

MINUTES OF MEETING Cabinet Member Signing HELD ON Tuesday, 28th May, 2024, 10:00 – 10:10

PRESENT:

Councillors: Emily Arkell

ALSO ATTENDING: Kodi Sprott, Principal Committee Coordinator, Claire Barnes, Major Projects Delivery Manager, Kenneth Tharp, AD for Culture and Creativity, Councillor Pippa Connor

1. FILMING AT MEETINGS

The Cabinet Member for Culture, Communities and Leisure referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Jess Crowe and Claire Gillespie.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. MUSWELL HILL LIBRARY

This report sought approval to award a contract to Niblock (Builders) Ltd pursuant to Contract Standing Orders 9.07.1 (d), 10.01.1 (a) and 10.01.2. (dii) for urgent condition works at Muswell Hill Library. This would give a modern, accessible library space with a lift installed that meets needs of customers with fresh furniture, books, and decoration. The space available and flexibility of that space would meet the needs of residents and partners. The library space had increased opportunity for working with partners and other service providers, internal refurbishment including new partitions, screens/ doors partial new floor coverings, new signage & redecoration. A separate package of external condition work had been undertaken by the Corporate Landlord. The initial award of contract to Diamond Build Plc therefore focused on internal works only to include:

- Condition and compliance works including rewire, fire alarm, intruder alarm and heating repairs.
- A new extension - accessible lift and staircase.
- Internal redecoration.
- New furniture.

- Upgraded ICT including enhanced WiFi system, additional PC's and workstations, and new self-serve facilities.
- New signage.
- Extended CCTV system

Councillor Connor attended the signing, it was clarified that there would be no changes to the build or design of this project. Due to Voluntary Liquidation of Diamond Build Plc the cost of re-procuring was expensive, officers were looking at value engineering the lighting system, this would produce a possible £5,000 saving. The new contractor was well established and tendered actively for work across the council. For future tenders, officers would seek further financial information from contractors. Contractors would be on site from early July with completion by February, this would provide a period to recant the library; with usage from early April 2025.

RESOLVED

- Award a contract to Niblock (Builders) Ltd, pursuant to Contract Standing Orders 9.07.1 (d), 10.01.1 (a) and 10.01.2 (dii) based on their tender value of £1,189,835.20 for urgent condition works at Muswell Hill Library.
- Approve a client construction 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 3.1, refer to Part B section 3 for the contingency value and total award value.
- Approve the issuance of a Letter of Intent up to the value of £118,983.42 as allowed under Contract Standing Order 9.07.3.
- To approve an increase to the project and programme budget as set out in Part B.

Reasons for decision

On the 8th January 2024 Diamond Build Plc notified the council that they had placed themselves in voluntary liquidation. Formal notification of this was advised in the public domain on 19th January. As a result, there is a need to procure a new contractor to complete outstanding works.

Niblock (Builders) Ltd originally tendered for the Muswell Hill Library Works in 2023 and recently competitively tendered, awarded and successfully completed Highgate Library. A positive relationship has been formed with Niblock (Builders) Ltd built on quality of work, collaborative approach to site challenges, trust and respect. A comprehensive procurement options appraisal was discussed in collaboration with Strategic Procurement, Legal and the Project Sponsor and agreed that a direct award would demonstrate best value for Haringey Council providing the most expedient route to re-starting works and returning the library to operational use (closed in July 2023).

During initial soft market testing, Niblock (Builders) Ltd indicated interest in the project and willingness to engage and complete a site visit for initial review. They also indicated availability of resources aligning with the projected programme.

Refer to 6.2 which summarise the scope of works intended for the library.

Alternative Options Considered

Do nothing – With 26% of the works completed prior to voluntary liquidation, which includes a complete strip out of existing services - this option would leave the Council with a partially

completed building which would be unsafe and unusable in its current state. This would also increase the risk of unauthorised access and would result in failure by the Council to make the necessary transformation and accessible improvements to the library and restoring a valuable resource to this part of the borough.

Value engineering and or De-scoping Options - consideration was given during the original construction contract with Diamond Build Plc and has been further undertaken during the tender clarification process with Niblock (Builders) Ltd.

As summarised in 6.2 of this report, the project includes a new extension incorporating an accessible lift and staircase improving accessibility to the ground floor (currently stepped) and 1st floor. Transforming the Library offer by improving accessibility enhances opportunities to generate increased income from letting, future proofing use in a variety of ways and continues to achieve the transformation of local libraries by shaping vibrant, culturally rich landscapes, of which the Library Service have recently received nationwide recognition for. Omitting this from the scope of work would be detrimental to the services offered now and in the future and bear no resemblance to rationale for the project. Consideration is presently being given to the possibility of value engineering the lighting system (refer to Part B section 6 for further information).

Refer to Part B section 6 for further information.

Novation – discounted on time and contractual negotiations to source a suitable contractor willing to accept the cost and programme risks this would offer for works partly completed.

Competitive Tender – this was initially discounted based on ability to attract bidders for this type of work, additional tender period as would be based on both a cost and quality assessment and more likely to incur a higher risk cost by bidders.

Direct Award – Major Works Framework – discounted based on a review of bidders likely to be interested in this type of work and with a number of capital projects effected by Diamond Build's Voluntary Liquidation this option was being explored for two other capital projects which could impact on resourcing and timely delivery if too many contracts were awarded via this route. Niblock (Builders) Ltd are not a contractor on the Councils Major Works Framework.

6. EXCLUSION OF THE PRESS AND PUBLIC

To exclude the press and public be from the meeting as it contains 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.

7. EXEMPT MUSWELL HILL LIBRARY

The cabinet member considered the exempt information.

A minor discrepancy is noted within these minutes between published (Part A) and exempt (Part B) information:

The tender value - is £1,189,835.20 (as noted per part B) and not £1,189,834.20 (as noted in Part A). The total contract award including contingency as noted in Part B is correct.

The contract is to be awarded to Niblock (Builders) Ltd (as noted in 1.1 and 3.1 of Part A) not Niblock (Builders Group) as referenced in 3.1 of Part B.

CHAIR:

Signed by ChairCllr Arkell.....

Date30.05.2024.....