



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

Cabinet Procurement Committee

TUESDAY, 28TH JULY, 2009 at *17:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Bob Harris (Chair), Bevan, Kober and Reith.

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 13 below. New items of exempt business will be dealt with at item 22 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 **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

- 4. MINUTES (PAGES 1 - 6)**

To confirm and sign the minutes of the meeting of the Procurement Committee held on 7 July 2009.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. COMMISSIONING OF DOMICILIARY CARE WITHIN THE SOCIAL CARE AGENDA (PAGES 7 - 16)

(Report of the Director of Adult, Culture and Community Services): To recommend the extension of the current contract arrangements by up to 12 months to no later than 31 March 2011, and to seek delegated authority to terminate the agreement at an appropriate point within that year.

7. OATFIELD & TWYFORD LIFT IMPROVEMENTS (PAGES 17 - 22)

(Report of the Director of Urban Environment): To seek approval to the award of the contract for lift replacement works at Oatfield House and Twyford House, Tottenham N15.

8. RHODES AVENUE PRIMARY SCHOOL EXPANSION - PROCUREMENT OF DESIGN CONSULTANCY (PAGES 23 - 30)

(Report of the Director of the Children & Young People's Service): To seek approval to award the contract for design and technical services for the Rhodes Avenue expansion project for the duration of the project.

9. BROADWATER FARM INCLUSIVE LEARNING CENTRE - PROCUREMENT OF DESIGN CONSULTANCY (PAGES 31 - 38)

(Report of the Director of the Children & Young People's Service): To seek approval to award the contract for design and technical services for the Broadwater Farm Inclusive Learning Centre project for the duration of the project.

10. BUILDING SCHOOLS FOR THE FUTURE - PROJECT MANAGEMENT PROVIDER (PAGES 39 - 46)

(Report of the Director of the Children & Young People's Service): To update Members on the additional work involved in re-tendering Heartlands High School and to seek approval for the additional resources required to manage the remaining future work of the BSF project.

11. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF CONTRACT FOR CLERK OF WORKS (PAGES 47 - 54)

(Report of the Director of the Children & Young People's Service): To seek approval to award the Building Schools for the Future contract for Clerk of Works on the first seven schools and a separate Clerk of Works contract for the final five schools.

12. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF CONTRACT FOR FURNITURE FIXTURES AND EQUIPMENT (PAGES 55 - 64)

(Report of the Director of the Children & Young People's Service): To seek approval to award Building Schools for the Future contracts for Furniture, Fixtures and Equipment.

13. NEW ITEMS OF URGENT BUSINESS

To consider any items submitted 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 item allows for consideration of exempt information in relation to items 6 - 12 which appear earlier on this agenda.

15. COMMISSIONING OF DOMICILIARY CARE WITHIN THE SOCIAL CARE AGENDA (PAGES 65 - 68)

(Report of the Director of Adult, Culture and Community Services): To recommend the extension of the current contract arrangements by up to 12 months to no later than 31 March 2011, and to seek delegated authority to terminate the agreement at an appropriate point within that year.

16. OATFIELD AND TWYFORD HOUSE - LIFT REPLACEMENT SCHEME (PAGES 69 - 72)

(Report of the Director of Urban Environment): To seek approval to the award of the contract for lift replacement works at Oatfield House and Twyford House, Tottenham N15.

17. RHODES AVENUE PRIMARY SCHOOL EXPANSION - PROCUREMENT OF DESIGN CONSULTANCY (PAGES 73 - 74)

(Report of the Director of the Children & Young People's Service): To seek approval to award the contract for design and technical services for the Rhodes Avenue expansion project for the duration of the project.

18. BROADWATER FARM INCLUSIVE LEARNING CENTRE - PROCUREMENT OF DESIGN CONSULTANCY (PAGES 75 - 78)

(Report of the Director of the Children & Young People's Service): To seek approval to award the contract for design and technical services for the Broadwater Farm Inclusive Learning Centre project for the duration of the project.

19. BUILDING SCHOOLS FOR THE FUTURE: PROJECT MANAGEMENT PROVIDER (PAGES 79 - 80)

(Report of the Director of the Children & Young People's Service): To update Members on the additional work involved in re-tendering Heartlands High School and to seek approval for the additional resources required to manage the remaining future work of the BSF project.

20. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF CONTRACT FOR CLERK OF WORKS (PAGES 81 - 88)

(Report of the Director of the Children & Young People's Service): To seek approval to award the Building Schools for the Future contract for Clerk of Works on the first seven schools and a separate Clerk of Works contract for the final five schools.

21. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF CONTRACT FOR FURNITURE, FIXTURES AND EQUIPMENT (PAGES 89 - 96)

(Report of the Director of the Children & Young People's Service): To seek approval to award Building Schools for the Future contracts for Furniture, Fixtures and Equipment.

22. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at 2 above.

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20 July 2009

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE
TUESDAY, 7 JULY 2009**

Councillors *Bob Harris (Chair), *Bevan, *Kober and *Reith

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC05.	<p>DECLARATIONS OF INTEREST (Agenda Item 3)</p> <p>Councillor Reith declared a personal interest in respect of items 10 North Tottenham Decent Homes Programme 2009/10 – Phase NT11, 11 Wood Green Decent Homes Programme 2009/10 Phase WG16, and 12 Wood Green Decent Homes - Year 2 – Commerce Road Community Centre.</p>	HLDMS
PROC06.	<p>MINUTES (Agenda Item 4):</p> <p>RESOLVED:</p> <p>That the minutes of the meetings held on 28 April, 14 May and 11 June 2009 be approved and signed.</p>	HLDMS
PROC07.	<p>SOCIAL CARE SPOT CONTRACTS (1ST APRIL 2008 - 31ST MARCH 2009) (Report of the Director of Adult, Culture and Community Services - Agenda Item 6):</p> <p>We noted that the Social Care Spot Contracts report was for information only and was prepared annually to provide our Committee with a summary of block contracts and spot contracts for each financial year, comparing activity to the previous financial year. The report now submitted covered the financial year 2008/09, and compared to the previous financial year 2007/08</p> <p>Our attention was drawn to the table at paragraph 7.8 ‘Summary: Adults & Older People Spot Contracts’ and clarification was sought of whether the increased cost of spot contracts shown (£1.5 million - 6.26%) fully took into account the reduction in the total number of contracts (-50 - 4.45%). Officers indicated that they would provide Members of the Committee with details of the percentage increase by contract.</p> <p>With regard to maximising the utilisation of in-house residential and nursing capacity as mentioned in paragraph 8.2 of the report, we asked that Members of the Committee be provided with details of the occupancy rates in the Council’s own establishments on 7 July 2009.</p> <p>RESOLVED:</p> <p>That the report be noted.</p>	<p>DACCS</p> <p>DACCS</p>
PROC08.	<p>BOILER/MECHANICAL AND ELECTRICAL PLANNED PREVENTATIVE MAINTENANCE CONTRACTS (Report of the Director of Corporate Resources - Agenda Item 7):</p>	

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	<p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person. We noted that an amended version of the Appendix had been circulated which contained details of the quality scores of the tenders submitted.</p> <p>In response to a question, the Committee was advised that if the provisional number of hours of labour on reactive repairs for which provision was made in the contract was exceeded then the same hourly rate would be charged. Any extra hours required would result in an increase in the projected annual cost.</p> <p>RESOLVED:</p> <p style="padding-left: 40px;">That, in accordance with Contract Standing Order 11.03, approval be granted to the award of Lot 1 boiler maintenance and Lot 2 mechanical and electrical systems in a single period of 2 years with the option to extend by a further two 1 year contracts to Purdy Contracts Ltd. on the terms and conditions set out in the Appendix to the interleaved report.</p>	DCR
PROC09.	<p>REPLACEMENT OF THE WATER TREATMENT SYSTEM AT TOTTENHAM GREEN LEISURE CENTRE - WAIVER OF CONTRACT STANDING ORDERS (Report of the Director of Adult, Culture and Community Services - Agenda Item 8):</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the regenerative water system proposed would cost some £110,000 -170,000 more than the traditional system but that Sustainable Investment Funding (SIF) had been secured to bridge the gap in costs which would be recovered over time through reduced utilities revenue spend.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 7.02, approval be granted to a waiver of Contract Standing Order 8.04 in respect of the contract for the replacement of the water treatment system at Tottenham Green Leisure Centre as the nature of the market is such that a departure from the requirements of Contract Standing Orders is justified. 2. That in accordance with Contract Standing Order 11.01 (b) approval be granted to the award of the contract for the replacement of the water treatment system at Tottenham Green Leisure Centre to Europools PLC. on the terms and conditions set out in the Appendix to the interleaved report with a construction 	<p>DACCS</p> <p>DACCS</p>

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	<p>period of 10 weeks based on the work commencing in December 2009 and being completed by March 2010.</p> <p>3. That the total estimated cost including fees and estimated contingencies as set out in the Appendix to the interleaved report be noted.</p>	
<p>PROC10.</p>	<p>PARKLAND WALK IMPROVEMENTS - PROJECT MANAGER APPOINTMENT (Report of the Director of Adult, Culture and Community Services - Agenda Item 9):</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that an updated version of the report had been circulated which sought approval to a waiver of Contract Standing Orders only. The value of the contract being within the delegated authority limit, the Director of Urban Environment would be able to approve the contract award.</p> <p>RESOLVED:</p> <p>That, in accordance with Contract Standing Order 7.05, approval be granted to a waiver of Contract Standing Order 6.04 in respect of the award of contract for the appointment of a project manager for the Parkland Walk Improvement Programme.</p>	<p>DACCS</p>
<p>PROC11.</p>	<p>NORTH TOTTENHAM DECENT HOMES PROGRAMME 2009/10 PHASE NT11 (Report of the Director of Urban Environment - Agenda Item 10):</p> <p>Councillor Reith declared a personal interest in respect of this items by virtue of being a leaseholder.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>Members of the Committee expressed concern about the layout and content of the report generally. In terms of layout, particular disquiet was voiced about the repetitious nature of some of the text (paragraphs 3.1 and 7.1 were cited as examples), the need for addresses to be more clearly set out in the table of property address location at paragraph 7.6 and the reference in paragraph 9.1 to various properties in the 'Wood Green Area' when the report related to a Phase of Works in North Tottenham. Also references to colour coding when reports were printed in black and white.</p> <p>With regard to content, clarification was sought of why the roofing works</p>	<p>DUE</p>

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	<p>to the block at 2-32 Whitehall Street were to be procured at a later date while the internal works were to be carried out as part of this Phase. Having been advised that this was likely to have been due to cost considerations when works were packaged we asked that officers ensure that tenants there were advised that the works would be carried out in separately and given an explanation for the delay in the roofing works if it did not prove possible to do all of the works at the same time.</p>	DUE
	<p>With regard to Digital Satellite Provision, we noted that a report to another Members body had already been requested. While accepting that there was merit in providing an integrated satellite reception system while the scaffolding for other works was in place, the Committee questioned whether it was necessary at this stage to specify so precisely the provision that was to be made pending the outcome of those deliberations.</p>	DUE
	<p>Clarification was also made to the reference in the report to window and door grills and the view expressed that the question of whether or not these had to be removed as part of the works was a housing management issue and not pertinent to the contract award now under consideration. The Committee asked that a discussion paper on this matter be prepared for the Leader for consultation with her Member colleagues.</p>	DUE
	<p>The Committee noted that in the light of further information the content of paragraph 9.3 in relation to the extra costs of pitched roofs conversions being funded from the Major Repairs Allowance needed to be revised. In this connection the Committee indicated that there was a need to consider the implications of utilising funds from that Allowance for this purpose. The Committee also noted that a Decent Homes Programme Board had been established and it was suggested that there would be merit if the issues raised in relation to integrated satellite reception systems, removal of window and door grills and use of the Major Repairs Allowance were referred to that Board for consideration.</p>	DUE
	<p>Concern was also voiced that the details of the outcome of the statutory consultation carried out with leaseholders about financial contributions and of the wider consultation with leaseholders and tenants about the programme of works were not reported.</p>	
	<p>Our Chair indicated that in future he would not be prepared to accept reports which were incomplete or in any way inadequate.</p>	
	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11.03 and subject to satisfactory clarification of the funding arrangements for the costs of pitched roof conversions and of the integrated satellite reception system to be installed, approval be granted to the award of the contract for the detailed programme of works to various properties in the North Tottenham Area known as NT11 to Lovell Partnerships on the terms and conditions set out in the 	DUE

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	<p>Appendix to the interleaved report..</p> <p>2. That the total Agreed Maximum Price (excluding fees) as set out in the Appendix to the interleaved report be noted.</p>	
<p>PROC12.</p>	<p>WOOD GREEN DECENT HOMES PROGRAMME 2009/10 PHASE WG16 (Report of the Director of Urban Environment - Agenda Item 11):</p> <p>Councillor Reith declared a personal interest in respect of this items by virtue of being a leaseholder.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>The Committee observed that the comments which they had made on the preceding report in relation to digital satellite provision, window/door grills and the results of leaseholder and wider consultation applied equally to this report.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11.03 and subject to satisfactory clarification of the funding arrangements for the costs of pitched roof conversions and of the integrated satellite reception system to be installed, approval be granted to the award of the contract for the detailed programme of works to various properties in the Wood Green Area known as WG16 to Mulalley & Co. Ltd. on the terms and conditions set out in the Appendix to the interleaved report. 2. That the total Agreed Maximum Price (excluding fees) as set out in the Appendix to the interleaved report be noted. 	<p>DUE</p>
<p>PROC13.</p>	<p>WOOD GREEN DECENT HOMES PROGRAMME 2009/10 - WG COMMERCE ROAD COMMUNITY CENTRE (Report of the Director of Urban Environment - Agenda Item 12):</p> <p>Councillor Reith declared a personal interest in respect of this items by virtue of being a leaseholder.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that as part of the Decent Homes Programme delivery plan it had be agreed that the constructor partner would set up a 'Hub' in each contract area for the duration of the programme and that the Commerce Road Community Centre had been identified as a suitable 'Hub' location for the Wood Green area. It was proposed that the contractor</p>	

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	<p>undertaking the Decent Homes Programme would renovate the building for their use with just under half of the building set aside for community use for the period of occupation for the next 4 years. At the end of the programme negotiation will take place with residents to return the building fully refurbished for community use. The Committee commented that they would have liked to have seen longer term proposals for the future use of the Community Centre. In this connection reference was made to other community centres which also required consideration and we asked that a discussion paper be submitted to the Decent Homes Programme Board.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11.03, approval be granted to the award of the contract for the refurbishment of the disused Community Centre, Commerce Road in the Wood Green Area known as WG Commerce Road to Mulalley & Co. Ltd. on the terms and conditions set out in the Appendix to the interleaved report.. 2. That the total Agreed Maximum Price (excluding fees) as set out in the Appendix to the interleaved report be noted. 	<p>DUE</p> <p>DUE</p>
<p>PROC14.</p>	<p>STATUTORY GAS SAFETY CHECKS AND MAINTENANCE TO PRIVATE SECTOR LEASED PROPERTIES AND HOSTELS (Agenda Item 13):</p> <p>With the consent of the Committee this item was withdrawn</p>	

The meeting ended at 19. 47 hours.

BOB HARRIS
Chair

Agenda item:

[No.]**Procurement Committee****On 28 July 2009**

Report Title: Commissioning of Domiciliary Care within the Social Care Agenda	
Report of Mun Thong Phung Director Adult, Culture and Community Services	
Signed : 	
Contact Officer : Margaret Allen: 020 8489 3719 margaret.allen@haringey.gov.uk	
Wards(s) affected: All	Report for: Decision
<p>1. Purpose of the report</p> <p>1.1. To advise Members on the position of the block contract purchasing arrangements for domiciliary care currently in place.</p> <p>1.2. To inform Members of the impact of the central government Transforming Social Care or Personalisation agenda on the procurement of services</p> <p>1.3. To recommend to Members the extension of the current contract arrangements by up to 12 months to no later than 31st March 2011, with delegated authority being granted to the Director of Adult, Culture and Community Services in conjunction with the Cabinet Member for Adult Social Care and Wellbeing to terminate the agreement at an appropriate point within that year.</p>	
<p>2. Introduction by Cabinet Member</p> <p>2.1 The Government's Transforming Social Care agenda is bold in it's ambition and far reaching in terms of it's implications. For many years Adult Social Care</p>	

Services have struggled with trying to design services and initiatives for residents involved with social care, which are truly directed by them and which focus on the desired outcomes they want to achieve for themselves.

- 2.2 I believe that giving our local residents direct control over the monies used to support them, finally addresses this challenge. Evidence from the pilot projects indicate that for many, this has liberated their lives and has opened up many opportunities that were closed to them before.
- 2.3 However, as with any major change there are many who may be anxious or who are simply happy with how their services are currently delivered, provided they are good quality and do what they say they will do. This certainly seems to be the case with some groups of older residents. It may also be the case that for some they may want to embrace the changes and may benefit from them but they need time and support to move to the new way of working. We also need to be very conscious and highly sensitive to the vulnerabilities of those involved and the anxieties of their relatives and carers.
- 2.4 In addition, we need to acknowledge that there are a number of uncertainties about what differences the changes will make. It is clear, however, that entering another long-term block contract arrangement would run the significant risk of typing the Council into paying for services that residents decide they do not want.
- 2.5 Within this context I fully support the recommendation to give delegated authority to the Director of Adults, Culture and Community Services and myself to extend the existing block contract arrangements for a short time while these issues are addressed. Given the fact that the Government's framework is still emerging alongside our own, having the flexibility alongside the Director to determine how long the extension should be for will help the Council manage the transition at a pace that is both responsive to the needs of residents, but which does not tie the Council to any unnecessary contract terms that may not be needed.

3 State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1 The Government's Personalisation Agenda will radically change the way in which services are commissioned to clients. These changes will almost certainly negate the need for Haringey to maintain the current level of block contracts
- 3.2 The Council is required to have implemented the Personalisation Agenda by March 2011
- 3.3 In delivering Adult Social Care, the role of the Council will change, from a commissioner of services on behalf of residents and/service users to one of ensuring the development of the market to be able to deliver services that service users will wish to purchase using their individual budgets. The Council's role will be to facilitate innovation and availability of services in the market, and support service users in making informed decisions about purchasing the care required to meet their individual needs, deliver good outcomes, and achieve value for money

4 Recommendations

That Members agree to:

- 4.1 An extension of the current block contract and Approved List contracts arrangements by up to 12 months to not later than 31st March 2011.
- 4.2 Give delegated authority to the Director of Adults, Culture and Community Services in conjunction with the Cabinet Member for Adult Social Care and Wellbeing and to terminate the contract at an appropriate point within the year's extension to allow a smooth transition to the new arrangements

5 Reason for recommendation(s)

- 5.1 Agreement of the recommendations will allow the Cabinet Member for Adult Social Care and Well Being and Director of Adults, Culture and Community Services to:
 - Ensure a smooth transition to the new arrangements envisaged under the Government's Transforming Social Care or Personalisation agenda,
 - While protecting the council from entering arrangements for the continued supply of services which might not be needed in their current form.

6 Other options considered

- 6.1 Thinking around the alternatives is well advanced with the weight of evidence, thus far, pointing to the advantages of developing a framework of individual purchasing, similar to Croydon and West Sussex. This being supported by:
 - robust 'on the ground' quality monitoring and spot checking;
 - proactive brokerage and
 - increased market development
- 6.2 More time will be needed to assess this approach, including whether it is right for Haringey residents and on developing the new framework and capacity to manage it. However, the Council may not want to be tied to a fixed extension in existing block contracts in case the pace of change moves more rapidly.
- 6.3 Considering the factors detailed above it is recommended that delegated authority be given to the Cabinet Member for Adult Social Care and Well Being and the Director of ACCS to extend the existing block contracts for up to 12 months

7 Summary

- 7.1 Haringey's two existing block contracts and 24 Approved List contracts for externally provided domiciliary care will expire in March 2010. Haringey's externally contracted domiciliary care services are worth approximately £7 million per annum, delivering approximately 370,000 care hours per year to approximately 1,000 highly vulnerable residents (most are over 65)
- 7.2 80% of the externally contracted care hours are purchased through two block contracts. The two block contracts commenced in late 2003 and have already been extended twice by the Procurement Committee. The revised contract end date is 31 March 2010.
- 7.3 In addition about 20% of care hours are purchased from 2-3 local providers through spot purchasing. This arrangement is used only where the block providers are unable to respond to the demand at the given time.
- 7.4 However, the Government's Transforming Social Care Agenda will radically change how such services will be purchased. The changes will residents who wish to take on the organisation of their services to purchase these themselves and to use the funds available innovatively, not just on the services currently provided. The impact of this change is uncertain, although experience from pilot authorities that at least a significant minority will choose to move away from current arrangements.
- 7.5 The Government wants all residents (by April 2011) needing social care to have direct control of the monies used to purchase their care. Within this context any long term block contracting will present a significant financial risk to the Council, in the event that residents choose to use their personalised budgets on other services.
- 7.6 The changes will mean that residents with individual budgets will be able to choose: -
- The type of service they want
 - Who will provide it
 - How it will be delivered
- 7.7 They will not be restricted to suppliers nominated by the Council, as long as the provider is registered by CQC. Residents can also choose to employ directly their own carer if they wish.
- 7.8 Extensive market research points to a competitive supplier base and a move by leading local authorities away from block contracting. It should be noted that there are over 20 local suppliers of domiciliary care, within three miles of Wood Green, who have been rated by the Care Quality Commission (CQC) as offering excellent or three star services. However, under the Council's current

contracting arrangements local residents only have access to five suppliers, with a very limited choice as to what those suppliers can offer.

- 7.9 A further extension on existing contracts may be needed to protect supply to existing service users, while the new arrangements are put in place. This needs to be considered within the context that residents needing care will be confronted with many significant changes in how their care is delivered next year and these changes need to be well planned and at a pace they can manage.
- 7.10 The quality of services being provided under the contracts listed at Appendix A is considered to be of a high standard and would continue to be closely monitored by the Contracts Team under the terms of those contracts to ensure continued quality of services and value for money.
- 7.11 Robust monitoring arrangements are already in place to ensure that the providers continue to maintain a good, value for money service.
- 7.12 The transforming social care agenda will offer residents direct control over the monies used to purchase the services they need. This will enable greater choice and flexibility and offer residents from diverse backgrounds and with diverse needs and wants, the opportunity of securing services that they have tailor made to meet their needs. This includes their ethnic, language and cultural needs; their religious needs and social beliefs and their individual lifestyles. The implications for the level of service that will need to be purchased are not yet clear. It is likely that the level of change initially in the volume of service purchased may be small, and grow as residents become more confident with the new arrangements. It is also probable that some residents will choose new providers not currently used in the authority, where these are seen as providing a higher quality service or one that reflects particular religious or cultural needs.
- 7.13 While we anticipate that the initial change in volume will be small, tying the Council into new block contract arrangements would run a significant risk on the Council being contractually obligated to pay for services, that residents have chosen not to use.
- 7.14 Further work is also needed to understand what suppliers are able to offer, including on quality and whether the market is able to respond to the emerging data on what local residents are likely to demand and purchase.
- 7.15 Contract Standing Order 13.02 allows the Cabinet to 'vary or extend a contract providing that to do so is consistent with the provision of Financial Regulations'. Should Members agree to the proposals set out in this report it would allow the Lead Member for Adult Social Care and Wellbeing and Director of Adult, Culture & Community Services the flexibility to either continue to commission or decommission services as necessary depending on need identified by the consultation and preparation as set out in this report

8 Chief Financial Officer Comments

8.1 This report recommends that the two main domiciliary care contracts and 24 approved list provider contracts/agreements are extended for a further year to 31st March 2011.

8.2 For the two main contracts this will require a maximum financial commitment of up to £5,137,112 based on Framework-I commitments. This will be met through existing care purchasing budgets and is included in reported financial monitoring figures. These figures do not allow for inflation during 2010/11. The contracts state that inflation is at the discretion of the Council.

8.3 However, with the successful introduction of Individual Budgets in the context of the Personalisation Agenda it is likely that over time usage will decline. The contracts allow for a reduction in use, but value for money will need to be reviewed regularly to ensure that these contracts are still the best use of available resources.

8.4 The guaranteed minimum volume with each of these providers is 50,000 hours per annum. Volumes in 2008/09 were a total of 359,294 across the two block contracts. The number of hours provided by these contracts has been at a fairly constant level for some time and would require a significant reduction to fall below minimum guaranteed levels. These contracts will be monitored closely to ensure that hours do not decline to such a level. The contracts allow for variation should the need arise.

8.5 The 24 approved provider contracts will require a maximum financial commitment of £1.06m. Again, it is likely that the requirement for this type of service will decline. However, the Council has no minimum contract value with these providers.

9 Head of Legal Services Comments

9.1 Adult, Culture and Community Service Directorate ("the Directorate") is requesting an extension of contract for two block and 24 Approved List domiciliary care contracts from 1 April 2010, for a period of up to twelve months.

9.2 The services are Part B services under the Public Contracts Regulations 2006 so there is no requirement for them to be tendered in Europe.

9.3 The Procurement Committee has power under CSO 13.02 to approve extensions of contract.

9.4 In addition, it has power under S.15 of the Local Government Act 2000 to delegate its functions to officers.

9.5 The Head of Legal Services confirms that there are no legal reasons preventing

Members from approving the recommendations contained in this report.

10 Head of Procurement Comments

- 10.1 This recommendation is in line with the Procurement Code of Practise
- 10.2 This recommendation will keep Haringey's fees within the 2008 price band from our neighbouring authorities. I would recommend that the service negotiate with both major providers to see if there are any efficiencies that can be made by them before these extensions are awarded to ensure VFM
- 10.3 This recommendation minimises the risk of contracting for services that will not be required by our residents. It allows for full consultation with our residents before we go to the market and ensures that we are not tied into block contracts that may not be fully utilised.
- 10.4 The performance of the current contracts is considered to be of a high standard and ongoing contract monitoring throughout the extension period will ensure that this continues.

11 Equalities and Community Cohesion Comments

- 11.1 Current contracts require providers to comply with all relevant legislation.
- 11.2 An Equalities Impact Assessment covering the Transforming Social Care Programme is underway.
- 11.3 Early indications from demographic and usage data suggests that certain groups, who may need and benefit from care, are not accessing and using current services. This needs examination.
- 11.4 A new approach to supply development and management will be needed to ensure that most resident demands can be met. This includes improved and consistent customer feedback approaches.

12 Consultation

- 12.1 Consultation has been undertaken internally with the Director of Adult Culture and Community Services, AD Commissioning & Strategy and AD Adult Services, as well as Corporate Procurement Unit. Briefings have also been provided to Lead Member Adult Social Care and Well-being and Lead Member for Resources
- 12.2 The new arrangements needed to support residents with individual purchasing decisions will take time to develop and implement, taking account for resident consultation and involvement.

- 12.3 A 'Core Design Group' is in place overseeing the commissioning process for the domiciliary services, which includes representation from the Council's Adult Care Management, Commissioning and Procurement Services. The group includes senior representation from NHS Haringey and the Third Sector. Over half the membership comes from local resident forums, including the Older Persons Forum.
- 12.4 A supplier reference group is in place to engage suppliers in the design of services and the new processes needed for Transforming Social Care.
- 12.5 Through the Transforming Social Care Pilots, residents have been engaged in the planning groups and in developing and testing the proposed systems. These will be used in developing the new approach for the purchasing of domiciliary care.
- 12.6 However, work is needed with the 1,000+ users of domiciliary care and other residents on how they want the new approach developed. This is a key reason for seeking an extension.

13 Service Financial Comments

- 13.1 The Personalisation Agenda will transform the way in which services for clients are commissioned and will negate the need to keep the existing level of block commissioning placements. During the transition between 'traditional' service provision and personalisation, the Council will need to maintain existing arrangements. The timetable for change expects to offer all new clients personalised services by April 2011 and the extension being sought is for the period April 2010 to no later than end March 2011.
- 13.2 The current costs of the contracts with the two main block domiciliary care providers, fall within the unit cost range paid by neighbouring authorities (see appendix B) and is considered VFM. Inflation uplifts for these contracts are at the discretion of the Council. The contracts are funded from the Care purchasing budgets and there is specific budgets within Adults Services to fund the extension for a further 12 months.

14 Use of appendices /Tables and photographs

- 14.1 Appendix A – List of Contracts to be Extended
14.2 Appendix B – Value for money

15 Local Government (Access to Information) Act 1985

15.1 List of background documents:

- Department of Health: Putting People First: A Shared Vision and commitment to the transformation of Adult Social Care, January 2008
- Social Care Institute for Excellence: Personalisation: A Rough Guide, October 2008
- Department of Health: Commissioning for Personalisation: A framework for Local Authority Commissioners, 2008
- Social Care Institute for Excellence: Personalisation briefing for Commissioners, June 2009
- Social Care Institute for Excellence: Personalisation briefing for Home Care Providers, June 2009
- Haringey Strategic Partnership: Haringey's Community Engagement Framework, June 2009

These documents are available from Commissioning & Strategy, ACCS by contacting:

Barbara Nicholls, Head of Commissioning
2nd Floor, 40 Cumberland Road
Wood Green, London N22 7SG
Tel: 0208 489 3328
E-Mail: barbara.nicholls@haringey.gov.uk

15.2 Exempt information under Schedule 12A of the Local Government Act 1972, namely:

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

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Agenda item:

Procurement Committee

On 28th July 2009

Report Title: Oatfield & Tywford House – Lift Replacement Scheme	
Report authorised by: Niall Bolger, Director of Urban Environment <i>N Bolger</i> <i>7 July 2009</i>	
Contact Officer : Elena Wilmot, Project Manager, Tel: 020 8489 1018, email: Elena.wilmot@homesforharingey.org	
Wards(s) affected: Seven Sisters	Report for: Key Decision
<p>1. Purpose of the report (That is, the decision required)</p> <p>1.1 To seek Members' agreement to award the contract for Lift Replacement works at Oatfield House and Tywford House, Tottenham, N15</p>	
<p>2. Introduction by Cabinet Member</p> <p>I am pleased with the progress we are making with the lift replacement programme in Haringey I would like to thank the residents in advance for their forbearance of any inconvenience caused during the implementation of this project.</p>	
<p>3. State link(s) with Council Plan Priorities and actions and /or other Strategies:</p> <p>3.1 The lift replacements programme forms part of the overall asset management strategy and the 5 year capital programme that delivers the strategy. The 5 year capital programme report has been agreed with Homes for Haringey board members and Haringey council officers.</p> <p>3.2 The replacement of the lifts will improve the reliability and make the operation of the lifts more efficient for residents and visitors to these blocks.</p>	
<p>4. Recommendations</p> <p>4.1 That Members agree to award the contract for the above project, as allowed under</p>	

Contract Standing Order (CSO) 11.01(a).

4.2 That the total estimated cost excluding fees as detailed in Para 2.1 of Appendix A be noted.

5. Reason for recommendation(s)

5.1 Homes for Haringey invited tenders from the approved listing of specialist contractors in accordance with the Council's procurement procedures. It is intended that the contract is awarded to the lowest price tender.

6. Other options considered

6.1 None applicable.

7. Summary

7.1 Schedule of Works

7.2 The project comprises of the complete replacement of the existing lift systems at two high rise blocks at Oatfield House and Twyford House. The lift systems at these sites are extremely old and spare parts are largely no longer available. The lift modernisation works will improve the reliability and make the operation of the lifts more efficient.

7.3 The work includes the replacement of the lift cars, doors and steel architraves to each landing. The lift motor room equipment will be replaced along with the associated wiring. Each lift shaft will be painted, rewired and will include new shaft lighting.

7.4 The works will be carried out in two phases with the replacement of one lift in each of the blocks in the first phase, followed by the remaining lifts to the blocks in phase two. It will be necessary for some residents to manage one flight of stairs on alternative floors for the duration of the lift replacement.

7.5 Following a lead in period of 20 weeks for the manufacture of the lifts, each phase of the lift replacement will take approximately 20 weeks. The anticipated start date for installation is 5 October 2009 and the date for completion is 1st December 2010.

7.6 Total estimated construction cost (excluding fees) refer to para 2.1 Appendix A

Anticipated contract start on site	25 th February 2010
Anticipated contract completion	1 st December 2010
Contract duration	60 weeks

(includes a lead in period of 20 weeks commencing from date of possession which is anticipated to be 05/10/09)

7.7 There are 266 dwellings in this project which are made up of the following property types:

Type of Dwellings	No. of units
High rise dwellings	266

- 7.8 The properties are located at:
G1-G5 & 1-128 Oatfield House, N15
G1-G5 & 1-128 Twyford House, N15

7.9 Digital Satellite Provision

- 7.10 A digital IRS system was installed in these blocks in 2008.

7.11 Sustainability Implications

- 7.12 The modernisation of the lifts is pre-emptive as some of the equipment is redundant. The replacement of the lifts will reduce the likelihood of the lifts being totally inoperable in the event of a breakdown which may require the replacement of parts that are redundant. The new lifts will be more reliable and efficient which will bring enormous improvements to residents, especially the elderly, disabled and parents with young children.
- 7.13 The scheme has been carefully designed where possible to allow for minimising waste during the construction and the useful life of the projects. The new lifts will fit into the existing lift shafts thus minimising construction. The new lifts will have simple and standard replacement parts, minimising the repair time in maintenance.
- 7.14 All of the new equipment is designed to be more efficient and usually smaller. The reduced size contributes to less energy use, less lubrication, less noise, reduced maintenance of components and repairs.
- 7.15 All the replaced equipment is broken into constituent parts for recycling and disposed of through specialist organisations, this includes all of the metallic components such as stainless steel cars, entrances, steel ropes, bronze tracks and lift motors.

7.16 Conservation Areas

- 7.17 For the purposes of this project, the properties are not located in a conservation area.

8. Chief Financial Officer Comments

- 8.1 The replacement of the lifts at Oatfield and Twyford Houses will be funded from the Lift Improvements budget within the 2009/10 to 2011/12 HRA Capital Programmes. Design fees costing £31k were incurred in 2008/09 and funded from the Lift Improvements budget in that year.

8.2 The funding over the years will be as stated in Para 6 of appendix A and will be the first call on the resources available in those years. The approved capital programme for lift improvement works is £2,262k in 2009/10; the indicative capital budgets for 2010/11 and 2011/12 is £2,194k and £2,262k respectively and is to be funded from the Major Repairs Allowance.

9. Head of Legal Services Comments.

- 9.1 The estimated value of the contract works is below the threshold where EU tendering is required under the public contracts regulations 2006 (currently £3,497.313). EU procurement rules are not applicable.
- 9.2 The contract has been tendered in accordance with Contract Standing Orders (CSO) in that contractors selected from the Approved List of contractors were invited to tender. This procedure is expressly provided for by CSO 8.04(e).
- 9.3 The contractor selected has been recommended for award of the contract on the basis that it submitted the lowest price tender in accordance with CSO 11.1(a). Under CSO 11.1 an award may be made either on this basis or on the basis of the most economically advantageous tender.
- 9.4 The award of this contract is a key decision as it involves a contract valued at over £500,000. A key decision is required by CSO 11.04 to be included in the Council's forward Plan
- 9.5 As the contract value exceeds £250,000 the proposed award must be approved by the Cabinet Procurement Committee pursuant to CSO 11.3
- 9.6 The report states that the statutory leaseholder consultation is currently being undertaken and that no comments have been received from leaseholders to date. The consultation period is however yet to expire as at the date of provision of these comments.
- 9.7 The Head of Legal Services confirms that, provided the Council has considered any comments from leaseholders made between the date of provision of these comments (6 July 2009) and the expiry date of the statutory leaseholder consultation period (10 July 2009), there are no legal reasons preventing members from approving the recommendation as to the proposed contract award set out in paragraph 4 of this report.

10. Head of Procurement Comments.

- 10.1 The contractors invited to tender have been selected from the pre-qualified list of lift contractors.
- 10.2 The selected contractor is based on lowest price.
- 10.3 The lift contractors will be recycling a number of component parts.

10.4 The Head of Procurement acknowledges the recommendation to award in paragraph 4 and Appendix A.

11. Equalities and Community Cohesion Comments

11.1 The Proposed works will benefit all residents living in these dwellings and visitors to the blocks. It will allow easy access to the upper floors of the block, particularly to those with push chairs and residents who are elderly or with poor mobility.

12. Consultation

12.1 Internal

12.2 Homes for Haringey have carried out detailed consultation on this project by detailed newsletters to council officers and Ward Members.

12.3 External

12.4 Homes for Haringey have carried out detailed consultation on this project by detailed newsletters to residents.

12.5 Upon appointment of the contractor, a meeting will be arranged for the residents to meet the contractor and HfH Project Team so that any concerns can be addressed.

12.6 Leaseholder Implications

12.7 There are 32 leasehold properties within this project and these are as follows:-

Oatfield House: 8, 9, 13, 15, 21, 34, 95

Twyford House: G2, G3, G4, 2, 12, 19, 20, 27, 41, 45, 46, 58, 74, 75, 89, 92, 101, 102, 103, 104, 108, 110, 116, 119, 120

12.8 As a result of applications made under the Right to Buy legislation, there are 32 leaseholders as well as council tenants, living in the properties affected by the works described in this report.

12.9 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account.

12.10 In accordance with the Landlord and Tenant Act 1985, the Council as freeholder, has obtained competitive prices and subject to the Procurement Committee's agreement the council will award this contract to the lowest tender.

12.11 The Housing Service issued the following leaseholder consultation notices to leaseholders:

First Notice - Notice of Intention: issued on 17/09/08 and expired on 17/10/08.

Second Notice - Notice of Estimates: issued on 11/06/09 and expires on 10/07/09.

The notices gave leaseholders a description of the proposed works and provided details of two estimates for the costs of the works. The Council is obliged to have regard to any observations from leaseholders on either the first or second notice. No observations or comments were received from leaseholders

12.12 The total amount estimated to be recovered from 32 leaseholders is £89,146

12.13 Leaseholders within the 5 year Section 125 period total estimated recoverable charges is £29,481

12.14 Leaseholders outside of the 5 year Section 125 period total estimated recoverable charges is £59,665

12.15 The charges to all 32 leaseholders are limited to the estimates contained in their Offer Notices. Invoices for these works are included within the annual Certificate of Actual Services Charge, which is sent to every leaseholder after the end of the financial year. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to one year. For longer periods interest is chargeable, currently at 7.46%.

13. Service Financial Comments

13.1 The project is estimated to cost as detailed in Appendix A and will funded from the Housing Capital Lifts improvement Budget “

14. Use of appendices /Tables and photographs

14.1 Appendix A – separate attachment

15. Local Government (Access to Information) Act 1985

15.1 The background papers relating to this project are:

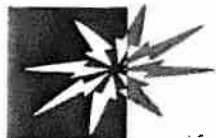
- Tender report dated 1st June 2009

These can be obtained from Elena Wilmot – Project Manager on 0208 489 1018.

15.2 This report contains exempt and non exempt information.

Exempt information is contained in Appendix A of this report 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):

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



Haringey Council

Agenda item:

[No.]**Procurement Committee****On 28th July 2009**

Report Title: Rhodes Avenue Primary School Expansion – Procurement of Design Consultancy

Report of **Director of The Children and Young People's Service**

Signed :

Contact Officer : David Moore, Construction Lead, The Children and Young People's Service

Wards(s) affected: **Alexandra**

Report for: **Key Decision**

1. Purpose of the report

- 1.1. This report requests approval to award NPS London Ltd the contract for design and technical services for the Rhodes Avenue Expansion project for the duration of the project.
- 1.2. This report is seeking Cabinet Procurement Committee approval to award the contract to NPS London Ltd in accordance with CSO 11.03. This Order states that all contracts valued at over £250,000 may only be awarded by the Cabinet Procurement Committee.

2. Introduction by Cabinet Member

- 2.1. We need to expand Rhodes Avenue School in order to meet increased demand for primary school places in the local area. The expansion provides a great opportunity to improve aspects of the existing school and in particular to enhance its environmental sustainability. In the report you will see that the project will go substantially beyond the current requirement of 10% CO2 reduction.
- 2.2. I am satisfied that the appropriate procedures have been followed and am happy to support the recommendations.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. Council Priorities

3.1.1 Making Haringey one of London's Greenest Boroughs

3.1.1.1 The design and construction will support each of the seven Haringey Greenest Borough Strategy Priorities in the following ways:

- Priority One - Improving the Urban Environment:

- The school project will go beyond the current Haringey Council requirement of 10% CO2 reduction for new build over 1,000 sq metres.
- If the school project is greater than 1,000 sq metres new build, 20% CO2 reduction from onsite renewable energy sources will be achieved (in line with the GLA requirement).
- In the new build, we will seek 60% carbon reduction, using DCSF carbon calculation.

- Priority Two - Protecting the Natural Environment:

- In the landscaping design and works, bio-diversity to be actively managed to promote the development of the local flora, fauna and wildlife.
- Extended community use of the school, exploiting the significantly improved facilities.

- Priority Three - Managing Environmental Resources efficiently:

- Within the school design, measures to be incorporated to minimise the utilities used on a daily basis.
- This will include minimising the use of water and energy through the installation of energy efficient fixtures and fittings and consideration of voltage optimisation wherever possible.
- Where appropriate, utilise renewable energy sources of ground source heating, biomass boilers, solar photo voltaic, solar collectables and wind turbines to achieve CO2 reduction targets and reduce ongoing energy costs.
- Utilise rain water harvesting to reduce mains water consumption.

• Priority Four - Leading by example, managing the public sector sustainably:

- ICT design within the expansion will ensure energy use is minimised by incorporating automatic switch off of all devices within the software used.
- In addition the size of each device installed will be appropriate to the required tasks and the numbers of servers used will be minimised by centralising data centres creating further energy savings.
- Where possible legacy equipment to be reused or recycled. All new “white good” appliances to be AAA energy rated.
- Through a combination of good design and school best practice achieve a 10% reduction in energy used at the school, measured per pupil per sq metre, by 2010.

• Priority Five - Sustainable design and construction:

- The energy efficiency of the school is to be improved, supporting the creation of lower carbon council properties, by achieving a BREEAM rating of Very Good.
- Only certified (COC) timber will be used in construction and there will be reduced use of VOC materials.
- Provide a Site Waste Management Plan to national WRAP standards ensuring best practice in site construction management is followed, including maximising the recycling of site construction waste within the new construction.

• Priority Six - Promoting sustainable travel:

- The school design will be integrated with the school’s travel plan promoting the use of sustainable travel to school, such as cycling.

• Priority Seven - Raising awareness and involvement:

- The school design should incorporate visual displays to highlight to pupils the energy being used to run their school and the benefits of any renewable energy schemes in place at their school.
- The new building constructed to have dedicated energy metres, improving the visibility and control of energy used.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1 The Rhodes Expansion project will improve the school, significantly enhancing the learning environment of the students. This will improve their safety both on site and moving to, from and within the site. The buildings will provide for improved and secure access into the school as well as free and convenient access for wheelchair or pushchairs throughout.

3.1.2.2 The project is intended to achieve BREEAM rating of very good. To achieve this a variety of sustainable measures will be incorporated in the design, reducing the use of energy and CO2 emissions.

3.1.3 Encouraging Lifetime Well Being, at Home, Work Play and Learning

- 3.1.3.1 The Primary Capital Programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT and providing a wider range of pathways of study.
- 3.1.3.2 The project will promote learning through access to greater opportunities for all within the community. The expansion will meet local need for extended, youth and community services and the vision is to provide an extended service, including childcare, to the children and their families as well as services for the wider community contribute to improving community cohesion.

3.1.4 Promoting independent living while supporting adults and children when needed

- 3.1.4.1 The process to procure a contractor will look to implement, wherever possible, the council's policies in respect of employing local labour, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

- 3.1.5.1 Key to the success of this project and the Primary Capital programme is the improvement of standards in schools.
- 3.1.5.2 The Rhodes Avenue Expansion design will offer flexibility to meet future changes in children's and the wider community's needs to ensure delivery of an enriched curriculum.

3.2 Council Strategy

The expansion of Rhodes Avenue is being carried out to meet the projected demand for additional reception places required from September 2011.

3.2.1 The Children & Young People's Plan

3.2.1.1 The successful completion of this project will be instrumental in Haringey achieving the aims and objectives of the Children and Young People's Plan 2006 – 2009 which are aligned with those in the national Children's Plan 2008 – 2020.

3.2.1.2 The project will help deliver the Every Child Matters agenda and provide an opportunity to transform education in Haringey by delivering a school that our young people, our teachers and our local communities deserve.

3.2.1.3 The expansion will meet local need for extended, youth and community services by providing an extended service, including childcare, to the children and their families as well as services for the wider community

3.2.2 The Primary Strategy for Change

3.2.1 The planned design and construction programme for the school expansion will support and contribute towards the following five principles of Haringey's Primary Strategy for Change:

- **Principle 1:** We want all children to be able to enjoy their learning and to make good progress;
- **Principle 2:** We want to promote learning through access to greater opportunities for all within the community;
- **Principle 3:** We want to secure the health and well-being of our children and young people and safeguard their welfare, especially the more vulnerable;
- **Principle 4:** We want to further develop the leadership capacity in our schools;
- **Principle 5:** We want to integrate ICT throughout as part of the transformation of learning experiences for children, young people and the community.

4. Recommendations

- 4.1. In accordance with CSO 11.03, for the Cabinet Procurement Committee to award the contract for design and technical services to NPS London Ltd and authorise spending on this contract up to the sum detailed in Appendix 14.1 for the duration of the project

5. Reason for recommendation(s)

- 5.1. In March 2008, A Procurement Report was made to Cabinet Procurement Committee seeking Member agreement to enter into a Framework Agreement for the provision of construction related consultancy services with a single lead supplier for a period of two years with the option to extend for a period of two years on an annual basis subject to satisfactory performance of the company.
- 5.2. At this meeting Members approved the proposal to enter into a Framework Agreement with NPS London Ltd as the single lead supplier to provide all construction consultancy services relating to construction work; these being in the main (but not limited to) building surveying, general architecture, landscape architecture, mechanical and electrical engineering, structural engineering, civil engineering and project management.
- 5.3. It was agreed at the Procurement Committee meeting in March 2008, that any contract valued over £250,000 brought forward under this framework agreement must be approved by the Cabinet Procurement Committee
- 5.4. The fee proposed for the Rhodes Expansion project is based upon the Framework Agreement rates, which ensures that the fees paid are competitive.
- 5.5. Presently, consultancy services and disbursement costs for surveys for RIBA Stages A to C have been awarded under contract standing orders 11.02 by the Director of C&YPS

6. Other options considered

- 6.1. Not applicable

7. Summary

- 7.1. Rhodes Avenue Primary School is a successful 2 form of entry primary school In order to meet projected demand for primary school places in the Alexandra Ward; it has been proposed to expand to a 3 form of entry. The design team have been commissioned to progress with the design, pending a final decision to expand by cabinet. The decision is expected in July 2009.
- 7.2. The Rhodes Avenue Primary Expansion project is seeking approval from Members to award NPS London Ltd, who are the single lead supplier under the Framework Agreement for the provision for construction related consultancy services, the contract for design and technical services for the duration of the project. The appointment also includes disbursements costs to undertake various surveys. The total fee proposed exceeds £250,000 and thus must be approved by Cabinet Procurement Committee prior to award of the contract.

8. Chief Financial Officer Comments

- 8.1 The Chief Financial Officer has been consulted on this report and has no further comments.

9. Head of Legal Services Comments

- 9.1. This Director of Children & Young People's Services is seeking Cabinet Procurement Committee approval to award the contract for the design and technical services relating to the construction work a the Rhodes Avenue Primary School to the Contractor named in paragraph 1.1 of this report.
- 9.2. It is noted that at the Cabinet Procurement Committee meeting of March 2008 Members approved the proposal to enter into a Framework Agreement with NPS London Limited as the single lead supplier to provide all construction consultancy services relating to construction work.
- 9.3. The Director of Children and Young People's Services has confirmed that the Framework Agreement was advertised in OJEU in accordance with the Public Contracts Regulations 2006.
- 9.4. The value of this contract exceeds £250,000. Therefore it is a requirement of the Contract Standing Order 11.03 that approval is obtained from the Cabinet Procurement Committee.
- 9.5. The award of this contract is a key decision as it involves a contract valued at over £500,000. A key decision is required by CSO 11.04 to be included in the Council's Forward Plan. Children & Young People have confirmed that the contract covered is included in the Forward Plan.
- 9.6. The Head of Legal Services confirms that there are no legal reasons preventing members from approving the recommendation as to the proposed contract award set out in Paragraph 4 of this report

10. Head of Procurement Comments

- 10.1. The consultant NPS London Ltd has been called off the Consultants for Construction work framework for design and related construction services as

the single strategic supplier which was established in April 2008 for an initial two years.

- 10.2. The Consultants NPS London Ltd has set up their supply chain in discussion with the Client and the fees agreed are competitive.
- 10.3. The Head of Procurement therefore acknowledges the recommendations to appoint NPS London Ltd as stated in paragraph 4.

11. Equalities & Community Cohesion Comments

- 11.1. As part of the appointment process onto the Construction Related Consultancy Services Framework, NPS London Ltd provided tender information on Diversity and Equality and were evaluated against the Council's criteria for Equalities.
- 11.2. The design of the new school facility will be fully accessible.
- 11.3. The expansion project will offer greater opportunities for extended use and community cohesion.
- 11.4. An EIA is currently being undertaken and will be submitted when the report to Procurement Committee is made with a recommendation to appoint a contractor for the works. At this stage the EIA will be passed to the Equality Unit for sign off.

12. Consultation

- 12.1. The Construction Procurement Group has been fully consulted in the preparation of this report.
- 12.2. A wide range of internal and external stakeholders have been consulted during the initial Feasibility Stage of Design and these stakeholders, including the school, the local community, and local Members, will continue to have regular involvement in the design of the school going forward.

13. Service Financial Comments

- 13.1. Provision of £8.9m is included in the approved CYPS capital programme for the Rhodes Avenue expansion project. The total estimated cost of the project, including fees is made up as follows:

	£000
Construction	6,640
Fixtures and fittings	630
Fees	710
Disbursements	176
Contingency	744
Total	8,900

- 13.2. The fee budget includes provision for the cost of the consultancy services to be

commissioned from NPS which are the subject of this report.

14. Use of appendices /Tables and photographs

The following information forms Part B of this report:

- 14.1. Appendix A: Fee Summary
- 14.2. Appendix B: Programme Milestones

15. Local Government (Access to Information) Act 1985

15.1. The following documents were used in the compilation of this report:

14.1.1 Haringey Council Plan 2007/2010

15.2. Appendix 1 of this report contains exempt information 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):
Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).



Haringey Council

Agenda item:


[No.]

Procurement Committee

On 28th July 2009

Report Title. Broadwater Farm Inclusive Learning Centre (BWF ILC) - Procurement of Design Consultancy

Report of Director of The Children and Young People's Service

Signed : 

Contact Officer : David Moore, Construction Lead, The Children and Young People Service

Wards(s) affected: **West Green**

Report for: **Key Decision**

1. Purpose of the report

- 1.1. To request approval to award NPS London Ltd the contract for design and technical services for the BWF ILC project for the duration of the project.
- 1.2. To provide Procurement Committee with sufficient project information to approve the request to award the contract to NPS London Ltd as the total fee proposed exceeds £250,000.

2. Introduction by Cabinet Member

- 2.1. The Broadwater Farm inclusive learning campus is an innovative and exciting new development which will greatly improve the learning environment for our disabled children and young people while promoting greater understanding within the wider community of both children and adults.
- 2.2. The new school will also be a beacon of environmental sustainability and will go substantially beyond our current requirement of 10% CO2 reduction. In the new

build section we aim to hit 60% CO2 reduction. It will be built to an excellent BREEAM rating.

2.3. I am satisfied that the appropriate procedures have been followed and I am happy to support the recommendations.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. Council Priorities

3.1.1 Making Haringey one of London's Greenest Boroughs

3.1.1.1 The design and construction will support each of the seven Haringey Greenest Borough Strategy Priorities in the following ways:

- Priority One - Improving the Urban Environment:

- The school project will go beyond the current Haringey Council requirement of 10% CO2 reduction for new build over 1,000 sq metres.
- If the school project is greater than 1,000 sq metres new build, 20% CO2 reduction from onsite renewable energy sources will be achieved (in line with the GLA requirement).
- In the new build, we will seek 60% carbon reduction, using DCSF carbon calculation.

- Priority Two - Protecting the Natural Environment:

- In the landscaping design and works, bio-diversity to be actively managed to promote the development of the local flora, fauna and wildlife.
- Extended community use of the school, exploiting the significantly improved facilities.

- Priority Three - Managing Environmental Resources efficiently:

- Within the school design, measures to be incorporated to minimise the utilities used on a daily basis.
- This will include minimising the use of water and energy through the installation of energy efficient fixtures and fittings and consideration of voltage optimisation wherever possible.
- Where appropriate, utilise renewable energy sources of ground source heating, biomass boilers, solar photo voltaic, solar collectables and wind turbines to achieve CO2 reduction targets and reduce ongoing energy costs.
- Utilise rain water harvesting to reduce mains water consumption.

- Priority Four - Leading by example, managing the public sector sustainably:

- ICT design within the inclusive learning campus will ensure energy use is minimised by incorporating automatic switch off of all devices within the software

used.

- In addition the size of each device installed will be appropriate to the required tasks and the numbers of servers used will be minimised by centralising data centres creating further energy savings.
- Where possible legacy equipment to be reused or recycled. All new “white good” appliances to be AAA energy rated.
- Through a combination of good design and school best practice achieve a 10% reduction in energy used at the school, measured per pupil per sq metre, by 2010.

- **Priority Five - Sustainable design and construction:**

- The energy efficiency of the schools is to be improved, supporting the creation of lower carbon council properties, by achieving the highest BREEAM rating of Excellent for the new school/ inclusive learning campus.
- Only certified (COC) timber will be used in construction and there will be reduced use of VOC materials.
- Provide a Site Waste Management Plan to national WRAP standards ensuring best practice in site construction management is followed, including maximising the recycling of site construction waste within the new construction.

- **Priority Six - Promoting sustainable travel:**

- The school/ inclusive learning campus design will be integrated with the school's travel plan promoting the use of sustainable travel to school, such as cycling.

- **Priority Seven - Raising awareness and involvement:**

- The school/ inclusive learning campus design should incorporate visual displays to highlight to pupils the energy being used to run their school/inclusive learning campus and the benefits of any renewable energy schemes in place at their school/ inclusive learning campus.
- The new building constructed to have dedicated energy metres, improving the visibility and control of energy used.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1 The BWF ILC project will improve the school, significantly enhancing the learning environment of the students. This will improve their safety both on site and moving to, from and within the site. The buildings will provide for improved and secure access into the school as well as free and convenient access for wheelchair or pushchairs throughout.

3.1.2.2 The project is intended to achieve BREEAM rating of excellent. To achieve this a variety of sustainable measures will be incorporated in the design, reducing the use of energy and CO2 emissions.

3.1.3 Encouraging Lifetime Well Being, at Home, Work Play and Learning

3.1.3.1 The Primary Capital Programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing

- inclusion and providing a wider range of pathways of study.
- 3.1.3.2 The BWF ILC project is considered a flagship scheme both in terms of the Primary Capital programme, wider regeneration of the Broadwater Farm Estate and development of service provision for the wider community within Haringey. The project will promote learning through access to greater opportunities for all within the community. The inclusive learning campus will meet local need for extended, youth and community services and the vision is to provide an extended service, including childcare, to the children and their families as well as services for the wider community contribute to improving community cohesion.

3.1.4 Promoting independent living while supporting adults and children when needed

- 3.1.4.1 The process to procure a contractor will look to implement, wherever possible, the council's policies in respect of employing local labour, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

- 3.1.5.1 Key to the success of this project and the Primary Capital programme is the improvement of standards in schools. The new Inclusive Learning Campus at Broadwater Farm estate will help extend the successful co-location approach at the Vale and Blanche Neville to the borough's remaining special schools.
- 3.1.5.2 The Broadwater Farm ILC will also provide flexibility and capacity for change and expansion to meet future changes in children's and the wider community's needs to ensure delivery of an enriched curriculum.

3.2 Council Strategy

3.2.1 The Children & Young People's Plan

3.2.1.1 The successful completion of this project will be instrumental in Haringey achieving the aims and objectives of the Children and Young People's Plan 2006 – 2009 which are aligned with those in the national Children's Plan 2008 – 2020.

3.2.1.2 The project will help deliver the Every Child Matters agenda and provide an opportunity to transform education in Haringey by delivering a school that our young people, our teachers and our local communities deserve.

3.2.1.3 The inclusive learning campus will meet local need for extended, youth and community services by providing an extended service, including childcare, to the children and their families as well as services for the wider community

3.2.2 The Primary Strategy for Change

3.2.1 The planned design and construction programme for the new campus will support and contribute towards the following five principles of Haringey's Primary Strategy for Change:

- **Principle 1:** We want all children to be able to enjoy their learning and to

<p>make good progress;</p> <ul style="list-style-type: none"> • Principle 2: We want to promote learning through access to greater opportunities for all within the community; • Principle 3: We want to secure the health and well-being of our children and young people and safeguard their welfare, especially the more vulnerable; • Principle 4: We want to further develop the leadership capacity in our schools; • Principle 5: We want to integrate ICT throughout as part of the transformation of learning experiences for children, young people and the community.
<p>4. Recommendations</p> <p>4.1. The Procurement Committee approve award of the contract for design and technical services to NPS London Ltd and authorise spending on this contract up to the sum detailed in Appendix 13.1 for the duration of the project.</p>
<p>5. Reason for recommendation(s)</p> <p>5.1. At this meeting Members approved the proposal to enter into a Framework Agreement with NPS London Ltd as the single lead supplier to provide all construction consultancy services relating to construction work; these being in the main (but not limited to) building surveying, general architecture, landscape architecture, mechanical and electrical engineering, structural engineering, civil engineering and project management.</p> <p>5.2. It was agreed at the Procurement Committee meeting in March 2008, that any contract valued over £250,000 brought forward under this framework agreement must be approved by the Cabinet Procurement Committee</p> <p>5.3. The fee proposed for the BWF ILC project is based upon the Framework Agreement rates, which ensures that the fees paid are competitive.</p> <p>5.4. Presently, consultancy services for RIBA Stages A to C have been awarded under contract standing orders 11.02 by the Director of C&YPS</p>
<p>6. Other options considered</p> <p>6.1. Not applicable</p>
<p>7. Summary</p> <p>7.1. The BWF ILC project will bring together the three schools of Broadwater Farm Primary, William C Harvey, and Moselle Schools to establish a fully inclusive learning campus. The ILC will continue to offer 2 form of entry for mainstream</p>

and increase SEN provision from 80 to 100 for 3-11 year old children with complex needs.

7.2. The BWF ILC project is seeking approval from Members to award NPS London Ltd, who are the single lead supplier under the Framework Agreement for the provision for construction related consultancy services, the contract for design and technical services for the duration of the project. The total fee proposed exceeds £250,000 and thus must be approved by Cabinet Procurement Committee prior to award of the contract.

8. Chief Financial Officer Comments

8.1. The Chief Financial Officer has been consulted on this report and has no additional comments to make

9. Head of Legal Services Comments

9.1. The Director of the Children and Young People's Services is seeking Cabinet Procurement Committee approval to award the contract for design and technical Services to the Contractor named in paragraph 1.1 of this Report.

9.2. It is noted that at the Procurement Committee meeting of March 2008, Members approved the proposal to enter into a Framework Agreement with NPS London Limited as the single lead supplier to provide all construction consultancy services relating to construction

9.3. The Director of the Children and Young People's Services has confirmed that the Framework Agreement was advertised in the Journal of the European Union (OJEU) in accordance with the Public Contracts Regulations 2006.

9.4. The value of this contract is in excess of £250,000. Therefore it is a requirement of Contract Standing Order 11.03 that approval is obtained from the Procurement Committee.

9.5. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendation as to the proposed contract award set out in Paragraph 5 of this report.

10. Head of Procurement Comments

10.1 The Consultant NPS London Ltd has been called off the Consultants for Construction works framework for design and related construction services as the single strategic supplier which was established in April 2008 for an initial two years.

10.2 The Consultants NPS London Ltd has set up their supply chain in discussion with the Client and the fees agreed are competitive.

10.3 The Head of Procurement therefore acknowledges the recommendations to appoint NPS London Ltd as stated in paragraph 4.

11. Equalities & Community Cohesion Comments

- 11.1. As part of the appointment process onto the Construction Related Consultancy Services Framework, NPS London Ltd provided tender information on Diversity and Equality and were evaluated against the Council's criteria for Equalities.
- 11.2. The design of the new school facility will be fully accessible to all levels of physical ability.
- 11.3. Inclusion is considered a key strategy to support equal opportunities across the Borough and the development of Broadwater Farm ILC is designed to support this approach by offering a co-location approach as well as an extended service to the children and their families as well as services for the wider community
- 11.4. An EIA is currently being undertaken and will be submitted when the report to Procurement Committee is made with a recommendation to appoint a contractor for the works. At this stage the EIA will be passed to the Equality Unit for sign off.

12. Consultation

- 12.1. The Construction Procurement Group has been fully consulted in the preparation of this report.
- 12.2. A wide range of internal and external stakeholders have been consulted during the initial Feasibility Stage of Design and these stakeholders, including the school, the local community, and local Members, will continue to have regular involvement in the design of the school going forward.

13. Service Financial Comments

- 13.1. Provision for the Broadwater Farm Inclusive Learning Campus has been included in the approved CYPS capital programme at a total cost of £18.5m. The budget includes provision for the NPS fees which are the subject of this report.
- 13.2. The project is currently at design stage B, and value engineering work is underway to ensure that the project is scoped within the cash limit budget available.

14. Use of appendices /Tables and photographs

The following information forms Part B of this report:

- 14.1. Appendix A: Fee Summary
- 14.2. Appendix B: Programme Milestones

15. Local Government (Access to Information) Act 1985

15.1. The following documents were used in the compilation of this report:

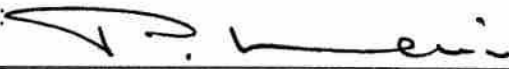
15.1.1 Haringey Council Plan 2007/2010

15.2. Appendix A and B of this report contains exempt information 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):

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

Agenda item

[No.]

PROCUREMENT COMMITTEE		On 28 th July 2009
Report Title.		
Building Schools for the Future: BSF Project Management Provider		
Report authorised by : Director of the Children & Young People's Service		
Signature : 		
Contact Officer : David Bray		
020 8489 1824		
david.bray@haringey.gov.uk		
Wards(s) affected: Various	Report for: Key Decision	
1. Purpose of the report		
1.1 To update members on the (1) additional work involved in re-tendering Heartlands High School, and (2) seek approval for the additional resources required to manage the remaining future work of the BSF project.		
2. Introduction by Cabinet Member		
2.1 The new Heartlands school is a flagship project of importance both to ensuring sufficient secondary school places for an increasing child population and to the regeneration of the Wood Green Heartlands area. The building of a new school is costly and it was therefore very important that we achieved best value for money when appointing construction partners. To achieve this meant re-tendering the work and there are costs involved which are the subject of this report. Overall the re-tendering saved a considerable amount of money.		
2.2 In relation to the other schools in the BSF programme it is clear that the work involved has been more than originally anticipated. Although this report does not propose to change the rates being paid it does recognise the greater amount of work necessary to properly resource the programme. This does represent an increase in spend but the BSF Board has considered this in some detail and supports the recommendations.		

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Council Priorities

3.1.1 Making Haringey one of London's Greenest Boroughs

3.1.1.1. The Council's Project Management provider will support the Building Schools for the future programme in exhibiting a number of sustainability features. The Project Managers play a key role in ensuring that the appointed Construction Partners are working in accordance with the Council's policies and the Council's Requirements for each individual project, and that the projects achieve their BREEAM and renewables targets.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1. The Project Managers are closely involved in ensuring the Construction partners conform to sustainable greener methods of working.

3.1.3 Encouraging Lifetime Well Being, at Home, Work, Play and Learning

3.1.3.1. The Project Managers work closely with the BSF Transformation stream in contributing towards providing schemes which will transform outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing inclusion and providing a wider range of pathways of study.

3.1.3.2. The BSF programme will improve access to extended services in and around schools and contribute to improving community cohesion. Examples include access to out of hours study support for children and families, sports and the arts. This project is proposing a new hall which could potentially be used for community use out of hours:

3.1.4 Promoting independent living while supporting adults and children when needed

3.1.4.1. The Project Managers ensure the Construction Partners implement, wherever possible, the Council's policies on local labour employment, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

3.1.5.1. Key to the success of the BSF programme is high quality finished school spaces to improve standards within schools. The Project Managers role will ensure that work carried out by the Construction Partners is consistent with the standards expected by the Council.

3.2 Council Strategies

3.2.1 Safer for All

3.2.1.1. In all our work we will pay particular attention to:

- Young people and crime
- Mental health issues

- Support for victims and witnesses of crime
- Working with and through communities (Community Engagement) Resources

3.2.2 Value for Money

3.2.2.1. Discussions have been carried out within the terms and cost rates of the original framework contract. This has been overseen by the Council's Central Procurement group and achieved very significant reductions from the proposals made by the supplier.

3.2.3 Engagement of the Community

3.2.3.1. The designs of the projects have been made available prior to the construction stage. These initiatives will continue through the construction period.

3.2.4 Risk Management

3.2.4.1. Risks are managed within the governance of the BSF programme. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes. Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance. A BSF Project Management Assurance Audit (undertaken by Deloitte & Touche Public Sector Internal Audit Limited) was completed in January 2009 and gave an overall programme rating of 'Substantial Assurance'.

4. Recommendations

4.1 It is recommended that the Procurement Committee:

- Note the additional cost incurred in re-tendering Heartlands
- Approve the scope and terms of the BSF Project Management services for the remaining phase of the BSF programme under the terms of CSO 13.02.

5. Reason for recommendation(s)

5.1 The BSF Programme has commenced work on site at ten of the twelve schemes, with the one (Heartlands) about to start and the other (Fortismere) due to start in the autumn term

5.2 The focus is moving from planning and procurement to scheme management, closure and handover, including ensuring underlying benefits are realised.

5.3 Recent months have been used to review the work undertaken by main suppliers to the BSF programme under earlier procurements, assess the risks for the coming phases and to seek to secure resources, within those procurements, to mitigate those risks. In particular, there have been negotiations with the BSF Project Managers on project management and construction lead services, and the BSF Quantity Surveyors on quantity surveying and cost consultancy. Both negotiations have been carried out in close consultation with the Corporate Procurement Unit and within the fee rates, terms

and conditions of the framework procurements completed at the outset of the BSF programme. This report does not propose changes to those rates and discounts.

5.4 This report deals with the BSF Project Management contract. The two main topics were the additional work involved in the re-tendering Heartlands High School and ensuring the scope of service between periods for future needs.

5.5 The contracts originally entered into were secured through a framework exercise. The contract was not for a fixed rate, as the programme was at an early stage and there was no template for how such a programme would develop in Haringey's circumstances. In the event there has been a great deal more work entailed than could have been forecast, especially in the approval and procurement processes. Project managers have been central to addressing and overcoming these challenges.

5.6 Heartlands

5.6.1 The additional work involved in re-tendering Heartlands has yielded the following benefits. Both the BSF Project Managers and Quantity Surveyors have been integral to these gains and have undertaken a great deal of additional work:

- Greater assurance of delivery on time for school opening in September 2010
- A net reduction of up to £7m compared to the original tender
- A reduction of construction cost budget of £2m

5.7 Future Risks

5.7.1 The process with the BSF Project Managers has focused on minimising risks to the Council and to the BSF Programme's success by adjusting the Project Management service delivery model to a full project management service (including contract administration, backed by agreed resourcing levels over time until the BSF projects are completed. Securing this support is essential to reducing the level of delivery risk associated with BSF projects, as failure to deliver the project management function may lead to an increase in costs as the key interface is lost. The Council has set the clear objective for the BSF Programme to be delivered on budget – failure to secure effective and full project management services runs counter to this objective:

5.7.2 A full Contract Administration service to manage the key interface between the contractor and a variety of stakeholders involved in the programme. There was some dispute in the interpretation of service specification wording between Central Procurement and the providers that meant that the Project Management Provider had planned for a reducing staffing level during key project phases. This agreement secures the necessary level of staff resource until the end of each project, which in turn ensures that the contract administration role will be delivered in full. Failure to do so would place the Council at considerable risk.

5.7.3 Continuity of service of a supplier with full knowledge of the BSF programme is essential to ensuring translation of design and development issues into the construction phase. The existing Project Management provider has delivered the BSF project management function since early in 2007, and transfer to another provider is judged to be highly detrimental to the effective delivery of the construction

phase, because the key interface relationship between key stakeholders and the construction partner would be lost. The programme team considered whether an alternative provider could overcome these difficulties at significantly less cost and concluded that it was highly unlikely. For this reason, the BSF Programme did not consider pursue alternative options for securing these services,

5.7.4 Full post-contract service and final account preparation over the twelve month defect period after practical completion. Maintaining the engagement of the Project Manager provider during the final account preparation and defect management phase is judged to reduce the level and likelihood of contractor claims, although they can never be ruled out entirely.

5.7.5 Removal of potential conflict of interest by bringing the Construction Work Stream Lead in-house. The Project Management provider provided the key Work Stream lead role and the Project Managers, possibly in certain circumstances creating a conflict of interest in managing conflictual situations. Bringing the Construction Work Stream lead in house removes the conflict of interest and strengthens the Council's client view in delivering the BSF Programme and delivers financial benefit.

5.7.6 Capping of open-ended services and associated costs (Portfolio Project Manager). The original agreement with the Project Management provider delivered the Portfolio Project Manager role (responsible for managing and resolving cross project issues) on an hourly basis. Review of the costs arising from this arrangement showed that capping the charge on a resource basis managed the Council's cost exposure and guaranteed the level of resource over time.

5.8 The Outcome

5.8.1 This proposal delivers solutions which meet the agreed objectives, representing a net 12.1% increase on the currently budgeted cost.

5.8.2 The additional costs (see Appendix 1) are partly due to the re-tendering work for Heartlands High School and partly to securing the future service scope and risk management.

5.8.3 Portfolio Project Manager costs have been converted from an hourly rate to a fixed fee, potentially avoiding a further £50k budget drift by the end of the programme.

5.8.4 Financial provision for the negotiation was made in the financial planning for BSF and in the decision to re-tender Heartlands High School. The BSF Board has endorsed the outcome of the negotiations.

6. Other options considered

6.1 Not Applicable

7. Summary

7.1 The BSF programme will benefit from the negotiations by:

- Ensuring sufficient resources are available to manage the risks which emerge
- Capping the Council's exposure to fees
- Bringing in-house the client-side function of the construction lead
- Resolving areas of dispute or potential dispute

8. Chief Financial Officer Comments

8.1 The proposals in this report represents a solution to a combination of issues that have arisen subsequent to the original Project Management contract being let; the net effect of which is to increase the contract price by around 12%.

8.2 Clearly in the case of the additional work consequent on the Heartlands High School re-tendering this could not have been foreseen at the time that the contract was let, although this would appear not to be the case in respect of the extension to include the full 'contract administration process'.

8.3 The original procurement process was undertaken on the basis of a framework agreement and the subsequent negotiations have used those framework rates as a starting point for the revised costs. It is in this way that the Council has sought to demonstrate value for money, since a competitive process would not, at this stage, be a practicable alternative. If members approve the recommendations, therefore, this must be in the knowledge that achievement of value for money has not been evidenced through a recent competitive process.

9. Head of Legal Services Comments

9.1 This report is requesting that the Procurement Committee note (a) the additional costs incurred on the BSF re-tendering of the Heartlands Project and (b) approve the scope and terms for the BSF Project Management services for the remaining phase of the BSF programme.

9.2 The BSF Project Managers were commissioned under the Provision of Construction Related Consultancy Services framework agreement. This framework agreement was tendered in the EU and selection of the Framework contractors was undertaken in compliance with the Public Services Contracts Regulations 1993. Securing this support for the remaining phase of the BSF programme is vital to reducing the level of delivery risk associated with BSF projects.

9.3 The Procurement Committee has power under CSO 13.02 to approve the recommendation, provided that to do so is consistent with the provisions of the Council's Financial Regulations.

9.4 Paragraphs 9.4 to 9.8 onwards are contained in the exempt information.

9.9 Subject to the comments contained in the exempt information, the Head of Legal Services confirms that there are no legal reasons preventing Members from accepting the recommendations contained in Paragraph 4 of this report.

10. Head of Procurement Comments

10.1 The additional fees as noted in Appendix 1 are for services in regards to retendering the Heartlands project and for planned future work..

10.2 The re-tender of Heartlands High school which was awarded in June has resulted in significant savings over the original tendered price.

10.3 The Project Manager role is now capped and will help financial control of the programme.

10.4 The Head of Procurement therefore acknowledges the need for additional fees as recommended by the Client on this project.

11. Equalities and Community Cohesion Comments

11.1 Detailed Equalities Impact Assessments (EIAs) have been carried out for each of the BSF projects. Each has been approved by the Director of CYPS prior to Procurement Committee approval of contracts.

15. Consultation

15.1 Internal consultations have been undertaken to ensure that the necessary steps to procure the BSF Project Management services have been followed.

13. Service Financial Comments

13.1 Appendix 1 presents the costs of extending the BSF Project Management contract to support additional work already undertaken and required to balance the delivery risks associated with completing the BSF programme. This table confirms the additional costs and savings associated with the proposals

13.2 Section 16.1.1 confirms that the budget provision available for this cost item is equal to the projected costs, so it is confirmed that budget provision exists for the extension of the BSF Project Managers contracts detailed in this report and set out in section 16.1.

13.3 DCSF issued a revised promissory letter on Monday 24th November 2008 confirming the BSF programme Final Business Case had successfully been signed off, and the total grant funding payable to the council. As defined in the DCSF Funding Protocol, the date of this promissory letter defines the moment of financial close for funding purposes. This was confirmed by the discussion and minute of the 21st October BSF Programme Board.

14. Use of appendices /Tables and photographs

14.1 Budget Profile (16.1)

14.2 Summary of Additional Costs (16.2)

15. Local Government (Access to Information) Act 1985


15.1 The following documents were used in the compilation of this report:

- The Council's Standing Orders
- Appendix 1 of this report contains exempt information 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):

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

Agenda item

[No.]

PROCUREMENT COMMITTEE		On 28 th July 2009
Report Title.		
Building Schools for the Future: Award of Contract for Clerk of Works		
Report authorised by : Director of the Children & Young People's Service		
Signature : 		
Contact Officer : David Bray		
020 8489 1824		
david.bray@haringey.gov.uk		
Wards(s) affected: Various	Report for: Key Decision	
1. Purpose of the report		
1.1 To seek Procurement Committee approval to award the Building Schools for the Future contract for Clerk of Works on the first seven schools and a separate Clerk of Works Contract for the final five schools.		
2. Introduction by Cabinet Member		
2.1 It is essential that we have an identified Clerk of Works for each school within the programme. Although there was a misunderstanding about the need for Committee approval before the commissioning of Homes for Haringey I am satisfied that the relevant procurement procedures have now been followed and am happy to support the recommendations.		
3. State link(s) with Council Plan Priorities and actions and /or other Strategies:		
3.1 Council Priorities		
3.1.1 Making Haringey one of London's Greenest Boroughs		
3.1.1.1. The Clerk of Works services will support the Building Schools for the future programme which exhibits a number of sustainability features. The Clerk Of Works will ensure that the appointed Construction Partners are working in accordance with the Council's policies and the Councils Requirements for each individual project. This		

will ensure the projects achieve their BREEAM and renewables targets.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1. The Clerk of Works will identify areas for improvement in the Construction Partners method of working so that work is conducted in a sustainable manner.

3.1.3 Encouraging Lifetime Well Being, at Home, Work, Play and Learning

3.1.3.1. The BSF programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing inclusion and providing a wider range of pathways of study.

3.1.3.2. The BSF programme will improve access to extended services in and around schools and contribute to improving community cohesion. Examples include access to out of hours study support for children and families, sports and the arts. This project is proposing a new hall which could potentially be used for community use out of hours.

3.1.4 Promoting independent living while supporting adults and children when needed

3.1.4.1. The BSF Construction Partners have undertaken to implement, wherever possible, the Council's policies in respect of employing local labour, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

3.1.5.1. Key to the success of the BSF programme is high quality finished school spaces to improve standards within schools. The Clerk of Works role will ensure that work carried out by the Construction Partners is consistent with the standards expected by the Council.

3.2 Council Strategies

3.2.1 Safer for All

3.2.1.1. In all our work we will pay particular attention to:

- Young people and crime
- Mental health issues
- Support for victims and witnesses of crime
- Working with and through communities (Community Engagement) Resources

3.2.2 Value for Money

3.2.2.1. Overall Value for money is achieved by the procurement methodology to prove the economy, efficiency and effectiveness of each tender. Two bids were received for the role of the Clerk of Works, one from the Consultants for Construction Works Framework and the other an internal team of the Council. It is recommended within this report that the most economically advantageous bid is approved for

appointment by Procurement Committee.

3.2.2.2. The procurement process allowed the bidders to bid for, and be evaluated on the Clerk of Works role for the construction work of all 12 of the school projects within the BSF Programme.

3.2.3 Engagement of the Community

3.2.3.1. The designs of the projects have been made available prior to the construction stage. These initiatives will continue through the construction period.

3.2.4 Risk Management

3.2.4.1. Risks are managed within the governance of the BSF programme. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes. Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance. A BSF Project Management Assurance Audit (undertaken by Deloitte & Touche Public Sector Internal Audit Limited) was completed in January 2009 and gave an overall programme rating of 'Substantial Assurance'.

3.2.4.2. The Clerk of Works' are members of the Institute of Clerk of Works, which is a professional body that supports quality construction through inspection and has an approved code of conduct.

4. Recommendations

4.1 That the Procurement Committee awards a Clerk of Works contract, with a value set out in Appendix 16.1 for the duration of the Building Schools for the Future programme, for the first seven BSF schools.

4.2 That the Procurement Committee awards a Clerk of Works contract, with a value set out in Appendix 16.1 for the duration of the Building Schools for the Future programme, for the last five BSF schools.

5. Reason for recommendation(s)

5.1 The Building Schools for the Future (BSF) Programme requires that a Clerk of Works role is undertaken to ensure that the quality of construction work on each of the twelve sites is monitored regularly.

5.2 The budget for the Clerk of Works is held at programme level and an original programme budget was set aside for the COW role.

5.3 Quotes were requested from the one consultant on Haringey's Clerk of Works framework (EU compliant) and an internal organisation, to provide costs for undertaking the Clerk of Works role across the 12 schools in the programme.

5.4 The quotes received were above the identified programme budget. Having regard to the programme and the scope of works the bid was split into two lots: Lot 1 being

the first seven schools on the programme and Lot 2 being the other five schools. The lots were apportioned considering the contractor start on site dates for the schools in the programme.

5.5 It was agreed at programme level that the full Clerk of Works role would be needed to ensure the service was of value.

5.6 This report is asking for retrospective approval for two reasons:

- It was assumed by the BSF Programme that Procurement Committee approval, should Lot 1 be won by an internal team, would not be required, but Corporate Procurement have advised that in this instance, both lots should be reported to Committee for transparency as a whole.
- Establishing whether the quotes for the COWs could be reduced to match the budget allocated at programme level and the subsequent approval of an increased budget took longer than anticipated.

5.7 Apologies are tendered by the BSF team that these events led to this report being retrospective.

5.8 For reasons of urgency and whilst ongoing fee and budget discussions were undertaken, works commenced on the earliest of the first seven schools in the programme with the bidder listed in Appendix 16.1.

5.9 The revised quotes which came within budget for the two Lots are provided at Appendix 1.

5.10 One of the bidders declined to submit a quote for the second lot (the Clerk of Works role on the later five schools in the programme), only one quote for the works has been received (from the Councils single framework supplier as listed in Appendix 16.1).

5.11 The first appointments (quoted as a flat fee) will resource the first seven of twelve BSF school projects.

5.12 The second appointment (from framework rates) will resource the final five BSF school projects including the new school.

5.13 The Clerk of Works role on the final five BSF schools in the programme will need to commence prior to this paper being reviewed at Committee.

6. Other options considered

6.1 Not Applicable

7. Summary

7.1 The BSF programme will benefit from the procurement route taken. Economies of scale are achieved by purchasing by volume across the programme (for two packages; one of seven schemes and the second of five schemes) and alleviation of multiple contracts and their management for multiple providers at individual sites.

8. Chief Financial Officer Comments

8.1 Paragraphs 5.6 and 5.10 respectively set out that the contracts for Clerk of Works services have already been let to the relevant named contractors and Members are, therefore, being asked for a retrospective approval of these contracts.

9. Head of Legal Services Comments

9.1 This report is requesting that the Procurement Committee (a) approve the recommendations to award the Clerk of Works Contract on the first 7 BSF schools to the supplier detailed in paragraph 16.2 of this report; and (b) approve the recommendations to award the Clerk of Works Contract to a contractor called off from an existing framework on the last 5 BSF schools to the supplier detailed in paragraph 16.2 of this report.

9.2 The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006, allows contracting authorities to, using EU tendering procedures, enter into framework agreements with service providers, and to select service providers in respect of specific services/projects from amongst those providers with which it has concluded framework agreements.

9.3 The London Borough of Haringey has concluded a number of framework agreements tendered in the EU and established in compliance with the Public Contracts Regulations 2006. These frameworks include the CFCW Clerk of Works framework which may be used by the London Borough of Haringey. Securing this Clerk of Works support for the remaining phase of the BSF programme is vital to reducing the level of delivery risk associated with BSF projects.

9.4 Where such a framework agreement is concluded with only one economic operator, a specific contract may be awarded following written consultation with that economic operator performing those services on the basis of the submitted tender and the award criteria specified in the framework agreement.

9.5 The Supplier detailed in Paragraph 16.2 for the 5 BSF schools has been selected based on the criteria specified and the tender submitted, in accordance with Regulation 30 of the Public Contracts Regulations.

<p>9.6 The Supplier detailed in Paragraph 16.2 for the 7 BSF schools has been selected based on the quote/ Tender] submitted.</p> <p>9.7 Paragraphs 9.8 to 9.14 onwards are contained in the exempt information.</p> <p>9.15 Subject to the comments contained in the exempt information, the Head of Legal Services confirms that there are no legal reasons preventing Members from accepting the recommendations contained in Paragraph 4 of this report.</p>
<p>10. Head of Procurement Comments</p> <p>10.1 One of the suppliers referred to in paragraph 16.2 of this report - is the Councils selected supplier under the Councils framework agreement for Clerk of Works and is called off from this framework. This supplier is recommended for the last five schools in the table at paragraph 16.1 of Appendix 1.</p> <p>10.2 The other supplier referenced in paragraph 16.2 has previously provided Clerk of Works services for a number of projects for the Council including schools. The reasons for inviting this provider are detailed in Paragraph 16 of Appendix 1. This supplier is recommended for the first seven schools in the table at paragraph 16.1 of Appendix 1.</p> <p>10.3 Both suppliers have submitted bids that offer Value for Money and these are in paragraph 16.1 in Appendix 1.</p> <p>10.4 The Head of Procurement acknowledges the recommendations in this report as representing best value for the Council.</p>
<p>11. Equalities and Community Cohesion Comments</p> <p>11.1 Detailed Equalities Impact Assessments (EIAs) have been carried out for each of the BSF projects. Each has been approved by the Director of CYPS prior to procurement committee approval of contracts.</p>
<p>12. Consultation</p> <p>12.1 Internal consultations have been undertaken to ensure that the necessary steps to procure a Clerk of Works role on the BSF Programme have been followed. Construction Procurement Group has stated a full Clerk of Works role should be procured to ensure the quality of construction works on site are fully monitored.</p>
<p>13. Service Financial Comments</p> <p>13.1 Appendix 1 presents the costs of awarding Clerk of Works Contracts for the 12 BSF Projects. This table confirms all cost elements associated with the delivery of Clerk of Work's Services confirmed by Mace.</p> <p>13.2 Section 16.1.1 confirms that the budget provision available for this cost item exceeds the projected costs, so it is confirmed that budget provision exists for the award of contracts to the two bidders set out in section 16.1.</p> <p>13.3 DCSF issued a revised promissory letter on Monday 24th November 2008 confirming the BSF programme Final Business Case had successfully been signed</p>

off, and the total grant funding payable to the council. As defined in the DCSF Funding Protocol, the date of this promissory letter defines the moment of financial close for funding purposes. This was confirmed by the discussion and minute of the 21st October BSF Programme Board.

14. Use of appendices /Tables and photographs

- 14.1 Tender return Price Schedule (16.1)
- 14.2 Summary of Tender Costs (16.2)
- 14.3 Construction Awards to date (16.3)

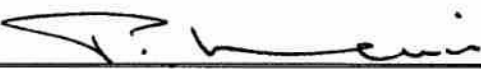
15. Local Government (Access to Information) Act 1985

- 15.1 The following documents were used in the compilation of this report:
- 15.2 The Council's Standing Orders
- 15.3 Appendix 1 of this report contains exempt information 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):
Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).

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Agenda item

[No.]

PROCUREMENT COMMITTEE		On 28 th July 2009
Report Title. Building Schools for the Future: Award of Contract for Furniture Fixtures and Equipment		
Report authorised by Director of the Children & Young People's Service Signed: 		
Contact Officer : David Bray 020 8489 1824 david.bray@haringey.gov.uk		
Wards(s) affected: Various	Report for: Key Decision	
1. Purpose of the report 1.1 To seek Procurement Committee approval to award Building Schools for the Future contracts for Furniture Fixtures and Equipment		
2. Introduction by Cabinet Member 2.1 All the BSF schools will need a range of new furniture, fixtures and equipment to complement the modernising works of the BSF programme. 2.2 Obtaining good value for money is extremely important to all schools and I believe this procurement approach will enable us to do this. I am satisfied that all the proper procedures have been followed and happy to support the recommendations.		
3. State link(s) with Council Plan Priorities and actions and /or other Strategies: 3.1 Council Priorities 3.1.1 Making Haringey one of London's Greenest Boroughs 3.1.1.1. The Furniture Fixtures and Equipment (FFE) Project exhibits a number of sustainability features, including Certified Timber:-Chain of Custody.		

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1. Engaging the least possible number of manufacturers decreases the volume of vehicles required for delivery of FFE to schools in the Borough, allows for easy management of deliveries considering volumes and most economic traffic routes.

3.1.3 Encouraging Lifetime Well Being, at Home, Work, Play and Learning

3.1.3.1. The BSF programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing inclusion and providing a wider range of pathways of study.

3.1.3.2. The BSF programme will improve access to extended services in and around schools and contribute to improving community cohesion. Examples include access to out of hours study support for children and families, sports and the arts. This project is proposing a new hall which could potentially be used for community use out of hours.

3.1.4 Delivering Excellent, Customer Focussed, Cost Effective Services

3.1.4.1. Key to the success of the BSF programme is to improve standards in schools. The appropriate FFE is conclusive to the right learning and attitude. To illustrate how FFE can support this, improved posture and attention spans are a consequence of procuring appropriate pupil chairs and desks, and increased school leadership and management efficiency will be supported by procurement of appropriate storage equipment.

3.2 Council Strategies

3.2.1 Safer for All

3.2.1.1. In all our work we will pay particular attention to:

- Young people and crime
- Mental health issues
- Support for victims and witnesses of crime
- Working with and through communities (Community Engagement Resources)

3.2.2 Value for Money

3.2.2.1. Overall Value for money is achieved by the procurement methodology. Buying Solutions set up a furniture framework following an 18 month procurement exercise. This framework already demands value for money from its suppliers. The Haringey mini competition served to drive prices even lower.

3.2.2.2. The procurement process allowed tenderers to bid for, and be evaluated on each furniture grade (Economy, Bronze, Silver, and Gold) as well as across the spectrum. This allowed tenderers to provide the best prices in their market place without cross subsidy.

3.2.2.3. Each of the selected bidders' have offered the Council an option to buy FFE post completion at the same rates as those for the BSF programme adjusted against the RPI index and for a period up to 5 years after the last delivery for the BSF Programme.

3.2.3 Engagement of the Community

3.2.3.1. Teachers and school representatives have been involved in the furniture evaluation process. School representatives have viewed a range of FFE, and fed comments into officers managing this process.

3.2.4 Risk Management

3.2.4.1. Risks are managed within the governance of the BSF programme. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes.

Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance. A BSF Project Management Assurance Audit (undertaken by Deloitte & Touche Public Sector Internal Audit Limited) was completed in January 2009 and gave an overall programme rating of 'Substantial Assurance'.

4. Recommendations

4.1 That the Procurement Committee awards the Furniture Fixtures and Equipment contracts, with values set out in Appendix 16.2, for the duration of the Building Schools for the Future programme.

5. Reason for recommendation(s)

5.1 Following a mini competition drawing from the Buying Solution's framework, a FFE consultant was approved by the Procurement Committee on the 29th July 2008. The consultant worked with Project Managers, Education Advisors and school representatives to produce space plans and itineraries.

5.2 Whilst the consultant's work was underway Haringey procurement staff consulted with Buying Solutions staff, to identify a framework of furniture manufacturers that could serve the programme of twelve schools through a second procurement exercise. First of all a Capability Assessment was issued to suppliers on the Buying Solutions furniture framework. All six suppliers on the framework confirmed their ability to provide furniture for the schools across the programme.

5.3 The progress of the consultation work was presented to the framework suppliers at a suppliers day at Haringey's Civic Centre on the 30th Jan 2009, with presentations from BSF staff and the consultant, followed by open forum discussion.

5.4 A follow up meeting with Suppliers was held at the Civic Centre on the 24th March

2009. The main item tabled and agreed, was the ability for suppliers to bring their solutions to the fore."

5.5 The FFE design Consultant handed over school space plans and itineraries on 7th April 2009 to the Lead Project Managers and Transformation Co-ordinators.

5.6 As the construction programmes evolved it was noted that the early phases of six schools would need to have furniture delivered earlier than expected. These schools, (Gladesmore, Park View Academy, The John Loughborough School, Northumberland Park School, Hornsey and Highgate Wood School) had separate tenders issued (in parallel with the main tender). The values of these tenders are shown in appendix 16.5. The authority to proceed with these early requirements was agreed by the CYPS Director on the 2nd July 2009.

5.7 Agreement that the consultant's work and the procurement methodology would meet the needs of the schools was endorsed by the Schools' Head Teacher representative on the 1st May 2009.

5.8 The framework brings advantages to the programme including; fixed price; warranties, sustainable sources, certainty of design, space planning, delivery and installation.

5.9 The tender period was subsequently extended from the original return date of the 26th May to the 5th June as the Council amended the evaluation criteria to best serve the schools.

5.10 Five out of the six tenderers returned their bids.

5.11 As the procurement is by means of a framework and catalogues it offers the opportunity to stakeholders to choose from a multitude of items, using multiple suppliers, at various price points to fit their needs and budgets.

5.12 The project managers will be responsible for ensuring that the overall FFE budget is not exceeded. This will mean managing between the early phases of the six schools, vocational budgets, virement and this main tender.

5.13 In the extraordinary event that the framework does not meet the needs of schools, for certain items, other suppliers may need to be considered from outside this framework. This would be dealt with as a separate procurement.

5.14 BSF will report back to Members the progress of this FFE programme at agreed interval as the programme evolves.

5.15 Review

5.15.1 The output of the consultant was approved by Project Managers, Education Advisors and school representatives.

5.16 Final Tender

5.16.1 The tenders were submitted and opened on the 5th June 2009. One tenderer declined the offer to submit. With the return of tenders was requested the following information:

- Form of Tender
- Programme

- Qualitative proposal
- Draft Catalogues

5.16.2 Tenders were assessed based on a matrix across the various categories Gold, Silver, Bronze and Economy for each item of furniture, against the following criteria :

- Price 60%
- Qualitative Proposal 20%
- Performance of Products 10%
- Suitability of Products 10%

5.16.3 A minimum score for each of the above sections was set and these are listed below:

- Price – a minimum of 30% out of the allocated 60%
- Qualitative Proposal & Performance of products – a minimum of 24% out of the overall allocated 30%
- Suitability – a minimum of 6% out of the allocated 10%

5.16.4 Price was assessed by PRP on the following basis:

- The Contractor that achieves the lowest price will score 100 points. All other Tenders, adjusted similarly, will score 100 points less one point for every percentage that their adjusted bid exceeds the lowest adjusted bid.

5.16.5 Performance was assessed by PRP and points were given out of 10 for the overall warranty given per banding.

5.16.6 For Qualitative Assessment the points were allocated against the suppliers being able to demonstrate their capabilities to perform to such a large project. This was assessed based on management structures, C.V.'s of personnel involved and previous experience.

5.16.7 For suitability this was assessed by transformation managers and school representatives and the assessment was under the following categories:

- Practicality
- Comfort
- Tamper Proof Characteristics
- Functionality

5.17 Health and Safety Implications

5.17.1 The project managers will ensure the site rules and all health and safety agreements for a working site with pupils and members of the public are complied with.

6. Other options considered

6.1 Not Applicable

7. Summary

7.1 The BSF programme will benefit from the procurement route taken. Economies of scale are achieved by purchasing by volume across the programme and alleviation of multiple contracts and their management for multiple providers at individual sites.

7.2 Savings are made by prices being held for the duration of the BSF programme and with an offer to buy further items if necessary post completion.

8. Chief Financial Officer Comments

8.1 This report proposes agreement to a 'schedule of rates' determined through a competitive process, and encompassing 4 differing quality measures to demonstrate Value for Money. Once approval has been obtained to the contractors and their rates project managers in conjunction with school staff and the transformational leads will determine their precise FF & E requirements up to the budgeted value set out in Section 16.5.

9. Head of Legal Services Comments

9.1 This report is requesting that the Procurement Committee approve the recommendations to award contracts under a framework to the suppliers detailed in paragraph 16.2 of this report for the initial supply arrangements and to further enable continued use of the framework on an ongoing basis.

9.2 The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006, allows contracting authorities to, using EU tendering procedures, enter into framework agreements with service providers, and to select service providers in respect of specific services/projects from amongst those providers with which it has concluded framework agreements.

9.3 The OGC, an Executive Agency of the Office of Government Commerce (OGC) in the Treasury, has concluded a number of framework agreements tendered in the EU and established in compliance with the Public Contracts Regulations 2006. These were concluded and are available for use by contracting authorities, which includes local authorities including the London Borough of Haringey.

9.4 Where a framework agreement is concluded with more than one economic operator and more than one economic operator under that framework agreement is capable of performing or providing those services, a specific contract may be awarded following written consultation with all those economic operators capable of performing those services (a mini-competition) to the operators which have submitted the best tender on the basis of the award criteria specified in the framework agreement as more precisely formulated under the mini-competition.

9.5 The Suppliers detailed in Paragraph 16.2 have been selected based on the most economically advantageous tenders submitted, in accordance with Regulation 30 of the Public Contracts Regulations.

9.6 The Buying Solutions Framework was concluded with six Suppliers with an effective date of 01/10/2008 expiring on the 30/09/2012.

9.7 Paragraphs 9.8 to 9.11 are contained in the exempt information.

9.12 As the total estimated value of the contracts to be awarded under the framework agreement is likely to exceed £250,000, the proposed award must be approved by Members pursuant to CSO 11.03 which provides that Procurement Committee must award all contracts valued over £250,000.

9.13 As the value of the contract is above the Council's Key Decision threshold of £500,000, the Council's BSF Programme Team, who undertook the procurement of the contract on behalf of the Council have confirmed that, in accordance with CSO 11.04, details of this contract have been included on the Forward Plan.

9.14 This report is recommending award of the contracts under the framework agreement to the selected suppliers as detailed in Paragraph 16.2.

9.15 Subject to the comments contained in the exempt information, the Head of Legal Services confirms that there are no legal reasons preventing Members from accepting the recommendations contained in Paragraph 4 of this report.

10. Head of Procurement Comments

10.1 The suppliers for this framework agreement were selected from a framework agreement set up by the Buying Solutions following an invitation to quote to all the suppliers on the framework.

10.2 Tenders were invited from this framework against four different categories of quality of furniture.

10.3 The tenders received were based on quality/price 40%/60% and the quality/price evaluations were led by PRP (price), Mace and the transformation co-ordinators for the suitability and quality of furniture.

10.4 The framework gives a number of benefits as stated in paragraph 5.8 and gives volume discounts.

10.5 The Head of Procurement therefore acknowledges the recommendations to award the framework to the suppliers as detailed in 16.2.

11. Equalities and Community Cohesion Comments

11.1 Equalities imperatives have driven all aspects of the Haringey BSF process, from initial visioning through to the detail of design and FFE prescriptions. The overall spend on school projects was weighted towards schools with a significantly higher proportion of deprivation, which is closely matched with levels of special educational need, and where minority ethnic groups were achieving standards significantly below

overall national norms.

11.2 Stakeholders have been actively engaged in this process, with school Heads and governors (including community representatives) drafting the individual school visions, which then led the development of BSF proposals, including FFE. Detailed Equalities Impact Assessments have been, and continue to be developed for each school project at the appropriate point in each school's design and build process, with rigorous identification of underachievement, and identification of how the BSF project will mitigate some of the causes. In all EIAs to date, we have been able to demonstrate how the project will not have any negative impact, and will, in fact, contribute actively to identify equalities.

12. Consultation

12.1 Buying Solutions staff have been engaged from the outset and used for guidance through the process.

12.2 JOT Design was engaged as consultants to the programme. Their role involved meeting with schools' representatives, Education Advisors and Project Managers.

12.3 On Buyers' day, schools' representatives, Education Advisors, Transformation Managers and Project Managers met the suppliers and looked at samples of furniture typically supplied to schools

12.4 Suitability was part of the quality evaluations. Education Advisors, supported by School representatives marked this section. They attended sessions in River Park House where manufacturers displayed selected products.

13. Service Financial Comments

13.1 Appendix 1 presents the Tender Cost Schedule. This table confirms that the suppliers identified in section 16.1 are recommended to be appointed to supply FF&E to the BSF programme. All cost elements associated with the award of contracts has been confirmed by the Mace Project Manager. The table at section 16.5 presents the available FF&E budgets forming a part of each of the BSF Project Final Project Maximum Budgets – these include costs already incurred on FF&E consultants and approvals already achieved through Delegated Authority proposals.

13.2 Section 16.2 confirms that the budget provision available for this cost item is equivalent to the approval to spend with the successful tenderers, so it is confirmed that budget provision exists for the award of contracts set out in this report.

13.3 DCSF issued a revised promissory letter on Monday 24th November 08 confirming the BSF programme FBC had successfully been signed off, and the total grant funding payable to the council. As defined in the DCSF Funding Protocol, the date of this promissory letter defines the moment of financial close for funding purposes. This was confirmed by the discussion and minute of the 21st October BSF Programme Board.

14. Use of appendices /Tables and photographs

- 14.1 Agreed Maximum Price Summary (16.1)
- 14.2 Provisional sum schedule (16.2)
- 14.3 Programme Milestones (16.3)
- 14.4 Construction awards to date (16.4)

15. Local Government (Access to Information) Act 1985

- 15.1 The following documents were used in the compilation of this report:
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