

Report for: Cabinet Member Signing – 15 December 2022

Title: Branch Library Transformation Programme – Highgate Library – Award of Construction Contract

Report authorised by: Jess Crowe, Director of Culture, Strategy, and Engagement

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Ward(s) affected: Highgate

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 To request approval for an award of contract as part of the branch library transformation programme for Highgate Library, pursuant to contract standing order 16.02.
- 1.2 Pursuant to Contract Standing Order (CSO) 16.02 to approve the issuance of a letter of intent.

2. Cabinet Member Introduction

- 2.1 As this report is being presented to Cabinet Member Communities and Civic Life for a decision, a Cabinet Member introduction is not required.

3. Recommendations

The Cabinet Member for Communities and Civic Life is recommended:

- 3.1 Pursuant to Contract Standing Order (CSO) 16.02, to approve an award to Contractor G, as set out in the exempt Part B of the report, for the proposed value, as set out in the exempt Part B of the report.
- 3.2 To approve a client construction contingency, as set out in the exempt Part B of the report, which will be strictly managed under change control governance arrangements.
- 3.3 To approve the issuance of a letter of intent for up to 10% of the contract value.
- 3.4 To waive Contract Standing Order (CSO) 3.01d and delegate authority to the Director of Culture, Strategy, and Engagement to approve any subsequent variation within the project and programme budget up to and not exceeding the Directors' financial threshold level of £500,000.

4. Reasons for decision

- 4.1 There is a significant amount of enhancement, accessibility, condition, and compliance works needed to ensure the health and safety of staff as well as the public on completion of the works but to also ensure that the library is accessible to all users.
- 4.2 To resolve these items to minimise costs to the council and disruption to library services, the most cost-effective solution is to instruct the contractor to carry out the enhancement as well as condition and compliance works whilst on site. This decision will minimise the closure period thereby reducing disruption to the library service and customers.
- 4.3 A Cabinet Member signing is being requested to enable the mobilisation of the contractor prior to main work starting at the library early 2023.

5. Alternative Options Considered

- 5.1 Do nothing – a decision not to support this award of construction contract will result in the Council's failure to suitably maintain its library 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 the ability to provide spaces for the community.
- 5.2 Delaying a decision further would add additional time to the programme and cost to the council. Not being able to award a contract and place orders at the earliest opportunity would increase the risk of not achieving the required volume of work, but also potentially incur additional costs as the contractor hold price period is early.

6. Background Information

- 6.1 London Borough of Haringey (Haringey) are seeking to carry out refurbishment, decoration, and internal remodelling in areas with the highest customer impact.
- 6.2 The aim is that the libraries should deliver the following benefits:
- Give a modern, accessible library space with a lift installed that meets needs of customers with fresh furniture, books, and decoration
 - Look and feel to be clearly identifiable with LBH and have the capacity to be adapted to suit the needs of the local communities and the building
 - The space available and flexibility of that space, meets the needs of residents and partners
 - The library space has increased opportunity for working with partners and other service providers
 - Working with Libraries IT project to install new computing equipment and self-service technologies and provide containment and access routes for any equipment to be installed

- Innovation and modern technologies relating to libraries will be used as an enabler for service provision, including improved self-service.
- Updated CCTV provisions to all libraries to improve security and safeguarding.
- Interior design of library spaces to modernise and better facilitate library floor walking and self-service technology. Partial removal of existing loose and fixed furniture, new furniture to be installed
- Internal refurbishment including new partitions, screens/ doors partial new floor coverings, new signage & redecoration
- Mechanical & Electrical works in support of interior layout and fire safety, CCTV, intruder alarms & IT installations

6.3 The plans have been discussed with both sets of Friend's groups, staff, and key stakeholders.

6.4 A Building Control approval has been granted; provision was made for the discharge of any conditions within the tender.

6.5 Following completion of the developed design, the proposal was issued to the construction market via the Minor Works (DPS) Dynamic Purchasing System (London Construction Programme) – under Principal Construction Category. Seven tenders were received on 19th September 2022. Tenders were evaluated on a 60% cost and 40% quality by an independent evaluation panel. Arithmetical adjustments were applied to the tenders during the clarification process with the result of the assessments shown below:

Tenderer	Price Score (60%)	Moderated Quality Score (40%)	Combined Cost and Quality Score	Final Ranking
Contractor G -	60%	24%	84%	1

6.6 Full details of the evaluation of the 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 G (named in the exempt Part B of the report).

6.7 The quantity surveyor for this project is satisfied with the pricing offered by Contractor G 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.

7 Contribution to Strategic Outcomes

- 7.1 The client project brief outlined that the project aims to contribute to Council's 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.
- 7.2 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.

8. Statutory Officer Comments

8.1 Finance

- 8.1.1 This report seeks the approval of contract award to Contractor G (named in the exempt part B of this report). There is sufficient funding within the Branch Libraries Capital Programme plan to meet the full cost of this proposal.
- 8.1.2 It is also pertinent to note that any additional/increase in cost variations from the original amount of this proposal, will need to be carefully considered, taking into account other funding/budget accessibility within both this financial year and future years.

8.2 Procurement

- 8.2.1 The recommendation to award to Contractor G (named in the exempt Part B of the report) is in accordance with Contract Standing Orders 9.04 and is supported by Strategic Procurement following a compliant competitive tendering process.
- 8.2.2 The overall tender proposal made by Contractor G (named in the exempt Part B of the report) was judged to be the most economically advantageous tender and does offer significant value for money to the Council.

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 this report relates to has been procured under the London Construction Minor Works DPS – Principal Construction Category. This is in compliance with the Public Contracts Regulations 2015 and the Council's CSOs.
- 8.3.3 Pursuant to CSO 16.02, the Cabinet Member having the relevant portfolio responsibilities has authority to approve the award of the contract referred to in the recommendations.

8.3.4 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member Communities and Civic Life from approving the recommendations in the report.

8.4 Equality

8.4.1 In summary, section 149 of the 2010 Act requires the Council, when exercising its functions, to have 'due regard' to the need to: a) Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act (which includes conduct prohibited under section 29); b) Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it; c) Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).

8.4.2 Under the PSED the relevant protected characteristics are: - Age - Disability - Gender Reassignment - Pregnancy & Maternity - Race - Religion - Sex - Sexual Orientation.

8.4.3 In respect of the first aim only i.e., reducing discrimination, the protected characteristic of marriage and civil partnership is also relevant.

8.4.4 Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not includes having due regard, in particular, to the needs to: - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; - Take steps to meet the needs of persons who share a protected characteristic where those needs are different from the needs of persons who do not share that characteristic; - Encourage those who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

8.4.5 Further, section 149 provides that the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include steps to take account of disabled persons' disabilities.

8.4.6 Compliance with the duties in section 149 may involve treating some persons more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited under the Act (which includes breach of an equality clause or rule, or of a.

8.4.7 The proposed decision is to approve the award of a contract for delivery of works for the Branch Library Transformation Programme. The objective of the project is to ensure that the library interior is fit for future use. This includes ensuring accessibility for people with limited mobility. As such, the decision represents a measure to meet the needs of disabled people.

8.4.8 As an organisation carrying out a public function on behalf of a public authority, the contractor will be obliged to have due regard for the need to achieve the three aims of the public sector equality duty, noted above.

8.4.9 The policy & equalities officer has confirmed that a EQIA will not be required at Highgate Library.

9 Use of Appendices

9.1 Appendix A – Part B exempt information.

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