

Report for: Cabinet Member Signing

Title: Seven Sisters Primary School Phase 2 - External Envelope, Boundary Works and 1st Floor Window Replacement - Construction Works Contract Award

Report authorised by: Ann Graham, Director Children's Services

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Ward affected: St Ann's, Tottenham Green

**Report for key/
non key decision:** Key Decision

1. Describe the issue under consideration

- 1.1 To request approval for an award of contract to carry out External Envelope, Boundary Works and 1st Floor Window Replacement at Seven Sisters Primary School, and to approve issuance of a Letter of Intent.

2. Cabinet Member Introduction

- 2.1. As the Cabinet Member for Early Years, Children and Families I am delighted to bring this report to Cabinet. Seven Sisters Primary School is in the first group of our Haringey primary schools to have these vital capital works. The works across the school include repairs to the roofs, windows, external walls and boundary walls. The funding for these works is in the council's capital programme and will ensure the physical environment for all the children and staff is greatly improved. This report asks Cabinet to approve the phase two programme for Seven Sisters Primary.
- 2.2. The development of the schools' asset plan which has led to similar projects is a detailed and important document which will guide our schools' capital works programme. Drawing this together has involved council officers, heads and governors and I would like to take this opportunity to thank them all for this work which is now due to commence.

3. Recommendations

For Cabinet Member to:

- 3.1 Approve an award of contract to Contractor A up to a value of £1,264,690.60.
- 3.2 Approve a client construction contingency of 10% that equates to £114,971.87, which will be strictly managed under change control governance arrangements.

3.3 Approve the issuance of a letter of intent for up to 10% of the contract value, totalling £114,971.87

4. Reasons for decision

4.1 A major review of the condition and suitability of the Children's Services estate has been undertaken, which has informed the Children's Service's Asset Management Plan (CSAMP). This identified condition and suitability deficiencies in the primary, secondary, and wider Children's Services estate that need addressing in the short, medium, and long-term. Seven Sisters Primary School is a high priority for major works due to issues relating to safeguarding and potential school closure risk.

4.2 In 2018, an initial brief was given to undertake the most immediate (short term) health and safety, compliance, and resilience work. These findings included fire compartmentation and fire doors replacement and were subject to a separate award under delegated powers.

4.3 In 2019, a further commission was given to further investigate and address urgent works relating to the condition of building services (i.e. heating), external envelope (i.e. roofs, windows) and boundary security.

4.4 A scheme for Seven Sisters Primary School was developed into 2 phases. Phase 1 sought to meet the criteria for Public Sector Decarbonisation (Salix) grant funding (a grant contribution of £0.633m), minimise disruption to the school by maximising access over the 2021 school summer holiday period, ensure resilience for heating and hot water and support a comprehensive phasing plan. A construction award to Mulalley & Co Ltd was supported by Cabinet on the 15th June 2021 and commenced on site in July 2021. Phase 1 works include heating distribution system upgrade, loft insulation, flat roof works, masonry repairs and ground floor window replacement works. Both phases of works will improve the condition of the building for better education delivery but will also improve the energy efficiency and reduce carbon emissions during operation.

4.5 This construction award report requests a decision on the procurement of Contractor A to undertake the following works:

- 1st floor windows and pitched roof repairs
- External walls repairs
- Provision of a compliant entrance ramp
- Repairs and replacement of boundary walls and fences
- Repairs to underground drainage
- Repairs to external surfaces

5. Alternative options considered

5.1 Do nothing option - a decision not to support this award of construction contract will result in the Council's failure to suitably maintain its education estate by undertaking essential condition improvements. This would increase the likelihood of reactive works,

which will create greater disruption and cost to the Council and potentially result in the loss of education days. All of which would undoubtedly impact on the quality of teaching and learning and potentially school closure.

6. Background Information

- 6.1 The London Borough of Haringey has sought to identify and address building condition and suitability issues across the Education/schools estate.
- 6.2 Initial condition and suitability surveys undertaken, followed by comprehensive detailed feasibility studies which have informed an extensive Children's Capital Programme which seeks to support essential condition improvements across the education estate.
- 6.3 From this data, Seven Sisters Primary School was considered high priority and as a result was placed in wave 1 of the programme and is 1 of 8 primary school's sites in this initial wave of essential condition work.
- 6.4 As set out in section 4, the work at Seven Sisters Primary School is divided into 2 phases – Phase 1, Building Services and External Envelope Improvements. Phase 2 – all remaining external envelope and boundary works. This decision report is concerned with Phase 2 works.
- 6.5 This condition project will bring a number of benefits to the school and the council, with the primary objective of providing improved educational environments for Children in line with Haringey's borough plan. Along with improving educational outcomes, this project will significantly reduce the risk of a health and safety incident or school closure through condition failure such as mechanical failure or roof leaks. The project (both phases) will also help the school reduce its energy demands and thus reduce carbon emissions through technologies and insulation including double glazing. This work also benefits the Council in reducing the reactive maintenance requirements at the school in future by economically fixing the root cause of the condition issues within a single project whilst avoiding additional temporary repairs costs.
- 6.6 Phase 2 has been procured on a traditional basis (fully designed), with the works designed to Stage 4 of the Royal Institute of British Architects (RIBA) Plan. The form of contract will be JCT Standard Building Contract with Quantities 2016. The Phase 1 works will have completed prior to the Phase 2 works commencing.
- 6.7 Planning approval for the scheme has been granted with conditions to be discharged during construction.
- 6.8 Building Control approval has been granted with conditions to be discharged during construction.
- 6.9 As part of the RIBA 2-4 design a number of visual and intrusive investigative surveys were completed.

6.10 A competitive tender for Phase 2 was issued to London Construction Programme Major Works 2019 Framework Education and Leisure Lot 2.1b North. Three tenders were received on the 24th September 2021. All tenders have been evaluated on a 60% quality and 40% price basis by an independent evaluation panel. No arithmetical errors were found during the clarification process with the outturn confirmed as:

Tenderer	Price	Price Score (60%)	Moderated Quality Score (40%)	Combined Cost and Quality Score	Final Ranking
Contractor A	£1,149,718.73	60%	30.6%	90.6%	1

6.11 Details of the evaluation of 3 tenderers' returns are set out in the Part B of this report. The assessment concludes with a recommendation to award a construction contract to Contractor A up to the value of £1,264,690.60 (tender value £1,149,718.73 plus construction risk of £114,971.87).

6.11 The Quantity Surveyor for this project is satisfied with the pricing offered by Contractor A against the pre-tender estimate (PTE). A detailed analysis of the tender returns against the PTE is provided within the tender analysis report and summarised in Part B.

6.12 The total projected cost for Phase 2 works is set out below:

	Total projected cost
Construction	£1,149,718.73
Other	£501,741.87
Total	£1,651,460.60

7. Contribution to Strategic Outcomes

7.1 This project proposal supports outcomes as outlined in the Borough Plan 2019-23. All projects commissioned by Officers of the Council are expected to align with this plan and will be reflected in key capital project documentation such as project briefs, design briefs, business cases, project initiation documents (PID) and award reports. The relevant Borough Outcome for this project is: **People** - our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.

7.2 Seven Sisters Primary School falls into wave 1 (priority 1) of the Children's Service's asset management plan (CSAMP) and is therefore procured in accordance with the priorities set out in the Children's Capital Programme.

7.3 As part of the works undertaken during the first phase at Seven Sisters School energy efficiency improvements were made with a contribution from the Government Salix

Programme. This has supported the Borough's carbon reduction and climate change ambition.

8. Statutory Officers comments (Chief Finance Officer, Procurement, Assistant Director of Corporate Governance, Equalities).

8.1 Finance

8.1.1 The recommendation of this report is to award a contract to Contractor A in the sum of £1.150m for the works and a construction contingency of £0.115m resulting in an award value up to £1.265m.

8.1.2 In addition to this contract sum and based on the tender valued, there will be other costs in delivering the scheme. These are PM fees, design fees, QS fees, contingencies, statutory costs and sundry other costs of £0.5m. The estimated total cost of the scheme is estimated to be £1.651m which can be contained within the overall Children's Service approved 2021/22 capital programme.

8.1.3 The estimated outturn for the Phase 2 is set out in the table below:

	Prior years expenditure	2021/22	2022/23	2023/24	Total
Projected Total	£0.20m	£0.44m	£0.98m	£0.03	£1.65m

8.2 Procurement

8.2.1 Strategic Procurement (SP) note that this report relates to the approval of award for Seven Sisters Improvement Works (Construction Contract Award) to Contractor A.

8.2.2 SP support the recommendations in this report in accordance with Contract Standing Orders clause 7.0.1. (b) 10.01.01 (a), and 16.02.

8.2.3 In accordance with CSO 7.01(b) and Regulation 33 of the Public Contracts Regulations 2015, SP confirms that tenderers were invited to Tender through the LCP Major Works 2019 Framework under Lot 2.1b North.

8.2.4 Compliant tenders were received from 3 contractors with further clarifications needed to achieve the final price.

8.2.5 SP note that tender returns were evaluated independently by the Quality Panel prior to release of the Price element of the Tender. Contractor A scored the second highest in quality and highest in price, scoring 90.6% overall.

8.2.6 SP notes that as per section 8.1.1 of this report, funding is available for this Contract.

8.2.7 SP support the recommendations within this report and have no objections with awarding this Contract to Contractor A for value outlined in this report.

8.3 Legal

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

8.3.2 The contract which the report relates to has been procured under the London Construction Programme Framework Agreement (Education and Leisure lot 2.1b North £1m-£5m). The use of a Framework Agreement is compliant with the Public Contracts Regulations 2015 (Reg 33) and the Council's Contract Standing Orders (9.01.2 (f) (carrying out a mini-competition under a framework agreement).

8.3.3 In accordance with CSO 9.07.1d the Cabinet has authority to approve the recommendations in the report.

8.3.4 The Cabinet also has power to approve the issuance of a letter of intent up to £100,000 or 10% of the contract value, whichever is higher.

8.3.5 The award of this contract is over £500,000 and is therefore a Key Decision and, as such, needs to comply with the Council's governance requirements in respect of Key Decisions including publication in the Forward Plan (see CSO 9.07.1 (e)).

8.3.6 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet from approving the recommendations in the report.

8.4 Equality

8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

8.4.2 The proposed work aims to address the school's buildings deficiencies identified in the feasibility studies to prevent failure of the building fabric and building services, which could lead to the school closure and also to improve the building energy efficiencies.

- 8.4.3 The proposed decision is to award a contract for the Contractor A to undertake building improvement work on Seven Sisters Primary School. This will affect roughly 320 students and members of staff.
- 8.4.4 The objective of the proposed decision is to carry out repairs to windows, roofs, external walls, external stairs, boundary walls and underground drainage. The proposed works will improve the building energy efficiencies, improve external areas and ensure that the building fabric failures will not disrupt the teaching time at Seven Sisters Primary School. It is expected that this decision will lead to improved health and safety of all students and members of staff.
- 8.4.5 Phase 1 works started in summer holidays to minimise disruption to the school curriculum. However, due to the amount of work required Phase 2 works will be carried out over term time. To mitigate the disruption for students, the Contractor A will decant students into classrooms away from the building works. No negative implication of this decision are identified for those who share a protected characteristic, and it is concluded that the works will have a positive impact by improving the health and safety of Seven Sisters Primary School.
- 8.4.6 As an organisation carrying out a public function on behalf of a public body, the Contractor A will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

9 Use of Appendices

- 9.1 Appendix 1 – Part B

10 Local Government (Access to Information) Act 1995

- 10.1 List of background documents:

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