

# **MINUTES OF MEETING Cabinet Member Signing HELD ON Friday, 27th October, 2023, 13:30-13:40**

## **PRESENT:**

**Councillors: Zena Brabazon**

**ALSO ATTENDING: Kodi Sprott, Principal Committee Coordinator, Pauline Hinds, Senior Project Manager, Nial Tallis, Major Projects Delivery Manager**

### **1. FILMING AT MEETINGS**

The Chair referred to the notice of filming at meetings and this information was noted by attendees.

### **2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest put forward.

### **4. URGENT BUSINESS**

There were no items of urgent business.

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

There were no deputations, petitions or questions put forward.

### **6. CAMPSBOURNE PRIMARY SCHOOL - PHASE 3 EXTERNAL ENVELOPE AND BUILDING SERVICES IMPROVEMENT WORKS – AWARD OF CONSTRUCTION CONTRACT TO COMPLETE WORKS IN A LIVE SCHOOL ENVIRONMENT**

The Cabinet Member for Children, Schools and Families considered the decision making report. The report sought to identify and address building condition and suitability issues across the Education/schools estate.

Due to the urgent nature of the project and termination of its previous contractor it was essential to mobilise a contractor in April 2023 in order to facilitate completion of the original Campsbourne scheme. The original scheme was executed in 2 phases (Phase 1 – Heating distribution system upgrade, loft insulation, flat roof works, masonry repairs and ground floor window replacement works; Phase 2 – Building

Fabric, external and mechanical works). The original phase 2 contract is incomplete, which phase 3 addresses.

### **The Cabinet Member for Children's Schools and Families RESOLVED:**

1. To approve an Award to Mulalley & Co. Limited to undertake Phase 3c remaining works at Campsbourne Primary School based on their tender price of £827,156.77.
2. To approve a client contingency as set out in Part B of this report which will be strictly managed under change control governance arrangements. This is in addition to the award value noted in 3.2. Refer to Part B section 3 for the contingency value and total award value.
3. To note Phases 3a & 3b previously awarded to Mulalley & Co. Limited as a waiver of contract standing orders under delegated powers.
4. To note a total award for phases 3a, 3b and 3c up to the aggregated value of £1,285,794.48, excluding phase 3c contingency.
5. To approve the issuance of a letter of intent for up to a value of £100,000.

### **Reasons for decision**

The original contract for these works at Campsbourne Primary School was terminated by the Council on 5 April 2023. Further details are set out in the exempt part of the report.

In order to maintain site set-up, security and scaffolding a contract was awarded to Mulalley & Co. Limited under delegated approval as Phase 3a. Subsequently, an additional waiver for Phase 3b works was approved under delegated authority and a contract issued to the contractor. Refer to paragraph 6.6 for more details regarding scope of work. The final remaining works contract is under consideration in this award report, Phase 3c.

The construction contract award for Phase 3c is to achieve the following:

- Replacement of remaining windows
- Window repairs and decorations
- Design and adaptation of a new reception entrance area
- Rebuilding of boundary wall and fencing
- Roof repairs
- Rain water guttering and downpipe repairs
- External fabric repairs and decoration
- New external ramp
- Extract fan installation
- Insulation to heating pipework
- Lightning protection

Due to the project's urgent nature a direct award is considered to offer the Council best overall value. Mulalley & Co. Limited are a local supplier and LCP Major Works Framework Supplier with a proven track record and have the capacity to undertake the work. The price submitted has been evaluated against market rates and considered acceptable. The direct award was raised via the HPCS.

Due to the above a waiver is requested under CSO 10.01.2(d)ii, i.e., that it is in the Council's overall interest.

A Cabinet Member decision is required in September 2023 to enable timely mobilisation and facilitate procurement of longer lead in materials as soon as possible, which will offer greater likelihood of achieving maximum grant funding available.

### **Alternative Options Considered**

Do nothing – 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.

A mini competition (via the DPS or LCP Major Works Framework) was discounted as it was felt negotiating with a contractor would be most efficient due to the urgent need to replace the previous contractor. An independent quantity surveyor and contract administrator is appointed to evaluate all costs to ensure value for money

## **7. NORTH HARRINGAY PRIMARY SCHOOL - URGENT CONDITION WORKS - CONSTRUCTION WORKS CONTRACT AWARD**

The Cabinet Member for Children, Schools and Family considered the decision making report. This report sought to identify and address building condition and suitability issues across the Education/schools estate. The initial condition and suitability surveys followed by comprehensive feasibility studies have evolved an extensive Children's Capital Programme which sought to support essential condition improvements across the education estate.

The Cabinet Member for Children, Schools and Families noted that there had been no site visit for this and flagged that due to the high priority of these works, this discussion should have come sooner. Works on this site would commence at the beginning of the next financial year, with a 56 completion timeline.

The Cabinet Member for Children, Schools and Families **RESOLVED**

1. To approve an award to Contractor B (named in Part B exempt information) up to the value of £2,130,187.00.
2. To approve a client contingency as set out in Part B of this report which will be strictly managed under change control governance arrangements.

3. To approve the issuance of a letter of intent for up to 10% of the contract value, as set out in Part B of this report.

### **Reasons for decision**

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 Service estate need addressing in the short, medium, and long term.

North Harringay Primary School is high priority for major works due to issues relating to health and safety or the school is at risk of school closure.

In 2019 a commission was given to further investigate and address urgent works relating to the condition of building services. This construction contract award is to achieve the following:

- Replacement of windows
- Repairs to stone and ceramic tile cills
- External masonry brickwork and repointing
- Localised roof repairs and rainwater goods repairs to make full use of the scaffolding
- Installation of pigeon deterrent system

This construction award report requests a decision on the procurement of a contractor to undertake all the external envelope works identified, designed and approved by the project sponsor.

There is no Cabinet Meeting scheduled in August. A Cabinet Member decision is required in August 2023 to enable timely mobilisation and facilitate procurement of longer lead in materials as soon as possible which will offer greater likelihood of achieving maximum grant funding available.

### **Alternative Options Considered**

Do nothing – 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.

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 bidders not holding their price which could be impacted by inflation. The tender is based on bidders holding their price for up to XX weeks which this decision sits within.

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

**RESOLVED**

To exclude the press and public from the meeting as following item contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 and 5, namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**9. EXEMPT - CAMPSBOURNE PRIMARY SCHOOL - PHASE 3 EXTERNAL ENVELOPE AND BUILDING SERVICES IMPROVEMENT WORKS – AWARD OF CONSTRUCTION CONTRACT TO COMPLETE WORKS IN A LIVE SCHOOL ENVIRONMENT**

The Cabinet member noted the exempt information and agreed the recommendations outlined in the public report.

**10. EXEMPT - NORTH HARRINGAY PRIMARY SCHOOL - URGENT CONDITION WORKS - CONSTRUCTION WORKS CONTRACT AWARD**

The Cabinet member noted the exempt information and agreed the recommendations outlined in the public report.

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

None

CHAIR: Cllr Zena Brabazon

Signed by Chair .....Cllr Brabazon.....

Date .....27/10/2023.....

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