

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE  
THURSDAY, 16 OCTOBER 2008**

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

\*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC48.	<p><b>BUILDING SCHOOLS FOR THE FUTURE - AWARD OF A PRE-CONSTRUCTION AGREEMENT FOR ALEXANDRA PARK SCHOOL</b> (Report of the Director of the Children and Young People’s Service – Agenda Item 4)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that in response to on-going concerns the Head of Procurement had met with the Cabinet Member for Regeneration and Enterprise regarding apprenticeships offered by BSF and Decent Homes contractors and we requested that this dialogue be continued with a view to arrangements for apprenticeship schemes being formalised. Having been advised that in addition a briefing paper on apprenticeships had been produced by the Assistant Chief Executive, People, Organisation &amp; Development we asked that it be circulated to Committee members.</p> <p><b>RESOLVED:</b></p> <p>That, in accordance with Contract Standing Order 11.01, approval be granted to the award of the pre-construction agreement for Alexandra Park School to Balfour Beatty Construction for a fee of £73,782.72.</p>	<p>HP ACE- POD</p> <p>DCYPS</p>
PROC49.	<p><b>BUILDING SCHOOLS FOR THE FUTURE - AWARD OF A PRE-CONSTRUCTION AGREEMENT FOR FORTISMERE SCHOOL</b> (Report of the Director of the Children and Young People’s Service – Agenda Item 5)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that less stringent requirements to reduce annual carbon dioxide emissions would be required on site due to the limited size of the scheme. However, sustainability measures were being considered including water use, energy efficiency, school travel plan and choice of materials.</p> <p><b>RESOLVED:</b></p> <p>That, in accordance with Contract Standing Order 11.01, approval be granted to the award of the pre-construction agreement for</p>	<p>DCYPS</p>

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	<p>Fortismere School to Balfour Beatty Construction for a fee of £71,500.86.</p>	
<p><b>PROC50.</b></p>	<p><b>BUILDING SCHOOLS FOR THE FUTURE - AWARD OF A PRE-CONSTRUCTION AGREEMENT FOR HEARTLANDS HIGH SCHOOL</b> (Report of the Director of the Children and Young People’s Service – Agenda Item 6)</p> <p>Our Chair agreed to admit the report as urgent business. The report was late because qualifications of tenders were necessary to ensure that the Building Schools for the Future project team recommended the best contractor to construct the Heartlands High School. Following receipt of the clarifications on 8 October the likely preferred tenderer had withdrawn and evaluation had taken longer than anticipated. The report was too urgent to await the next meeting because any delay in the contract award would result in a later than programmed start on site resulting in the school not being ready to open in September 2010.</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We were advised that following concerns relating to the highest scoring contractors ability to meet the strict deadlines for the programme that were not mitigated despite seeking extensive clarification, that the contractor with the second highest score under the matrix had been recommended for approval. Whilst recognising that there was a limited risk of legal challenge against the contract award as a result of excluding the highest scoring contractor we were of the view that those risks were superseded by the need to select a contractor displaying the most credible assurance of meeting the required construction deadlines by accelerating the design and procurement of the works packages necessary to achieve the programme deadlines.</p> <p>Concern having been expressed regarding the level of financial risk associated with the recommended contractor bringing forward specified enabling works on site deemed necessary to achieve the completion dates prior to securing Final Business Case approval, we noted that the Director of Children and Young People’s Service had agreed to underwrite the cost of Enabling Works in the unlikely event that the BSF Final Business Case was not approved. We also noted that if this situation did occur, the Children &amp; Young People’s Service would need to seek formal approval to the adjustment of the Council’s capital programme to allow the BSF Enabling Works to be funded. The BSF Board had agreed a report on this matter with the approval of the Chief Finance Officer, and the report had been subsequently used to brief the Leader of the Council. However, the report now under consideration sought approval to the award of a pre-contract agreement for Heartlands High School in line with the process adopted to further develop other BSF projects. This was fully funded within the current project cash limited budget and any requirement for subsequent Enabling Works</p>	

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	<p>would be the subject of future reports to our Committee, which would fully outline the appropriate funding source.</p> <p>We noted that the award of the Heartlands School contract to the contractor now recommended would constitute the fifth BSF project awarded to the company and in response to concerns expressed regarding financial stability in relation to the delivery demands of several contracts, confirmation was provided that Parent Company Guarantees were agreed as part of the BSF framework but that further financial checks would be made.</p> <p>In response to concerns expressed regarding the outstanding issue of obtaining planning permission for the site, we asked that officers ensure that the necessary application be submitted for approval to Planning Committee on 10 November 2008, in advance of approval being sought from our Committee to enhanced enabling site works later that month.</p> <p><b>RESOLVED:</b></p> <p style="padding-left: 40px;">That, in accordance with Contract Standing Order 11.01, approval be granted to the award of the pre-construction agreement for Heartlands High School to Balfour Beatty Construction for a fee of £340,522.70.</p>	DCYPS
PROC51.	<p><b>NORTH TOTTENHAM DECENT HOMES WORKS PHASE NT7</b> (Report of the Director of Urban Environment – Agenda Item 7)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>Confirmation was provided that Integrated Reception System works undertaken as part of the Capital programme would be carried out in conjunction with Decent Homes work on site despite separate contractual arrangements, to minimise disruption to residents.</p> <p>In response to concerns expressed regarding water leaks in Stellar House, confirmation was given that all pumps to the block had been tested and were in full working order. Risks of future flooding caused by taps being left on following water pressure problems would be reduced through the progressive installation of lever taps across the Borough.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That, in accordance with Contract Standing Order 11.03, approval be granted for the award of the contract for Phase NT7 of the North Tottenham Decent Homes Programme 2008/09 to Lovell Partnership Ltd.</li> <li>2. That the Agreed Maximum Price and Compliance Team fees as detailed in the Appendix to the interleaved report be noted.</li> </ol>	DUE

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<p><b>PROC52.</b></p>	<p><b>NORTH TOTTENHAM DECENT HOMES WORKS PHASE NT8</b> (Report of the Director of Urban Environment – Agenda Item 8)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>Concerns were expressed regarding residents re-fitting metal grills removed during the course of door replacement works resulting in a breach of fire regulations. Having been advised that monitoring and enforcement was be a housing management issue we asked that a report and action plan for the implementation of an enforcement programme be reported to our Committee.</p> <p>We were advised that specialist costings for replacing the flat roofs on three of the brick built blocks with pitched roofs had been obtained and would result in an additional cost of £0.907 million. It was recognised that detailed life cycle costings illustrated the financial benefit of pitched roofs in the long term, but that the initial outlay would be significant, with Decent Homes funding not including resources for pitched roofs. In addition, any changes to the pitch of the three roofs might be deemed to constitute improvement work due to the remaining life span of the roofs of 12-15 years, with a subsequent impact on recouping costs from leaseholders under the terms of their leases. Having expressed concern about the setting of a precedent for undertaking improvement works, we agreed in this case to the proposal to replace the one roof identified as requiring renewal to match the existing flat roofs of the other blocks.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That, in accordance with Contract Standing Order 11.03, approval be granted for the award of the contract for Phase NT8 of the North Tottenham Decent Homes Programme 2008/09 to Lovell Partnership Ltd.</li> <li>2. That the Agreed Maximum Price and Compliance Team fees as detailed in the Appendix to the interleaved report be noted.</li> </ol>	<p>DUE</p> <p>DUE</p>
<p><b>PROC53.</b></p>	<p><b>NORTH TOTTENHAM DECENT HOMES WORKS PHASE NT9</b> (Report of the Director of Urban Environment – Agenda Item 9)</p> <p>The Appendices to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person.</p> <p>In response to a query regarding the potential to negotiate down maximum prices in light of the current economic situation, confirmation was given that ongoing price negotiations were taking place with contractors. As a consequence, the fees detailed in the Appendix to the</p>	

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	<p>interleaved report were lower than those originally tendered.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"><li>1. That, in accordance with Contract Standing Order 11.03, approval be granted for the award of the contract for Phase NT9 of the North Tottenham Decent Homes Programme 2008/09 to Lovell Partnership Ltd.</li><li>2. That the Agreed Maximum Price and Compliance Team fees as detailed in the Appendix to the interleaved report be noted.</li></ol>	<p>DUE</p>
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CHARLES ADJE  
Chair