (requirement to tender) as set out in CSO 7.3(d) that it is in the Council's overall interest.

- 21.2 The value of the contract exceeds the EU threshold of £144,371 for services. HIV services are a Schedule B service therefore the full EU tendering is not required.
- 21.3 The value of the contract is in excess of £250,000.00 therefore the Cabinet Procurement Committee must approve the waiver in accordance with CSO 11.03.
- 21.4 The waiver is sought on the grounds that it is in the best interest of the Council on the grounds mentioned in paragraph 3.1 of this report.
- 21.5 An extension of the contract for twelve months from September 2007 is also sought. Members have powers under CSO 13.02 to approve an extension of contract.
- 21.6 Members have the power under CSO 7.02(a) to approve the requested waiver on the ground set out in CSO 7.3(d) provided the Cabinet Procurement Committee is satisfied, upon consideration of the content of this report that the approval of the waiver is in the Council's best interest.
- 21.7 The Acting Head of Legal confirms that provided members are so satisfied, there is no Legal reason preventing Members from making the decision.

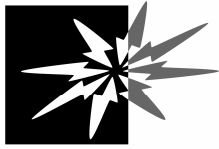
## **22 Comments of the Head of Procurement**

- 22.8 The recommendation to Waive to need to tender these services's and to extend the contractual arrangements currently in place, represents value for money to the council. The timetable for testing the market is within the next 12 months and the agreed 3 year funding will make this service a more attractive offering to the market.
- 22.2 Regular Contract monitoring is in place against a pre established profile of targets, this will ensure early recognition of any areas of concern and continued contract compliance.
- 22.3 The 12 month extension period allows for planned handover of services if needed and this will mitigate the risk of contract failure for our service users.
- 22.4 These recommendations are in line with the Procurement code of Practise

## **23 Use of Appendices / Tables / Photographs**

- 23.1 [List any Appendices and their titles]
- 23.2 Part B of this report contains exempt information.

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Haringey Council

Agenda item:

**[No.]****Cabinet Procurement Committee Meeting****On 4<sup>th</sup> September 2007**

Report Title: Social Care Spot Contracts – Outcome of Benchmarking Exercise

Forward Plan reference number (if applicable): Not applicable

Report of: **Director of Adult, Culture and Community Services**

Wards(s) affected: All

Report for: Non-key Decision

**1. Purpose**

1.1 To inform Members of the outcome of a benchmarking exercise undertaken at the request of the Council's Procurement Committee following consideration of a report on 27<sup>th</sup> June 2007.

**2. Introduction by Cabinet Member (if necessary)**

2.1 The figures within this report show that Haringey's average costs compare favourably with those of three and two star authorities in Greater London.

**3. Recommendations**

3.1 That Members note the contents of the report.  
3.2 That Members agree to receive future annual benchmarking reports in September of each year.

Report Authorised by: **Mun Thong Phung, Director of Adult, Culture and Community Services**

Contact Officers:

Angie Langley, Contracts Manager, Strategic Services, Adult, Culture & Community Services - X3906

Kim Sandford, Head of Supplies & Services Procurement, Corporate Procurement – X3918

**4. Director of Finance Comments**

4.1 The Director of Finance has been consulted. Haringey's benchmark prices are comparable with those of the authorities reported and the average cost per week achieved in 2006-07 is consistent with these prices. The service has identified the risk of increasing costs as new placements are made at higher prices that reflect the increasing rates being experienced by the market. The financial implications will need to be carefully managed through the commissioning strategies of the Directorate.

**5. Acting Head of Legal Services Comments**

- 5.1 There is a requirement under Contract Standing Orders that the Director of Adults, Culture and Community Services shall present regular reports to the Cabinet Procurement Committee detailing the nature, extent and value of spot contracts entered into by the Directorate (see CSO 6.13(d) ).
- 5.2 Pursuant to this requirement, a report was presented to the Cabinet Procurement Committee at its meeting on 27<sup>th</sup> June 2007.
- 5.3 After consideration of the report, Members requested information on benchmarking figures with particular emphasis on authorities that have achieved three star status for performance for adult social care.
- 5.4 The Acting Head of Legal Services notes the contents of this report and has no further comments to make.

**6. Comments of the Head of Procurement.**

- 6.1 The Corporate Procurement Unit have been involved in the development of this report.
- 6.2 The benchmarking information demonstrates that Haringey's spot purchasing activity represents value for money to the Council, and is above mid range across the disciplines with particularly good rates being achieved in Physical Disabilities and Learning Disabilities Residential care.
- 6.3 The Corporate Procurement Unit supports both recommendations.

**7. Local Government (Access to Information) Act 1985**

List of Background Documents:

Report to Cabinet Procurement Committee of 27<sup>th</sup> June 2007 – Social Care Spot Contracts (1st April 2006 – 31<sup>st</sup> March 2007)

**8. Strategic Implications**

8.1 N/A

**9. Financial Implications**

9.1 See Financial Comment at Paragraph 4

## **10. Legal Implications**

10.1 See Legal Comment at Paragraph 5

## **11. Equalities Implications**

11.1 There are no Equalities Implications with regard to this report.

## **12. Consultation**

12.1 Not applicable

## **13. Background**

13.1 The Cabinet Procurement Committee of 27<sup>th</sup> June 2007 considered a report that set out the number and value of spot contracting activity for Adult Services between 1<sup>st</sup> April 2006 and 31<sup>st</sup> March 2007.

13.2 Members noted the report and requested an analysis with regard to value for money containing benchmarking figures with particular emphasis on comparison with authorities that have achieved three star status for performance for Adult Social Care.

13.3 In July of each year Laing & Buisson publish a survey of local authority fee rates on behalf of Community Care a specialist publication for the community care sector. The submitted prices to Laing & Buisson for three and two star authorities in Greater London are set out at Appendix A.

13.4 Haringey's own benchmark figures for Older Peoples Services (as submitted to Laing & Buisson) were calculated by averaging benchmark figures from authorities across the South East of England.

13.5 Haringey's average costs are relatively low due to the fact that many of the current clients have been accommodated for many years with weekly costs being agreed at the outset of the placement. Annual inflationary costs have remained low with the effect of some placements being retained at below Haringey's own benchmark figures. New placements are reflecting the higher benchmark figures of neighbouring authorities.

13.6 It is also the case that there is informal agreement between local authorities within the North London Procurement Group that all authorities will respect the benchmark figure of the host borough when placing clients to avoid bidding wars and ensure availability of local beds where possible. Most authorities outside of this group also adhere to a similar agreement as this is regarded as good practice. Any future Pan London contracts will ensure an agreed London wide benchmark.

13.7 The annual report to Members had previously been submitted during September and it is recommended that future annual reports should be submitted during that

month to allow for up to date comparisons to be made using the annual survey referred to at 13.3.

- 13.8 Members should note that the bed prices which Haringey pays for both residential and nursing care and across all client groups, are well within the norm compared with other Local Authorities. Members should also note that particularly high costs of Physical Disability and Learning Disability placements are uniformly high across the board.

**14. Conclusion**

- 14.1 Haringey's benchmarks and average costs compare favourably with those of other authorities within Greater London.

**15. Use of Appendices / Tables / Photographs**

- 15.1 Appendix A – Benchmark Table



## APPENDIX A

3 Star Authority	Gross Weekly Fee (Older People) Residential	Gross Weekly Fee (Older People) Nursing	Gross Weekly Fee (Physical Disability) Residential	Gross Weekly Fee (Learning Disability) Residential	Gross Weekly Fee (Mental Health) Residential
Camden	£438 (max)	£499 (min) £598 (max)	£762 (max)	£846 (max) (Av paid £1000)	£457 (max)
Croydon	£374 (min)	£524 (min)	£643 (min)	£451 (min) £1523 (max)	£425 (min) £1079 (max)
Hounslow	£344 (min) £450 (max)	£432 (min) £875 (max)	£424 (min) £1609 (max)	£377 (min) £2489 (max)	£435 (min) £735 (max)
Redbridge	£480 (min & max)	£580 (min & max)	£406 (min) £1066 (max)	£446 (min) £2760 (max)	£441 (min) £2519 (max)
Tower Hamlets	£380 (min) £450 (max)	£480 (min) £699 (max)			
Westminster	£259 (min) £710 (max)	£393 (min) £973 (max)	£527 (min) £1454 (max)	£311 (min) £6655 (max)	£267 (min) £3659 (max)
<b>2 Star Authority</b>					
Barking & Dag'm	£442 (max)	£559 (max)			
Brent	£520	£644	£877 (max)	£850 (max)	£882 (max)
Bromley	£365 (min) £400 (max)	£550 (min) £570 (max)			
Hackney	£268 (min) £425 (max)	£528 (min) £697 (max)	£338 (min) £789 (max) (Av paid £1370)	£380 (min) £1157 (max) (Av paid £1226)	£338 (min) £727 (max) (Av paid £796)
Hillingdon	£461 (max)	£614 (max)			
Islington	(Av paid £484)		(Av paid £946)	(Av paid £937)	(Av paid £669)
Kingston u Thames	£399 (max)	£532 (max)	N/A*	N/A*	N/A*

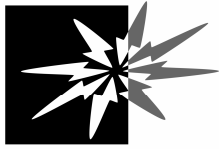
Lambeth	£358 (min)	£532 (min)			
Lewisham	£450 (min) £495 (max)	£585 (min) £615 (max)			
Merton	£423 (max)	£555 (max)	N/A*	N/A*	N/A*
Newham	£462 (max)	£582 (max)	£596	£1095 (max)	£646 (max)
Sutton	£406 (max)	£550 (max)	£725 (max)	£704 (max)	£704 (max)
Waltham Forest	£419 (min) £455 (max)	£549 (min) £648 (max)	£475 (min) £1089 (max)	£790 (min) £1056 (max)	£368 (min) £505 (max)
Haringey	£420 (min) (Av paid £422)	£550 (min) (Av paid £570)	N/A* (Av paid £599)	N/A* (Av paid £837)	£450 (Av paid £557)

\* Each case dependent on need

Where average payments are shown, these were provided in response to an e-mail request from the Contracts Service.

Haringey's benchmarks for Older Peoples' provision were calculated from benchmarks from local authorities within the South East Region as provided by Laing & Buisson.

There is an informal agreement between local authorities within the North London Procurement Group that all authorities will respect the benchmark figure of the host borough when placing clients to avoid bidding wars and ensure availability of local beds where possible.



Haringey Council

Agenda item: Markfield Park Improvements

**[No.]**

<b>Procurement Committee</b>	<b>on 04/09/07</b>
------------------------------	--------------------

Report Title: Markfield Park Improvements – award of contract to construction contractor (containing exempt information)

Forward Plan reference number (if applicable):

Report of: **Director of Adult, Culture and Community Services**

Wards(s) affected: **Seven Sisters ward**

Report for: **Non-Key Decision**

**1. Purpose**

1.1 This report is seeking Member approval to appoint a contractor that has been selected from the framework for the construction of a café in Markfield Park and is named in appendix A of this report.

**2. Introduction by Cabinet Member**

2.1 Through this report I am asking my colleagues to agree in principal to award a contract for the café construction in Markfield Park.

2.2 This is one of a limited number of GAF projects and will benefit from partnership funding from the DCLG and Haringey's capital resources, and therefore represents excellent value for money for the Council.

2.3 The eventual aim for the site is to obtain a Green Flag award in 2010 and these works will contribute towards that.

2.4 I therefore recommend to my colleagues that the works in this year are approved for Markfield Park

**3. Recommendations**

3.1 .That members agree to award the contract in principle for the above project, based on the Agreed maximum price in Appendix A to the contractor named in Appendix A.

3.2 That the committee delegate the agreement of the final price to the Chair of the

Procurement Committee and the Cabinet Member for Leisure, Culture, and Lifelong Learning.

Report Authorised by: **Mun Thong Phung, Director of Adult, Culture and Community Services**

Contact Officer: **Jan Wilson – Senior Project Development Officer – Recreation Services – x 5717**

#### **4. Director of Finance Comments**

4.1 The Director of Finance has been consulted and can confirm that there is sufficient budget within the capital allocation for Markfield Improvements to fund this project. This funding is set out in Appendix A of this report.

#### **5. Head of Legal Services Comments**

5.1 The Council has in place a Framework Agreement under Regulation 19 of Public Contracts Regulations 2006 (the Regulations).

5.2 In accordance with the Regulations, the Head of Procurement has confirmed to legal that by applying the terms laid down in the Council's Major Works Construction Services Framework Agreement they have opened a mini competition between those contractors who are capable of performing the contract. Head of Procurement has confirmed that a contractor was selected to submit an agreed maximum price in accordance with the terms of the framework.

The value of the contract is in excess of £250,000.00 therefore the Cabinet Procurement Committee must approve the award in accordance with CSO 11.03.

The Head of Procurement confirms that the contractor, who submitted an agreed maximum price tender was selected with a stipulation that the final price cannot exceed the agreed maximum price already submitted.

The recommendation is that the committee agree the award of the contract in principle, with the finalisation of price (subject to the agreed maximum price not being exceeded) being delegated to the Director of in consultation with the Chair of Procurement, lead member and Leader to the Council. The Procurement Committee has powers under S.15 of the Local Government Act 2000 to delegate any of its powers to officers.

The Head of Legal Services confirms that there is no legal reason preventing members from approving the recommendations set out in paragraph 3.1 and 3.2.

## **6. Head of Procurement Comments**

- 6.1 The Construction Procurement Group's (CPG's) framework agreement has been used for the selection of the contractor to undertake this work.
- 6.2 The contractor has been selected via a mini-competition of all the suitable contractors, based on the type of project and the contractors' experience.
- 6.3 In order to achieve the Agreed Maximum Price (AMP), further discussions with the contractor are needed.
- 6.4 This is standard practise within the industry and allows the project to progress within the required timeframes.
- 6.5 This also allows further examination of the works packages in order that the AMP does not exceed the maximum price proposed by the Council.
- 6.6 This procurement process is therefore fully compliant with the operation framework agreement as intended and prescribed.
- 6.7 CPG also expect to see regular Project Feedback Form returns from the Consultant Project Manager to ensure that this project progresses on time and to budget.
- 6.8 The Head of Procurement therefore supports the appointment of the contractor named in Appendix A of this report.

## **7. Local Government (Access to Information) Act 1985**

7.1 This document is **not for publication** as it contains exempt information under the following categories:

*Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3)*

This report contains details of framework contractors.

7.2 List of background documents:

- Heritage Lottery Fund application made by Recreation Services in September 2006.
- Management plan produced by Recreation Services in September 2006.
- Training plan produced by Recreation Services in September 2006.
- Audience Development Plan produced by Recreation Services in September 2006.
- Park masterplan for the park produced by Chris Blandford Associates in September 2006.
- Conservation Statement produced by Chris Blandford Associates in September

2006.

- Buildings masterplan produced by Dearle and Henderson in September 2006.
- Outline business plan for the new café produced by the Markfield Project in September 2006.
- DCLG funding application made by Recreation Services in November 2005.

## 8. Strategic Implications

8.1 In February 2006, the DCLG awarded £1 million for the regeneration of Markfield Park through their GAF 2 programme. This programme releases funds in support of new housing and to upgrade the facilities around them. In the case of Markfield Park, the proposed new housing occupants of Tottenham Hale would use Markfield Park as their local park and therefore the funds were released for its upgrade. The £1 million acted as a catalyst for change for Markfield and allowed Recreation Services to bid for additional sources of money through using the initial GAF monies as match funding.

8.2 Haringey aims to be one of London's Greenest boroughs. The Council is committed to the continual improvement and enhancement of the natural environment ensuring the long term sustainability of our parks and open spaces. One of the Local Area Agreement targets includes the obtaining of 12 parks with Green Flag status by 2010. Markfield has been identified as one of these sites. A Green Flag application for Markfield Park will be submitted in 2010.

8.3 Following the award of the GAF monies, an overall masterplan for the buildings in the park, as well as the landscape, was then produced which has led to an overall package of works being developed. These works will be implemented in 2007/08, 2008/09 and 2009/10. There are 5 funders identified as contributing to the plans, with funding from 4 of these bodies already secure. The GAF monies must be spent by March 2008 or the Council will be liable for any outstanding contractual commitments.

8.4 For Recreation Services the project has the potential to contribute to a number of Haringey Strategic Partnership (HSP) objectives for the Wellbeing and Better Places themes. These are:

- Park benefit;
- Training / Employment benefit;
- Community assets benefit;
- Community benefit.
- Improved satisfaction with your local area as a place to live;
- Quality of surroundings - increase in number of green flag award parks
- Increase in numbers volunteering;
- More residents who feel that their local area is a place where people from different backgrounds get on well together.

## 9 Financial Implications

9.1 Recreation Services were awarded £1 million in 2006 from the DCLG to improve the park, as part of a wider plan then costed at £2.9 million. Plans were then drawn up for the site in consultation with the local community, which include a landscape and buildings masterplan. The full costs of the works are £3.36 million and include additional funding from –

Haringey Capital Resources – £425,000 – secure

Heritage Lottery Fund (HLF) – £1.5 million – Stage 1 pass obtained

Football Foundation – £325,000 – application submitted in July and decision expected within 4 months

Big Lottery Fund borough play allocation – £110,000 – secure

9.2 Details of the funding available for the café are set out in Appendix A. The funding available is sufficient to cover the budget estimate for the works required.

9.3 Approval is being sought from Procurement Committee to award the contract in principal to the contractor named in Appendix A of this report up to the maximum price and based on the scope of works as set out in paragraph 13.7 of this report. The confirmed price for the project will be confirmed to Committee at a later stage.

9.4 When the price has been agreed between the contractor and the project Quantity Surveyor, the Contractor will then submit their works tender.

9.5 No payment will be made to the contractor for the work currently undertaken to develop the AMP.

9.6 Funding being received from GAF must be spent by March 2008. A cash flow for the project, produced by the Quantity Surveyor, has confirmed that this will be achieved with the commencement of works on site in October 2007.

9.7 The Markfield Project will run the café as a training social enterprise. They have already submitted a draft business plan to the HLF in September 2006. A café working group has now been established in the Markfield Project and they have employed a consultant to work with their disabled centre users to deliver their full business plan in the autumn. Responsibility for the maintenance of the building will be with the Markfield Project, and a lease will be drawn up between the Council and the service provider.

9.8 Recreation Services are planning to implement the full masterplan but it will be done in stages as funding becomes confirmed. The capital works will be done between 2007 and 2009.

## **10 Legal Implications**

10.1 A new lease will be issued to the Markfield Project for the café. Negotiations are currently taking place between the Markfield Project and Property Services to agree on the terms of the lease.

## **11 Equalities Implications**

11.1 The contractors on Haringey's framework all comply with the Council's criteria for Equalities.

11.2 Markfield Park is located in super output area E01002052. The total population of this area is 1628 and the number of people who are economically active (age 16 – 74) is 1037. 26.3% of the population work full time and 7.1% are unemployed. 36% of the population have no qualifications. On the basis of declared ethnic origin, the largest communities are White: British (45.3%) and White: Other (16.8%) categories. The other significant population in the ethnic mix is Black or Black British: African at 7.4%. The Jewish religion is the most widely practiced in the area with a total of 33.7% of the population. The masterplan for the Park has been very widely consulted on and reflects the views of all sections of the community.

11.3 When the works are complete the park will have better access for disabled users. The café will sell kosher refreshments to ensure it is accessible to the large number of Orthodox Jewish families that live around the park.

## **12 Consultation**

12.1 All the designs for the park have been subject to public consultation with local residents, schools and the Friends of Markfield Park. The local community and numerous local organisations are all in full support of the plans.

12.2 The views and aspirations of approximately 700 local people on Markfield Park have been ascertained over the last 2 years. This has allowed us to build up a good picture of who is using the park and who is not. The comments we got throughout the consultations were mainly similar in content, for example the need for toilets, a better playground, and a café. These comments then formed the basis of the design brief for the park. We are providing a new playground and toilet provision through the construction of a café in the first stage of improvements to the park.

## **13 Background**

13.1 The Council has had aspirations to improve Markfield Park for many years but until now, it has not been possible because the funding has not been available.

13.2 An independent park audit carried out by Ken McAnespie Leisure and Marketing Consultants, ranked Markfield Park as the worst in the borough in both 2003 and 2005. The park had overall score for quality of 20% in both years.

13.3 The café is in the first phase of works which also includes a new children's playground and the desilting of a watercourse in the park, the Old Moselle Brook, to be undertaken in 2007/8. These elements are seen as priority items by the local community and they therefore fully support the scheme. The costs of the playground



are estimated at £221,000 and the desilting works costs have recently been confirmed at £154,781. Each element will be undertaken as a separate contract.

13.4 Though it forms part of the overall masterplan for the Park, funding for the café was not secured until March 2007 when the award of phase 1 funding from the HLF meant that the masterplan could be implemented in full.

As a result of needing to wait until March for the funding to be confirmed, the timetable for delivery of the café is challenging as the GAF monies must be spent by the end of March.

13.5 To seek to minimise the risk to the Council of this not being achieved, discussion has taken place with the Council's Corporate Procurement Unit following which the contractor was engaged at an early stage to ensure that through value engineering the agreed maximum price could be resolved by September 2007 to enable the works to commence in October 2007. The build contract is estimated to last for 26 weeks including an allowance for 2 weeks shutdown over the Christmas holiday period.

13.6 Adherence to this timetable will ensure expenditure of all the GAF monies by 31.3.08.

13.7 The café is being constructed as an extension on the rear of an existing building which houses the Markfield Project and the Markfield Beam Engine Museum. The new building will also house the park toilets and a small extension to the Museum which will act as their entrance and reception space. It will be built using traditional construction techniques and its bricked exterior will match the original listed buildings of the engine houses. The café will have a green roof as a sustainability measure as it will increase biodiversity on the site and reduce run off in periods of heavy rain.

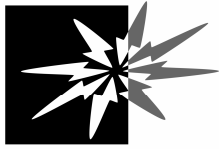
## **14 Conclusion**

14.1 This report seeks to obtain Member approval to appoint a contractor that has been selected from the framework for the construction of a café in Markfield Park.

## **15 Use of Appendices / Tables / Photographs**

15.1 See appendix A.

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Haringey Council

Agenda item:

**[No.]****Report to Procurement Committee****On 4<sup>th</sup> September 2007**Report Title: **Construction of new Haringey Mortuary**Forward Plan reference number (if applicable): **Ref No 4**Report of: **Niall Bolger , Director Urban Environment.**Wards(s) affected: **White Hart Lane & Northumberland Park**Report for: **Key Decision****1. Purpose**

1.1 This report seeks Member approval to award the contract for the main construction work ( Phase 2 ) for the new Haringey Public Mortuary situated at The Lodge , Church Lane , Tottenham , N17 . The value of the proposed contract is detailed in Part B ( 9 ) .

**2. Introduction by Cabinet Member for Enforcement & Safer Communities**

2.1 I endorse the recommendation to award the contract for the construction works to the contractor named in part B.

2.2 This project will release the important redevelopment site at Hornsey and provide a well designed and improved mortuary facility. We must ensure that the works are implemented as soon as possible.

**3. Recommendations**

3.1 That members agree to award the contract in principle for the above project, based on the Agreed maximum price in part B to the contractor named in Part B.

3.2 That the committee delegate the agreement of the final price to the Director of Urban Environment in consultation with the Chair of Procurement and the Cabinet Member for Enforcement & Community Safety.

Report Authorised by: Niall Bolger , Director of Urban Environment

Signature .....

Contact Officer: Keith Betts, Commercial Services Group Manager , Enforcement Service

**4. Director of Finance Comments**

- 4.1 The latest firm overall project costs are £3.149m including the tender for stage 2 construction works in the sum of £2.497m as indicated in this report. The currently approved total budget is £2.380m including fees. The overall project costs are therefore £769k above the currently approved total project budget. It is proposed to fund the overspend from the Urban Environment Directorate’s projected revenue underspend of £390k (as at period 4) and the balance of £379k will be a first call against the capital receipts provision for this and next financial year allowing for any slippage. GAF funding accounts for £1.5m of the budget. This element has to be spent by the end of this financial year. The re-location of the mortuary is a very important element in the disposal of the Hornsey Depot site, which itself will generate a substantial capital receipt for the Council.
- 4.2 If Members decide to award the contract on the basis of the funding outlined above, a virement to increase the project budget by £769k will be submitted to Cabinet on the 18 September 2007 for approval as part of the Finance and Performance report for period 4.

**5. Head of Legal Services Comments**

- 5.1 The Council has in place a Framework Agreement under Regulation 19 of Public Contracts Regulations 2006 (the Regulations).
- 5.2 In accordance with the Regulations, the Head of Procurement has confirmed to legal that by applying the terms laid down in the Council’s Major Works Construction Services Framework Agreement they have opened a mini competition between those contractors who are capable of performing the contract. Head of Procurement has confirmed that a contractor was selected to submit an agreed maximum price in accordance with the terms of the framework.
- 5.3 The value of the contract is in excess of £250,000.00 therefore the Cabinet Procurement Committee must approve the award in accordance with CSO 11.03. The Head of Procurement confirms that the contractor, who submitted an agreed maximum price tender was selected with a stipulation that the final price cannot exceed the agreed maximum price already submitted.

5.4 The recommendation is that the committee agree the award of the contract in principle, with the finalisation of price (subject to the agreed maximum price not being exceeded) being delegated to the Director of Urban Environment in consultation with the Chair of Procurement and the Cabinet member for Enforcement and Community Safety. The Procurement Committee has powers under S.15 of the Local Government Act 2000 to delegate any of its powers to officers.

5.5 The Head of Legal Services confirms that there is no legal reason preventing members from approving the recommendations set out in paragraph 3.1 and 3.2.

## **6. Local Government (Access to Information) Act 1985**

6.1 List of background documents :

Framework Agreement for Major Works , January 2006 , ( Project banding £1m - £3.8m ).

6.2 This report contains exempt and non-exempt information. Exempt information is under the following category ( identified in amended Schedule 12A of the Local Government Act 1972 ) S (3) . Information relating to financial or business affairs of any particular person ( including the authority holding that information ).

## **7. Executive Summary**

7.1 The present mortuary in Myddelton Road , Hornsey , N8 is part of the redevelopment of the Hornsey Depot site . The mortuary is in poor condition, outdated in design and has now reached the end of useful life.

7.2 The new mortuary project has been part funded by a successful bid to Government under the second phase of the Growth Area Fund ( GAF ) initiative . The award was based on the housing gain and unaffected redevelopment achieved by relocating the old mortuary.

7.3 Contractor selection for Phase 2 is based on the Framework Agreement and a three stage tendering process. The tendering process is now at final stage seeking the Agreed Maximum Price.

7.4 Full funding for the project to support the GAF award has been determined as detailed in Part B .

7.5 The report seeks the approval of Members to award the contract for Phase 2 for the construction of the new mortuary and approval of the total project sum.

## **8. Background**

8.1 The major redevelopment of the Hornsey Central Depot site encompasses the present mortuary in Myddelton Road , N8. The Council with assistance from consultant's identified a new site in Tottenham for the mortuary at the Lodge , Church Lane , N17.

- 8.2 Following some initial investigations, a successful bid was made to the Office of the Deputy Prime Minister ( ODPM ) , now the Department for Communities and Local Government ( DCLG ). An award of £1.5m was made towards the project , which was originally a significant contribution towards total costs. The basis of this bid was the housing gain and unaffected redevelopment achieved by relocating the old mortuary. The mortuary is additionally in generally poor repair , to a poor design & needs substantial investment to bring it up to modern standards.
- 8.3 In developing the detailed plans for the new mortuary , which is in both Metropolitan Open Land ( MOL ) and a conservation area, planning restrictions significantly shaped the final overall design .They required the 'openness' of the site and the integrity of the Lodge building itself to be maintained. As a result and after a considerable number of options were considered and time spent , an underground mortuary was deemed to be the only one capable of meeting these requirements. The clinical part of the mortuary underground will be linked to the Lodge by a small extension to enable the deceased to be viewed within the Lodge, which will be the public area. The cost has risen extensively as a result of the design process and is detailed in Part B . Planning permission was granted for the scheme in March this year and was ratified by the Government Office for London a month later.
- 8.4 The GAF funding required the project to be completed by the end of March 2008. Due to the extended design period and the considerations required to support the successful planning application , we have split the project into two phases. Phase 1 has now been completed under the delegated Authority of the Director for Urban Environment. This work included clearing , preparing and securing the site , together with extensive repairs to the Lodge building itself including a new roof . This has enabled some time to be gained and prevented further deterioration to the Lodge which had been badly vandalised. Phase 2 will be the construction of the new underground mortuary , the link extension , and the total internal refurbishment of the Lodge as the Mortuary public area.
- 8.5 Mace Ltd are managing the project, and the architects Bennett Sef were appointed in April 2006 from the Haringey Design Framework . The contractor for Phase 2 having submitted a successful ' maximum price' tender is now working on the 'Agreed Maximum Price' ( AMP ) process.

## **9. Budget**

- 9.1 This information is exempt refer Section 9 of Part B

## **10. Financial Implications**

- 10.1 The GAF funding agreement requires the project and spend to be completed by 31<sup>st</sup> March 2008 . We are in discussions with the DCLG at present in respect of the projected overrun , but with commencement on site at the beginning of November , the £1.5 m GAF money will be spent by this deadline.

10.2 The importance of this mortuary relocation to the disposal of the Hornsey Depot site cannot be over emphasised.

## **11 Equalities Implications**

11.1 The new mortuary facility will provide a much improved facility for all residents in Haringey. The mortuary is also used by Enfield Council on a chargeable basis. The new position of the mortuary is more convenient in terms of transport for the residents of both boroughs.

11.2 The new facility is within MOL and whilst this has produced challenges at the design & planning stage, the result will be an environment that will be both respectful and comforting to the bereaved , and support all our communities in circumstances for them of great stress and anxiety.

## **12 Consultation**

12.1 The planning application process involved resident consultation including a well attended resident's forum in Risley Avenue School. The matters raised during the forum were able to be incorporated into the plans at that stage , and there was general support for the proposals. There was some discussion in regard to the position of the underground part in relation to the Lodge building , but the possible positions for this , particularly in consideration of the access road and ramp down to basement level , were limited.

## **13 Description of Procurement Process and Framework Agreement Methodology.**

13.1 The Construction Procurement Group have used the Framework Agreement Contract to undertake a three stage tendering process for Phase 2 of the works. The process for the selection of contractors is outlined below.

13.2 Phase 2 of the project falls under the Major Works £1m - £3.8m band in the Framework Agreement. There are 12 contractors in this band. For Stage 1 of the process, all twelve companies were asked to consider this project and put forward their expressions of interest with experience in this type of construction. A panel involving the client ( Enforcement Service ) , Construction Procurement , the project managers, quantity surveyors and architects assessed and scored the returns selecting two companies to move to Stage 2 of the process.

13.3 Stage 2 was a mini-tender involving the two selected companies with a cost breakdown of all elements of the construction. It should be noted that the companies were advised that for stage 2 submissions, this would be a maximum price for each element. Construction Procurement has a developed and rigorous selection process for the analysis of the tenders received . The assessment was based on 40% quality , 40% price and 20% interview.

13.4 From Stage 2 , a single contractor has been interviewed further and asked to proceed to Stage 3 . Stage 3 is to complete the ' Agreed maximum Price ' process. Construction packages containing the exact details and specification are prepared by our architects and quantity surveyors and are sent out by the selected company to their sub-contractors for a further tendering process . The prices returned can be no greater than the Stage 2 prices already submitted. This process is underway at present and will be completed and assessed by the end of September.

13.5 Information returned as part of the tendering process for Phase 2 is exempt ; please refer to Part B , section .

## **14 Contract & Performance Management**

14.1 Contract & performance management will be overseen by the Project Manager & Clerk of Works , working closely with Construction Procurement and the Quantity Surveyors and structural engineers.

## **15 Key benefits and risks**

15.1 **Benefits:** A new mortuary to the latest design providing excellent facilities for residents . The facility will provide a modern and safe working environment for our anatomical pathology technicians , for the pathologists undertaking the post-mortems and for the Police and other visitors engaging with the mortuary function. The mixture of underground clinical facility with above ground public ' softer style' reception and viewing areas will support the difficult and sensitive circumstances that exist for the bereaved following an unexpected death.

15.2 The new facility will bring this dilapidated site and building back into beneficial use for the community, and provide a more secure site which has been a great worry to local residents for some considerable time.

15.3 **Risks:** The award from the DCLG of £1.5m as part of the GAF initiative must be spent by 31<sup>st</sup> March 2008. The vacation of the site at Hornsey is also part of the DCLG funding agreement. The new mortuary will not be ready until after this date . ( Please see Exempt information in Part B – 16.3 ) . We are in discussion with the DCLG regarding this overrun and trust that an agreement will be reached. To support this we can advise DCLG that the £1.5m award will have been spent by 31<sup>st</sup> March 2008 , and that the overrun and consequential delay in vacating the Hornsey redevelopment site will not impact on the disposal by the Council and the subsequent possession of the site by the developers .

15.4 With construction underground there is always a higher risk of discovering something unexpected. However, we have undertaken extensive site and building surveys including full geotechnical ground survey and archaeological digs. Contingency figures are contained with the tendered prices.

## **16 Conclusion**



16.1 This report seeks the approval of Members for the award of a contract to the contractor named and for the Stage 2 tendered price named and detailed in Part B .

16.2 As the 'Agreed maximum Price' process will not be completed until the end of September , delegation for approving the final price will be sought from Procurement Committee to be given to the Director of Urban Environment , in consultation with the Chair of Procurement and the Cabinet Member for Enforcement & Safer Communities.

## **17 Health & Safety and Sustainability implications.**

17.1 The project has appointed a Planning Supervisor from the approved list of framework consultants. The planning supervisor is responsible for the management of the construction health & safety together with risk management issues.

17.2 The new underground mortuary has been designed to meet high levels of insulation to comply with the updated building regulation requirements. The underground nature of the building will minimise temperature variation from external factors.

17.3 The existing Lodge has been upgraded already in Phase 1 with vastly increased insulation and double glazed window units It will be provided with condensing heating boilers and dual flush low volume toilet cisterns.

17.4 The site enjoys good access and is within five minutes walk of several bus routes and the overground railway network.

## **18 Comments of the Head of Procurement**

18.1 The Construction Procurement Group's (CPG's) framework agreement has been used for the selection of the contractor to undertake this work.

18.2 The Contractor has been selected via a mini-competition of the two suitable contractors, based on the type of project and the contractors' experience.

18.3 At this stage, the contractor has submitted a maximum price for the works to be undertaken based on current design information.

18.4 In order to achieve the Agreed Maximum Price (AMP), further discussions with the contractor are needed.

18.5 This is standard practise within the industry and allows the project to progress within the required timeframes.

18.6 This also allows further examination of the works packages in order that the AMP does not exceed the maximum price proposed by the tenderer in order to be awarded the contract.

18.7 This procurement process is therefore fully compliant with the operation of the framework agreement as intended and prescribed.

18.8 CPG also expect to see regular Project Feedback Form returns from the Consultant Project Manager to ensure that this project progresses on time and to budget.

18.9 The Head of Procurement therefore supports the appointment of the contractor named at Part B of this report.

## **19 Use of Appendices / Tables / Photographs**

19.1 Part B of this report contains exempt information.



Haringey Council

Agenda item:

**[No 1]****Cabinet Procurement Committee****On**

Report Title: **Waiver Report for the provision of services for Haringey Children & Young People in Need**

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

Report of: **The Director of the Children & Young People's Service**

Wards(s) affected: **All**

Report for: **Non-Key Decision**

### 1. Purpose

1.1 This report seeks Cabinet agreement to waive the requirement to tender under Contract Standing Orders (CSO) 7.02

### 2. Introduction by Cabinet Member

- 2.1 I endorse the recommendations of this report and ask the Cabinet to agree the waiver of Contract Standing Order
- 2.2 The continuation of these services will enable Children & Families to meet key objectives, as outlined in the 2007-08 priorities of the Children and Young People's Plan, with efficiency savings. This includes working with vulnerable children and their families, keeping them safe in the community and ensuring that their views are taken into account when planning and delivering services

### 3. Recommendations

3.1 That Cabinet agree the waiver of Contract Standing Orders (CSO) 6.04 (requirement to tender), as allowed under CSO 7.02, in accordance with waiver requirements noted under CSO 7.03 (a) and (d), as the nature of the market for the services has been investigated and demonstrated that a departure from the requirements of CSOs is justified and (d) it is in the Council's overall interest.

Report Authorised by: **Sharon Shoesmith**

*Sharon Shoesmith*  
The Director of the Children and Young People's Service

Contact Officer: Luciana Frederick  
Service Manager, Children & Families  
0208 489 3644

#### **4. Director of Finance Comments**

4.1 The amalgamation of the three services into one new service model will generate efficiency savings. The Acting Director of Finance supports the recommendation in this report.

#### **5. Head of Legal Services Comments**

5.1 The three services are categorised as Part B services under the Public Contracts Regulations 2006 so they are not subject to European tendering requirements.

5.2 Children and Young People's Directorate requests a waiver of CSO 6.5 (requirement to tender) on the basis of the grounds stated in CSO 7.03 (a) (the nature of the market for the services has been investigated and is shown to be such that a departure from CSOs is justifiable) and CSO 7.03 (d) (that it is in the Council's overall interest).

5.3 Because of the value of the contracts, a decision in respect of the waiver needs to be made by the Procurement Committee in accordance with CSO 7.02 (a),

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

#### **6. Head of Procurement Comments**

6.1 This recommendation is in line with the Procurement Code of Practice.

6.2 The market has been tested twice in the last 12 months and this has demonstrated that there are currently no other providers who are providing all aspects of the new service delivery model.

6.3 In order to ensure that the new service delivery model is fit for purpose and to develop a robust quality assurance methods, the request to waiver will minimise any risk of service failure.

#### **7. Strategic Implications**

7.1 Children & Families commissioning proposes to waiver the requirement to tender in order to facilitate a re-configuration of the service and then go out to tender in 2008 with a more concise commissioning strategy.

7.2 The Council will work in partnership with PCT to embed the re-configured service for young carers. Children & Families commissioning will also work with the provider to reconfigure the three services and to ensure that the services continue to meet the needs of service users.

7.3 The re-design of the service is in line with the Children and Young People's Plan and the Children & Families commissioning strategy. The new service model will enable these services to more effectively contribute to the 2007-08 priorities of the Children & Young People's Plan and will foster a more responsive service with the flexibility to meet users current and future needs.

## 8. Financial Implications

8.1 Contract Price of the services are as follows:

Project Name	Annual Contract Value (06/07)
Children's Rights Service	£120,000
Teenage Intervention Service	£220,000
Young Carers Project	£ 139,000
Total Annual Cost	£479,000

8.2 The Young Carers Project is jointly commissioned by Children & Families, Children's Fund and PCT.

## 9. Legal Implications

9.1 See Legal comments in Paragraph 5

## 10. Equalities Implications

10.1 The equalities monitoring are incorporated as a requirement of the contract and the contract also states that the access to service must be available to the diverse community of the borough and any imbalance must be addressed.

## 11. Health and Safety Implications

11.1 The contract terms will include requirements to comply with all relevant legislation

## 12. Consultation

12.1 As part of the re-commissioning strategy, consultation was carried out with Service users and their family and internally with Social workers and managers to ascertain their views on the current service provision and to determine how best their needs can be met in the future.

## 13. Background

13.1 Teenage Intervention Service, Children's Rights Service and Young Carers Project are currently contracted services provided by one organisation on behalf of the Council.

The above services were commissioned in 2002 and each service has separate management and three separate budgets.

- 13.2 These services are utilised by looked after children and children in need.
- 13.3 An options appraisal exercise was carried out in September 2006. The options appraisal exercise highlighted that these three services which are closely linked can be better delivered as one service and would provide efficiency savings and better value for money for the Council as well as a more streamlined way of working through a coordinated approach to the delivery of these services under one management structure.
- 13.4 A market testing exercise was carried out in September 2006 which revealed that there are no other providers in the market who have the experience to deliver all three services. Another market testing exercise was undertaken in August 2007 to investigate if the market had developed in the past year. See Appendix 2 for a comparison of the two market testing exercises. The results of the market testing exercise in August 2007 highlighted that there is still no other provider in the market who currently provides all three services.
- 13.5 Reasons for Waiver:
- CSO 7.02 (a) 'the nature of the market for the services has been investigated and demonstrated that a departure from the requirements of CSO is justified' The market testing exercise showed that there are no other providers in the market who currently have the experience of providing all three services.
  - The proposed service delivery model is innovative but has not been tested and therefore it is proposed to test the new model with the current provider for a year and the implementation and impact of the reconfigured service will be used to determine re-commissioning decisions for the tender exercise to begin in 2008.
  - CSO 7.02 (d) 'it is in the Council's overall interest' These services are either statutory requirements or support the Council's service provision strategies for Children & Families, continuity and stability of service provision is very important to this vulnerable client group. Therefore, a two year commissioning plan is proposed to minimise disruption of service to service users and to facilitate the embedding of the new service delivery model and quality assurance to ensure that the re-commissioning model accurately meets the needs of all stakeholders. See Appendix 2 – Commissioning Plan 07 -09
- 13.6 The Children's Rights Service provides advocacy service to vulnerable children & young people, and equip children & young people with the skills to participate and contribute to the decision making and development of policies within the Children & Families Service and the wider Children & Young People's Service. Children's Rights Service was awarded via a tendering process in 2002 for a period of three years 2002 – 2005 and the option to extend for two years was implemented for the period 2005 - 2007.

13.7 The Young Carers Project provides activities to children & young people classified as young carers to give them a break/ respite from their caring responsibilities and provide emotional support to enable them to better balance their personal lives and promote their educational achievement. The Young Carers Project was awarded via a Waiver and Award by the Director for the period 2002 – 2004. In 2004 it was tendered and a contract awarded for the period 2004 – 2006, with the option to extend implemented in 2007 to enable all three contracts to end at the same time.

13.8 The Teenage Intervention Service is a crisis intervention service for teenagers and their families to prevent young people coming into care through early intervention. The Teenage Intervention Service was awarded in 2002 via a Waiver and Award by Procurement Committee for the period 2002 – 2005 with the option to extend implemented for the period 2005 – 2007. Both Children's Rights Service and Teenage Intervention were new services that were implemented due to SSI recommendations.

13.9 Contract and Performance Management

- Key Performance Indicators will be developed in year 1 to ensure that the services contribute to the priorities of the Children and Young People's Plan and meet the needs of users.
- Contract management will be incorporated into the Contract and will be monitored through contract monitoring meetings and reports.

#### **14. Conclusion**

14.1 All three services were commissioned in 2002.

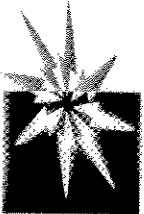
14.2 During the extension period in preparation for the re-commissioning of the service, market testing and options appraisal was undertaken. The results of the options appraisals highlighted that these three services which are closely linked can be better delivered as one service and would provide efficiency savings and better value for money for the Council. This model of service delivery is innovative but not tested either in the Council or in any other London borough. Therefore it is proposed to test the new model with the current provider who has the experience of providing all three services before going out to tender to re-commission the service.

14.3 Children & Families commissioning proposes that the requirement to tender is waived to enable the reconfiguring of the three services, embedding of the new service delivery model and quality assurance and then go out to tender in 2008.

#### **15. Use of Appendices / Tables / Photographs**

15.1 Appendix 1 – Comparison of market testing exercises

15.2 Appendix 2 – Commissioning Plan



Haringey Council

**Appendix 1 – Comparison of market testing results**

	No. of boroughs responded	Results Sep 06 – Contracted providers	No of boroughs responded	Results Aug 07 – Contracted providers
Children Rights Service	10	Barnados, NCH, VCC, Aidhour, Spurgeons, NYAS, Reconstruct	15	Alone In London, The Hackney Learning Trust, VCC, NSPCC, NCH, Jigsaw4u
Young Carers Project	Source of information: Internet	NCH, Barnados, NSPCC, The Princess Royal Trust, Children's Society	18	NCH, FWA, The Princess Royal Trust, Capital Carers, Barnados, local voluntary organisations
Teenage Intervention Service	10	NCH Most boroughs provide this service in-house	10	NCH, Connexions, West Meria, Corvedale Care

Source of information – telephone survey of London boroughs and extracted information from the Internet



## Appendix 2 – Commissioning Plan Option 1 (two year plan)

		Comments
Contract Start Date	1 <sup>st</sup> October 2007	Implementation of the new service delivery model
Transition period	October – December 07	Organisational restructure of the three services and recruitment of staff. Promotion of the new service and embedding of the new service delivery model with the organisation's staff and Council staff.
Contract Monitoring	Monthly meetings for the first 6 months and quarterly meetings thereafter. Monthly Operational meetings will also continue during the life of the contract	Purpose of monthly monitoring meetings will be to examine the implementation of the new model, monitor delivery of the service at an operational level and to foster partnership working to facilitate early resolution. Outcomes of the service will be measured in line with Every Child Matters (ECM) Outcomes
Bi-Annual Review	March 08	To review the effectiveness of the new model. A development plan will be put in place as a product of this review and the implementation of this development plan will be reviewed at the next quarterly meeting in June 08.

Development Plan Review	June 08	
Analysis of the effectiveness of the new service delivery model. Consultation with commissioning teams, i.e. Social workers and managers and consultation with users and their families	June - August 08	A report will be produced which will examine the implementation of the new model and the impact on service users. The report will be used to determine commissioning decisions and the service specification for the re-tendering of the service
Tendering Exercise	September 08 – March 09	
Contract Award Date	April 09	
Transition period	June – September 09	
Set up Period	April 09 – September 09	TUPE applies to these three contracts therefore a longer transition period is required, to allow for the TUPE consultation period. Also, knowing that the other providers in the market currently provide the Young Carers Project and Children's Rights Service but not a Family Support Service for teenagers, a new provider will require a longer set up & implementation period and a learning period to understand the Council's way of working as well as the effective implementation of the proposed service delivery model.
Contract Start Date	October 09	



Haringey Council

Agenda item:

**[No]****Cabinet Procurement Committee****On**

Report Title: **Award Report for the provision of services for Haringey Children & Young People in Need**

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

Report of: **The Director of the Children & Young People's Service**

Wards(s) affected: **All**

Report for: **Non-Key Decision**

### 1. Purpose

1.1 This report seeks Cabinet agreement to award a contract for the provision of services to Haringey Children & Young People in Need to NCH Children's Services Ltd

### 2. Introduction by Cabinet Member

- 2.1 I endorse the recommendations of this report and ask the Cabinet to agree the award of contract
- 2.2 The continuation of these services will enable Children & Families to embed a new model of service delivery. This will enable a more flexible service delivered with efficiency savings to users. It is in line with the Children & Young People's Plan.

### 3. Recommendations

3.1 That Cabinet agree to award this contract to NCH Children's Services Ltd, as allowed under Contract Standing Orders (CSO) 11.03 for a period of two years.

Report Authorised by: **Sharon Shoesmith**

*Sharon Shoesmith*  
**The Director of the Children and Young People's Service**

Contact Officer: Luciana Frederick  
 Service Manager, Children & Families  
 0208 489 3644

**4. Director of Finance Comments**

4.1 The amalgamation of the three services into one new service model is expected to generate efficiency savings of £33,000. The Acting Director of Finance supports the recommendation in this report.

**5. Head of Legal Services Comments**

5.1 Children and Young People's Directorate requests an award of contract encapsulating three children's services to NCH Children's Services Ltd.

5.2 The services are Part B services under the Public Contracts Regulations 2006 so there is no requirement to follow a European tendering exercise.

5.3 A decision in respect of award may be made by the Cabinet Procurement Committee in accordance with CSO 11.03.

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

**6. Head of Procurement Comments**

6.1 This recommendation is in line with the Procurement Code of Practice.

6.2 The market has been tested twice in the last 12 months and this has demonstrated that there are currently no other providers offering all aspects of the new service delivery model.

6.3 The recommended award of contract to the current and only identified supplier of the new service will minimise the risk of any service failure in the setting up of the new service delivery model

6.4 The embedding of the new service delivery model during year one of the recommended award period will allow for a more informed service specification to be put to the market in 2008.

6.5 The efficiencies from the new model of service deliver value for money to the Council

**7. Local Government (Access to Information) Act 1985**

7.1 Documents used in the preparation of this report include:  
Children & Young People's Plan

7.2 This report contains exempt and non-exempt information. Exempt information is contained in Part B and is not for publication. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

(3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **8. Strategic Implications**

8.1 Children & Families commissioning proposes to award a two year contract to NCH Children's Services Ltd. Children & Families commissioning will work with the provider to reconfigure the three services and to ensure that the services continue to meet the needs of service users. A two year commissioning plan is proposed to facilitate embedding of the service, quality assurance and a planned tendering exercise and transition period. See Appendix 2 – Commissioning Plan 07 – 09.

8.2 The re-design of the service is in line with the Children and Young People's Plan and the Children & Families commissioning strategy. The new service model will enable these services to more effectively contribute to the 2007-08 priorities of the Children & Young People's Plan and will foster a more responsive service with the flexibility to meet users current and future needs.

## **9. Financial Implications**

9.1 Cost of proposed new service, See Part B Exempt Information

9.2 By the amalgamation of the three services we have reduced the NCH management cost, which means that management costs is only charged for one contract instead of management costs under three separate contracts.

## **10. Legal Implications**

10.1 See Paragraph 5 for Legal comments.

## **11. Equalities Implications**

11.1 The equalities monitoring is incorporated as a requirement of the contract and the contract also states that the access to service must be available to the diverse community of the borough and any imbalance must be addressed.

## **12. Health and Safety Implications**

12.1 The contract terms will include requirements to comply with all relevant legislation

## **13. Consultation**

13.1 As part of the re-commissioning strategy, consultation was carried out with Service users and their family and internally with Social workers and managers to ensure that the needs of all stakeholders are incorporated into the re-design of the service.

## 14. Background

- 14.1 Teenage Intervention Service, Children's Rights Service and Young Carers Project were commissioned in 2002, provisioned by NCH Children's Services Ltd.
- 14.2 An options appraisal exercise was carried out in September 2006. The options appraisal exercise highlighted that these three services which are closely linked can be better delivered as one service.
- 14.3 The reconfigured model will provide efficiency savings, improved quality of service by better meeting the current needs of users. It also demonstrates innovation in the provision of services through a joined up approach to delivery of services to vulnerable children and young people and a more streamlined way of working through a coordinated approach to the delivery of these services under one management structure. See Appendix 1 – Comparison of the organisational structures of the three NCH Services - current and proposed.
- 14.4 A two year commissioning plan is proposed to facilitate embedding of the service, quality assurance and a planned tendering exercise and transition period. See Appendix 2 – Commissioning Plan 07 – 09.
- 14.5 NCH Children's Services were consulted and they are willing to work with us to reconfigure the service. Negotiations have taken place and the proposed budget of the new service is included in Part B of the report as exempt information.
- 14.6 Children's Rights Service was awarded via a tendering process in 2002 for a period of three years 2002 – 2005 and the option to extend for two years was implemented for the period 2005 - 2007.
- 14.7 The Young Carers Project was awarded via a Waiver and Award by the Director for the period 2002 – 2004. In 2004 it was tendered and a contract awarded for the period 2004 – 2006, with the option to extend implemented in 2007 to enable all three contracts to end at the same time.
- 14.8 The Teenage Intervention Service was awarded in 2002 utilising a Waiver and Award by Procurement Committee for the period 2002 – 2005 with the option to extend implemented for the period 2005 – 2007. Both Children's Rights Service and Teenage Intervention were new services that were implemented due to SSI recommendations.
- 14.9 The services have been monitored on a quarterly basis and annual reviews have been carried out, the annual review for 06 – 07 was carried out in July 07. All three services are providing a good quality service and are meeting the needs of service users, achieving positive outcomes for children & young people, and are meeting the Council contract requirements.
- 14.10 NCH Children's Services also currently provides these services in other London boroughs and the Council benefits from the lessons learnt and experiences gained from other boroughs in the delivery of the service for Haringey.

14.11 Contract and Performance Management

- Key Performance Indicators will be developed in year 1 to ensure that the services contribute to the priorities of the Children and Young People's Plan and meet the needs of users.
- Contract management will be incorporated into the Contract and will be monitored through contract monitoring meetings and reports.

**15. Conclusion**

15.1 This report proposes the award of a two year contract to the current provider to enable embedding of a new service delivery model before going out to tender to re-commission the service in 2008.

**16. Use of Appendices / Tables / Photographs**

- 16.1 Appendix 1 – Comparison of service organisation structures - existing and proposed
- 16.2 Appendix 2 - Commissioning Plan



**Haringey** Council

**Appendix 1 – Comparison of the Organisational Structures of the three NCH Services – current & proposed re-structure**

**Current Organisational Structure**

**Children’s Rights Service**

2 Children’s Rights Officers (2 FTE)

.5 Project Manager

**Young Carers Project**

1 Project workers

1 Outreach Worker

(funded by The Children’s Fund)

.5 Project Manager

.6 Administrator

**Teenage Intervention Service**

3 Family Support workers

1 Project Manager

1 Social worker

1 Administrator

**Benefits of the Re-configured Service**

1. Presently the Children’s Rights Service and Young Carers Project are located in the West of the borough and the Teenage Intervention Service is located in the North of the borough. As part of the re-design of the service all three services will be co-located in the North of the borough.
2. The Project Manager will have a more strategic role and enhance the communication links between the Services and the Council and provide an overview of the service delivery of all three services
3. The Deputy Project Manager will provide day to day operational management of the service and deputise for the Project Manager in their absence

**Proposed Organisation Re-Structure**

1 Project Manager

1 Deputy Project Manager

1 Administrator

**Children’s Rights Service**

2 Children’s Rights Officers (1.5 FTE)

Sessional advocates (as required)

**Young Carers Project**

2 Project workers

1 Outreach Worker

(The Children’s Fund)

**Teenage Intervention Service**

3 Family Support Workers



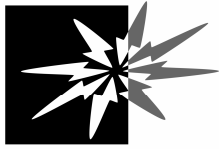


Haringey Council

Appendix 2 – Commissioning Plan 07 - 09

		Comments
Contract Start Date	1 <sup>st</sup> October 2007	Implementation of the new service delivery model
Transition period	October – December 07	Organisational restructure of the three services and recruitment of staff. Promotion of the new service and embedding of the new service delivery model with the organisation's staff and Council staff.
Contract Monitoring	Monthly meetings for the first 6 months and quarterly meetings thereafter. Monthly Operational meetings will also continue during the life of the contract	Purpose of monthly monitoring meetings will be to examine the implementation of the new model, monitor delivery of the service at an operational level and to foster partnership working to facilitate early resolution. Outcomes of the service will be measured in line with Every Child Matters (ECM) Outcomes
Bi-Annual Review	March 08	To review the effectiveness of the new model. A development plan will be put in place as a product of this review and the implementation of this development plan will be reviewed at the next quarterly meeting in June 08.

Development Plan Review	June 08	
Analysis of the effectiveness of the new service delivery model. Consultation with commissioning teams, i.e. Social workers and managers and consultation with users and their families	June - August 08	A report will be produced which will examine the implementation of the new model and the impact on service users. The report will be used to determine commissioning decisions and the service specification for the re-tendering of the service
Tendering Exercise	September 08 – March 09	
Contract Award Date	April 09	
Transition period	June – September 09	
Set up Period	April 09 – September 09	TUPE applies to these three contracts therefore a longer transition period is required, to allow for the TUPE consultation period. Also, knowing that the other providers in the market currently provide the Young Carers Project and Children's Rights Service but not a Family Support Service for teenagers, a new provider will require a longer set up & implementation period and a learning period to understand the Council's way of working as well as the effective implementation of the proposed service delivery model.
Contract Start Date	October 09	



Haringey Council

Agenda item:

**[No.]****Procurement Committee****On 4<sup>th</sup> September 2007**Report Title: **Building Schools for the Future (BSF): Education Advice framework**Forward Plan reference number (if applicable): **Not applicable**Report of: **Sharon Shoemith, Director, Children and Young People's Service**Wards(s) affected: **All**

Report for: Procurement Committee

**1. Purpose**

1.1 Haringey is seeking to establish a framework agreement of between three and seven educational and transformation consultancy specialists to provide educational advice, guidance and support at various stages throughout the life of the BSF Programme. It is envisaged that the framework will include a range of Tenderers, with wide and diverse skills, capability and experience, and with familiarity of working in school and community settings similar to those of Haringey.

1.2 The procured services will cover three main areas: (more detail can be found in the *background* section):

- Managing and leading change through the BSF programme;
- Transformation of ICT within schools; and
- Specific strategy and integration areas

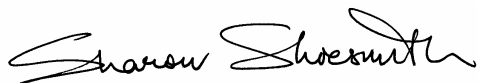
**2. Introduction by Cabinet Member**

2.1 Establishing a framework for educational advice and support will enable us to achieve the transformational change we have defined in *Bright Futures: Haringey's Strategy for Young People 11-19*. The advice and support will provide short term capacity to meet the immediate demands of the BSF programme and, in the medium term, to build an improved knowledge base in schools and the Local Authority to meet the challenges we will face in future years.

**3. Recommendations**

- 3.1 That Members approve the appointment of the providers listed in Appendix A (i) of this report to the *Building Schools for the Future: Education Advice* framework agreement.
- 3.2 That Members agree that where awards of specific contracts under the framework agreement in excess of £250,000 are sought, the award will be made by the Director of CYPS in conjunction with the Cabinet Member.

Report Authorised by:



**Sharon Shoemith**  
**Director, Children and Young People's Service**

Contact Officer: **David Williamson, Head of Secondary Innovation, Children and Young People's Service**

#### **4. Director of Finance Comments**

- 4.1 The Acting Director of Finance has been consulted on this report and has no specific comments to make on the recommendations as the cost of the consultants appointed will be met from within the overall BSF funding allocation.

#### **5. Head of Legal Services Comments**

- 5.1 Regulation 19 of the Public Contracts Regulations 2006 allows contracting authorities to enter into framework agreements with economic operators.
- 5.2 Children and Young People's Directorate ("the Directorate") has followed a European tender exercise using the restricted procedure for the establishment of framework agreements for consultants to provide education advice to the BSF programme.
- 5.3 The Directorate wishes to establish framework agreements with three economic operators.
- 5.4 The Cabinet Procurement Committee has power under Contract Standing Order 11.03 to approve the award of the framework agreements
- 5.5 The Directorate also requests that where call-offs for specific projects are made under the framework agreements, any awards for contracts in excess of £250,000 are delegated to the Director of Children and Young People's Service in conjunction with the Cabinet Member.
- 5.6 The Cabinet Procurement Committee has power under Section 15 of the Local

Government Act 2000 to delegate any of its functions to officers.

5.7 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations contained in the report.

## 6. Head of Procurement Comments

6.1 The BSF Procurement Lead (Corporate procurement) has supported this procurement throughout, and can confirm that the procurement of the framework agreement has been undertaken in the correct and compliant manner.

6.2 The market has been tested adequately with a full tender process, and whilst the volume of responses received has been quite small, the consultants on the framework are of a high quality and standard of delivery.

6.3 In summary, the Head of Procurement fully supports the recommendations to members made at para. 3 of this report.

## 7. Local Government (Access to Information) Act 1985

7.1 *Bright Futures* Haringey's strategy for young people 11-19

7.2 BSF Strategic Business Case

7.3 BSF Outline Business Case

This report contains exempt and non-exempt information. Exempt information is contained in Appendix A and is not for publication. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972:

(3) information relating to the financial or business affairs of any particular person (including the authority holding that information)

## 8. Strategic Implications

8.1 Haringey's *Building Schools for the Future* (BSF) programme brings significant investment in building and in ICT infrastructure over the next five years, to support the Government's educational reform agenda programme and transform the educational experience and outcomes of young people.

8.2 The Government's Department for Children, Schools and Families (DCSF) has indicated that it will spend over £45 billion for funding the programme nationally. Funding is allocated via Partnerships for Schools (PfS), who are closely involved at local level and provide strategic oversight to Haringey's programme.

8.3 Haringey's BSF Programme is just under £200m, including £28m dedicated to ICT transformation. This funding will support key national policy developments (KS3 reform, 14-19 reform, workforce reform, inclusion, extended schools) to drive educational transformation, as defined by Haringey's Children & Young People's strategy for young people 11-19, *Bright Futures*.

8.4 We are currently using additional advisers to add the capacity needed to support the programme, but if continued at the current levels we will exceed the OJEU

limits. Consequently we need to comply with EU regulations and develop a framework of suppliers.

- 8.5 The framework for educational advisers will provide the added capacity needed to ensure that the key principles defined in the Council's strategy is translated into the design of school buildings and ICT infrastructure.
- 8.6 Additionally, because a framework agreement route has been chosen in favour of individual contract appointments, the Council retains the versatility to scope the contracts to match the changing needs of the programme, reducing costs where work can be done within the existing or future resource.

## **9. Financial Implications**

- 9.1 The budget for the framework of educational advisers is within the overall BSF budget, which in turn has been agreed by the BSF Programme Board, Partnerships for Schools and Department for Children, Schools and Families. There is no additional financial implication for the Council's budgets.
- 9.2 The framework will have a contract value of around £350k per year for three years to fund the wide range of work required to ensure the BSF programme meets its objectives.

## **10. Legal Implications**

- 10.1 These are contained in paragraph 5 of the report.

## **11. Equalities Implications**

- 11.1 Providers on the framework have been required to show that they will deal with inclusion issues as a core element of their work and to show examples of what they have done in similar Authorities elsewhere.
- 11.2 All suppliers have been evaluated in line with the Council's Equalities Policy.

## **12. Consultation**

- 12.1 The BSF programme has engaged extensively with a wide range of stakeholders to date.
- 12.2 The establishment of the framework agreement will provide the capacity to enable continued and wider high-quality consultation through the stages of design development, construction and ICT implementation, to listen to and respond to the voices of young people, their parents and the local community.
- 12.3 The framework proposals have been discussed at the Schools Transformation Board, which represents all secondary and special schools and various sub-groups of that Board.

### **13. Business Case & Benefits**

- 13.1 The costs of appointing permanent staff in place of this temporary capacity is well above the planned future CYPS budget and would not provide the versatility needed in the short timescales available across the wide range of support needed and policy development areas to be addressed.
- 13.2 The implementation of BSF will put significant demands on schools and on Council services, particularly CYPS. The framework will provide much needed capacity and skills to drive forward and deliver the transformational outcomes of BSF.
- 13.3 By putting in place a framework agreement for the delivery of Educational Advisor consultants, the Council hopes to build capacity, skills and strength in this programme-critical area. The BSF programme team has planned a transition from this intensive period into 'business as usual', where change programmes will be managed within the existing resources of schools and the Council.
- 13.4 The framework will provide a best-value solution by establishing a high-quality, temporary capacity to schools and the Council during the most challenging period of the programme. It will allow better value for money than commissioning separate external consultants, and leverage day-rate discounts for commissioned work. The framework will enable a versatile resource that can be scoped in response to the confidence and capacity of schools and Council services, to meet the demands of the BSF transformation agenda.

### **14. Details of Framework and services to be procured**

- 14.1 A mini-competition will be undertaken to select consultants to undertake work on a project by project basis. A responsive framework selection process is needed to accommodate the impromptu and often immediate nature of BSF Transformation activities whilst recognising the value of projects to be procured. Taking this into consideration, It is unlikely that the projects will be of such a value (individually) that they will need to be referred back to Procurement Committee, but can rather be signed off by a Director. However, if it is the case that they do exceed the value (i.e. over £250k) then the recommendation is asking that the CYPS Director and Cabinet Member sign this off.
- 14.2 Each call-off from the framework will be awarded based on the specification of the work and the consultant's ability to provide the quality of resource; their proposed management of the work; and other commercial considerations not covered in the framework bid but in accordance with the same award criteria. The successful consultant(s) for this piece of work will then agree a contract sum and enter into a contract for that project or for an agreed length of time.

### **14.3 The Services Required**

#### **14.4 Managing and leading change within schools:**

- 14.4.1 This role will require a small number of advisers with either headteacher experience or senior LA officer experience to support schools in translating the vision they have set out in their outline business case into achievable design options that make optimum use of the BSF budget.
- 14.4.2 The role will provide the key educational contact between the BSF programme team and the schools to facilitate transformation, manage stakeholders, increase communication and feedback channels and reduce the strain on school management.

#### **14.5 Transformation through ICT:**

- 14.5.1 This role will be for an individual with extensive experience of ICT change management within an schools' setting. The advisor will provide guidance for schools and the LA on establishing training and development programmes for staff to ensure that the £26m investment in ICT leads to transformational change in practice.

#### **14.6 Other strategy and integration areas:**

- 14.6.1 Providing educational direction for the £27m investment in the new school in Haringey Heartlands leading up to the establishment of a governing body and senior leadership team in 2009.
- 14.6.2 Providing advice and guidance in a number of areas of inclusion, including the establishment of an inclusive learning campus at Woodside High, a re-developed resource base at Northumberland Park, facilities for young people with Autistic Spectrum Disorder at three school sites and facilities for young people with visual impairment at two school sites.
- 14.6.3 Providing educational direction for the re-organised Pupil Referral Unit and specialist facilities in schools that will help to reduce the levels of exclusion from secondary schools.
- 14.6.4 Providing educational direction to establish a coherent sports strategy across the Council, co-ordinating with Haringey sports and leisure services, to promote healthier lifestyles.

### **15. Procurement process**

- 15.1 The Education Advisors procurement followed the standard Council OJEU procurement process, designed to obtain Best Value in its contracting arrangements. Fifteen companies were invited to submit PQQs with the intention of procuring in the region of six consultancies to the framework.
- 15.2 For PQQ evaluation, Haringey firstly assessed whether an applicant passed the minimum standard requirements set out in this PQQ and then quantitatively assessed and scored a number of areas. The assessment criteria used was as follows:



<i>B: Capability</i>	50%
<i>C: Quality</i>	10%
<i>D: Environmental/Sustainability</i>	5%
<i>E: Financial Status</i>	25%
<i>F: Diversity</i>	5%
<i>G: Health &amp; Safety</i>	5%

- 15.3 Five PQQs were received. All responses passed the evaluation criteria and were invited to tender.
- 15.4 The ITT evaluation response period was around 40 days and responses were received on 1st August. The evaluation consisted of the following elements:
- 15.5 **Price (30% score weighting):** The lowest priced tender will be deemed to score 100% of the weighted score. Thereafter, all other tenders will be scored as percentage variances of the lowest priced tender.
- 15.6 **Quality: Method Statement (40% score weighting):** The method statement response to the scenario question (Appendix A) will be evaluated by a panel comprising of Haringey BSF staff with knowledge and experience in this area. The scores will be based on the following criteria:
- A. Appreciation and understanding of the challenges outlined in the scenario
  - B. Proposed, detailed approach to tackling these challenges;
  - C. Experience / examples of how the methodologies outlined in criterion B have worked
  - D. CVs for relevant personnel proposed to undertake work for this programme
  - E. An innovative approach to solving some of the issues outlined.
- 15.7 **Quality: Interview (30% score weighting):** The interview gives a panel of stakeholders the opportunity to meet the tenderers, and discover more about the 'personality' of the organisation. This has been particularly useful in similar tender situations, especially when stakeholder engagement plays such a vital part of the contract. Some of the interview questions may be provided ahead of the interview session, but the majority will not. However, it is important to ensure the correct attendance at the interview, with those consultants who will be actively involved in the BSF programme, rather than, say, a bid team who might not, or marketing staff.
- 15.8 A Tenderer must achieve a minimum evaluation score of 50% in order to be considered for the framework.

- 15.9 Five tender responses were received. However, after the tenders were opened, one was deemed to be non-compliant, due to the omission of the pricing schedule. Four tenderers were therefore invited to interview
- 15.10 Resulting from the procurement process, the framework will seek the approval for the three proposed consultants identified in Appendix A of this report.

## **16. Conclusion**

- 16.1 The Council has a commitment to ensure sufficient skills, experience, capacity and capability to deliver the transformational change required of the BSF programme.
- 16.2 The Council does not currently have in-house capacity or capability to meet this challenge and, due to the value of work to be outsourced, a full OJEU process was undertaken to procure consultants for a framework agreement.
- 16.3 The framework will comprise of three suppliers, and will last for four years, or the length of BSF programme (whichever is shorter).

## **17. Use of Appendices / Tables / Photographs**

- 17.1 Appendix A (i) – Evaluation Data (exempt information)
- 17.2 Appendix A (ii) – Dailey Rates (exempt information)

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