

Agenda item:

Procurement Committee**on 21st March 2006**

Report Title: **Expansion of Tetherdown Primary School, Grand Avenue, N10
(Part A): Award of Contract**

Forward Plan reference number (if applicable):

Report of: **Director of The Children's Service**

Wards(s) **Fortis Green and
Muswell Hill**

Report for: **Key Decision**

1. Purpose

- 1.1 This report seeks Member approval to award the contract for the expansion of Tetherdown Primary School, Grand Avenue, N10

2. Introduction by Executive Member

- 2.1 The expansion of Tetherdown School forms an integral part of The Children's Services strategy of expanding schools to meet pupil place needs where they are greatest. Acquiring the land from TreeHouse Trust provides a unique opportunity to expand a successful school, meet parental aspirations in the West of the borough. I fully support and endorse this report.

3. Recommendations

- 3.1 That Members agree to award the contract for the above project, as allowed under Contract Standing Order (CSO) 11, in accordance with the recommendations in paragraph Part A 13.1 and Part B 1.3 of this report.
- 3.2 That this award be subject to completion of the purchase of the land adjacent to the school, and that final acceptance of the award be delegated the Director of The Children’s Service in consultation with the Lead Member following completion of the land purchase.

Report Authorised by: **Sharon Shoesmith, Director of The Children’s Service.**

Signed **Date**

Contact Officer: **Brendan Wells, Head of Property and Contracts**
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4. Executive Summary

4.1 Following tender analysis of the bids received, four (of the six) contractors who submitted suitable bids were interviewed on the 3rd February at Hornsey Town Hall. The Children's Service, Corporate Procurement, the School and the Design team were represented on the interviewing panel.

Prior to the interviews, the method of assessment of the contractors was agreed and a scoring matrix produced. This matrix was completed following the interviews and the results are included within this report.

As a result, the recommendation to Members is that the contract be awarded allowing construction works to commence in April 2006 and complete in July 2007.

5. Local Government (Access to Information) Act 1985

5.1 List of background documents:

The following background documents were used in production of this report:

- Post-tender interview minutes – as recorded by Mace
- Tender cost report as prepared by Potter Raper Partnership, January 2006 (Appendix B)
- Stage D Design Report
- Stage D Cost Plan No 7 dated 5th August 2005

5.2 See Part B for exempt information

6. Background

6.1 Tetherdown Primary School is a popular and successful school in Muswell Hill currently with one form of entry of 210 pupils. Due to a high demand for school places in the area, the Council identified Tetherdown Primary School for expansion to two forms of entry to accommodate a maximum of 420 pupils from Foundation to Year 6.

6.2 An opportunity arose to purchase adjacent land which allows for the expansion of Tetherdown to the recommended DfES standards. This land adjoins Tetherdown School to the south. The Central Foundation Schools of London sold the redundant playing field to the TreeHouse Trust, a London based UK charity planning to build a school for children with autism and who have established a temporary campus on the remaining land and the two schools are already forming a good relationship.

There is land surplus to the TreeHouse scheme which is being purchased by the Council to allow for this primary school expansion.

6.3 The existing Tetherdown school accommodation comprises of a three-storey Victorian classroom block with a single storey extension providing a school hall,

servery and kitchen, and a later single storey timber cabin two-class reception annex. Externally there is a single playground. The original classrooms and facilities are very cramped and well below current standards recommended by the DfES. The original 3-storey main building is in poor condition and in need of external and internal repairs. The school has no nursery.

- 6.4 The proposed works include for deconstruction of single storey hall and kitchen, construction of new classroom building, hall and kitchen building and link to existing school.
- 6.5 The scheme has been carefully planned with the Headteacher and school governors to cause the minimum disruption to pupils and staff and make a safe environment for the school during works. The work will be undertaken with a timber hoarding separating the occupied school and children from construction operations.
- 6.6 The design has been developed in accordance with the DfES Building Bulletin BB99 "Briefing Framework for Primary School Projects" and follows extensive consultation with key stakeholders including school staff and governors. A number of open consultation events have been held at the school, inviting parents, local residents and other interested parties to view and comment on the project proposals.
- 6.7 The planning application was submitted on 24th June 2005.
- 6.8 Pre-submission discussions were held with Planning Officers to consider the design approach and details of the scheme. Two open events were held at the school for parents, local residents and other parties to view and comment on the proposals. (9th July 2004 and the 17th June 2005) and a public Development Control Forum was held, also at the school on the 19th July 2005.
- 6.9 At its meeting on the 10th October 2005 the Planning Applications Sub-Committee granted permission for the development including conservation area consent to demolish the hall and timber cabin. Permission is subject to materials, landscaping, access and boundary fencing details. These were submitted on the 23rd January 2006 and a decision is expected by the 19th March 2006.
- 6.10 The pre-tender estimate is £3,483,083.

This is below the EU Threshold for the period 1st Jan 2006-31st Jan 2006 of £3,611,319 for Works Contracts; therefore the EU Public Procurement Rules for advertising within OJEU (Official Journal of the European Union) are not applicable.

- 6.11 The Executive agreed at its meeting of the 22nd February 2005 to acquire the land adjacent to Tetherdown Primary School for the school expansion. A price has been agreed with the vendors, TreeHouse and exchange of contracts and completion is expected by 31st March 2006.

7.0 Budget

- 7.1 Total funding provision has been made for the Tetherdown Expansion project of £5.5m through the DfES Formulaic allocation to the Council for New Pupil Places 2005-2008.

8.0 Description of Procurement Process

- 8.1 Tenders were invited from six companies on a fixed price basis with a 52-week contract period. The Corporate Procurement Group selected the companies from the Council's list of approved contractors, for inclusion on the tender list. The selected companies are detailed at Appendix B.
- 8.2 The tenders were received on 23rd January 2006 and the results are as Part B paragraph 2.2.

Evaluation

- 8.3 The bidders were asked to submit method statements for the project quality assessment based on the following:-
- Contract Management, risk management and experience
 - Supply chain management
 - School liaison, choice and satisfaction
 - Labour resources, recruitment, training and development
 - Cost management and incentivisation
 - Health, safety and the environment
 - Sustainability
 - Quality
- 8.4 Each contractor's cost submission was evaluated and scored by the quantity surveyor. These scores contributed towards the collective score for that contractor. Cost submissions included assessment of profit and overhead, preliminaries.
- 8.5 The technical and quality submissions were evaluated by a panel which consisted of: -
- Bennett SEF - Architects
 - Potter Raper Partnership - Quantity Surveyors and Cost Consultants
 - Mace Ltd - Project Manager
- 8.6 Post-tender interviews were held at Hornsey Town Hall on the 8th February 2006. The panel was as above with additional key stakeholders:-
- The Children's Service - Property and Contracts
 - Finance Services - Corporate Procurement
 - Headteacher - Tetherdown Primary School
 - Governor - Tetherdown Primary School

8.7 The results of these submissions is contained in Part B paragraph 3.4.

9.0 Consultation

9.1 Pre-statutory consultation ran from 1st March 2004 to 2nd April 2004, the statutory representation was from the 21st April 2004 to 4th June 2004 and the Schools Organisational Committee ratified the expansion at its meeting on the 24th June 2004.

9.2 School and school governor consultation and involvement, and local resident consultation through the planning approval process are outlined in paragraphs 6.9 to 6.14.

10.0 Key Benefits and Risks

10.1 Tetherdown is a popular and successful primary school that is heavily oversubscribed (ref. paragraph 6.1). The Council has previously agreed to expand this school to allow more local children to attend (paragraph 16.3),

10.2 Until the land purchase has been completed there is a risk therefore it is recommended that this award be made subject to completion of the land purchase and that final approval be delegated to the Executive Member for The Children's Service and the Director of the Children's service.

11.0 Contract and Performance Management

11.1 The Conditions of Contract will be the Joint Contracts Tribunal (JCT) Standard Form of Building Contract, Local Authorities with Quantities 1998 Edition with Contractors Design Portion Supplement.
The Contract Administrator is Bennett SEF Architects and the Project Manager is MACE limited both commissioned through and in accordance with the Haringey Design Services Framework.

11.2 Performance Management will be undertaken:

- in accordance with the method statements supplied as part of the tender
- in accordance with the BREEAM environmental requirements (see paragraph 16.7)
- in accordance with the key performance indicators (kpi's) recommended by the Council's corporate procurement section (see appendices)

12.0 Summary and Conclusions

12.1 Expansion of this school with new accommodation will go some way to meet the rising demand for additional primary pupil places in the west of the borough and reduce the longer journey that pupils and parents would otherwise make to the next nearest school with surplus capacity.

12.2 There is an acceptable tender that can be afforded within the overall budget and the school will be able to accept an additional reception class this September (2006).

12.3 This is a unique opportunity to expand a popular and successful primary school in a phased manner, keeping disruption to a minimum and clearly separating construction activities from those of the school.

13.0 Recommendations

13.1 That Members award the contract for the school expansion at Tetherdown Primary School including a new build classroom, hall, dining block and link, to the contractor named in Part B Appendix 6.1 in the sum named in Part B Appendix 6.1.

13.2 That this award be subject to completion of the purchase of the land adjacent to the school, and that final acceptance of the award be delegated to the Lead Member and the Director of The Children’s Service following completion of the land purchase.

14.0 Equalities Implications

14.1 The design includes for a link between the existing school and the new block at each floor level with a lift, stairs and level access and circulation to all areas of the school.

14.2 The scheme is designed to ensure the Authority complies with statutory requirements in relation to the Building Regulations Part M 2004 “Access to and Use of Buildings”, and the Disability Discrimination Act 2005 (DDA). This includes accessibility for wheelchair users by means of level access, 900mm clear door openings, and accessible toilet. Contrasting colours will be used to aid the visually impaired including tactile flooring to indicate changes in level and identification of edges of all stairs. The scheme includes conventional, tactile and pictorial signage at different heights to assist the easy movement of all users throughout the facility.

14.3 Expansion of the school will mean that an additional 210 children (30 per year) from the local area will be able to attend the school, which is popular and high achieving. This is in line with Government policy to expand successful schools. The expanded school will reach full pupil capacity (420 pupils) in 2012-13.

| | Admission Year | Existing school planned capacity | Additional Reception Pupil Intake | Total school net capacity |
|---|----------------|----------------------------------|-----------------------------------|---------------------------|
| | 2005-06 | 210 | 0 | 210 |
| 1 | 2006-07 | 210 | 30 | 240 |
| 2 | 2007-08 | 210 | 30 | 270 |
| 3 | 2008-09 | 210 | 30 | 300 |
| 4 | 2009-10 | 210 | 30 | 330 |
| 5 | 2010-11 | 210 | 30 | 360 |
| 6 | 2011-12 | 210 | 30 | 390 |
| 7 | 2012-13 | 210 | 30 | 420 |

| | | | | |
|--|---------|-----|---|-----|
| | 2013-14 | 420 | 0 | 420 |
|--|---------|-----|---|-----|

15.0 Health & Safety Implications

- 15.1 All contractors have been assessed as competent under Construction Health and Safety Assessment Scheme (CHAS), which is an industry-wide body. They also comply with the requirements of the Council's Health and Safety policy.
- 15.2 As required by the Construction (Design and Management) Regulations 1994, the Principal Contractor's Construction Phase Health and Safety Plan will be checked and approved by the client and Planning Supervisor prior to the commencement of work on site and assistance will be given to the school to modify its own Health and Safety Plan should it be necessary, due to the adjacent construction works.
- 15.3 As part of this contract and in conjunction with the Headteacher, the contractor will organise, a presentation to the school from their Health and Safety advisor. There will also be regular supervised on-site visits for pupils, staff and governors focusing on areas relating to the National Curriculum.
- 15.4 A rigid security hoarding will be erected around the site compound with observation panels to allow pupils and staff to monitor site progress whilst maintaining site safety.

16.0 Sustainability Issues

- 16.1 The school grounds are not extensive, although they comply with expected standards for an inner city primary school without a sports pitch or extensive habitat area.
- 16.2 The design has been developed to complement the natural and built environment of the local area, and to maintain the semi-rural feel of the site.
- The elevation of the new buildings will be sympathetic to views particularly from Grand Avenue and Woodside Avenue.
- 16.3 The expansion also provides an opportunity to improve efficiency of the existing school by careful remodelling. The additional capacity will also allow more non-sibling children to attend their local school rather than a school well outside the catchment area for Tetherdown, thus reducing travel distances, consequential traffic congestion and vehicle exhaust emissions.
- 16.4 Daylight and Shading

Environmental design and sustainability have been important considerations within the project and the emphasis has been on the use of passive systems that are effective yet simple in operation. Consideration has been given to the orientation and areas of glazing in teaching areas, to provide acceptable levels of natural daylight. Daylight factor calculations show that the majority of rooms will be adequately naturally lit for most of the day. The windows will have a safe opening function to allow for natural ventilation.

16.5 Energy Efficiency

Energy efficiency is being designed into general engineering systems serving the building including boilers for space and water heating, provision of low energy lighting.

16.6 Materials

Timber cladding will be from managed forestry sources. There is a planning requirement for brickwork that reflects the local "Muswell Hill" orange stock brick. Materials from deconstruction of the hall and cabins will be recycled / reclaimed where possible.

16.7 Environmental Assessment

The DfES require schemes of this value to follow BREEAM (Building Research Establishment Environmental Assessment Method) for Schools. Thus the design process and construction and through to the operation of the building is considered to ensure that suitable sustainability considerations continue to completion and in the running of the building

16.8 Waste Management and Recycling

Delivering a sustainable development, and managing and minimising waste have been significant factors in the selection criteria for choosing the contractor. During the design and construction process materials will be assessed with regards to source, waste, energy, recyclables and waste minimisation by use of standardised or modular components.

Waste management solutions will be further developed with the contractor where feasible, implemented and measured through key performance indicators.

16.9 Outdoor Environment

The development will provide opportunities for staff and children to influence their classroom and outdoor environments. The contractor will be able to arrange educational 'site' visits so that children can understand more about the construction process and be aware of what is done and what jobs are involved to bring a project of this nature together.

Unfortunately some of the existing semi-mature trees are self-seeded and have grown through the metal railings on the northern boundary. The Council's arborist has inspected the trees and advises that several trees will have to be removed as they are weak and unsafe (one tree fell over in 2005). All the trees recommended for removal are marked on the external works plan and will be replaced either in the same position or in a new stand. Critical replacements will be planted with extra heavy standard stock. There will also be a planted tree and shrub screen on the boundary between the Tetherdown and TreeHouse developments.

16.10 Thermal Performance

New construction will exceed the thermal performance requirements of the Building Regulations, Part L2. A full submission has been made to Building Control to demonstrate compliance.

16.11 Lighting

Energy saving electric lighting will be provided throughout the school including low energy light sources, occupancy sensors and time switch/photocell control of external lighting.

16.12 Shading:

Solar control glass will be provided, to reduce solar gains. Calculations indicate that acceptable temperatures, (within the limits set in the Building Regulations, Part L2), will be maintained by opening windows.

16.13 Ventilation:

The classrooms and hall will be naturally ventilated with openable windows and high level clerestory windows. The classrooms on the lower floors of the new teaching block will also be provided with 'wind catcher' displacement ventilation system, incorporating roof terminals, to improve the natural ventilation. The wind catchers can be safely left open at night to cool the building.

Apart from extract systems in the kitchen and WC's, only the hall has been provided with mechanical ventilation, to cope with times of high occupancy. No cooling will be provided.

16.14 Water saving:

Sanitary appliances will be water efficient low flush WCs and aerator spray taps.

16.15 Drainage:

Thames Water require the installation of a large water tank to store rainfall and water run-off during heavy storms and release this slowly into the public sewer to avoid overflowing. This will be installed under the lower playground area.

16.16 Heating and Hot water systems:

High efficiency boilers with carbon emissions lower than required by the Building Regulations will provide heating and hot water to the school. The heating system has been designed in zones, to allow parts of the school occupied outside normal hours to be separately heated. Heating controls include compensation and optimisation, to ensure the buildings are only heated when required.

17.0 Financial Implications

17.1 These are contained in Part B paragraphs 7.1 – 7.4.

18.0 Comments of the Director of Finance

- 18.1 The funding provision is based on DFES Formulaic Allocation of £11.4m to the council for New Pupil Places in 2005/06 and 2007/08. This has been confirmed by the DFES.
- 18.2 The value of this scheme can be contained within the overall formulaic allocation for new pupil places and there is no financial risk to the Council. However the award of this contract is subject to the purchase of land adjacent to the school.
- 18.3 The overall Children's Services Capital programme for the next three years, which includes this project, was approved at the Executive on 31st January 2006. The Executive in a separate meeting also approved the purchase of the Land on the 22 February 2006 and the exchange of contract and completion is expected on 31 March 2006.
- 18.4 Provided the purchase of land is completed as planned (ref. par. 6.2 above), the Director of Finance has no objection to the award of contract to the contractor named above.

19.0 Comments of the Head of Legal Services

- 19.1 The estimated value of the contract is below the threshold for tendering in the EU under the Public Contracts Regulations 2006. The threshold is currently £3,611,474., however at the time of tender the threshold was (£3,834,411) for works.
- 19.2 Paragraph 8.1 of the report states that the Contract was tendered in accordance with Contract Standing Orders in that tenderers from the Council's Approved Lists were invited to tender in accordance with CSO 8,2 (d), the tenders were evaluated on the basis of the most economically advantageous tender .
- 19.3 Because the value of the contract as stated in the report is in excess of £250,000 any award must be approved by Members in accordance with CSO 11.3.
- 19.4 The recommendation in this report is to award the contract on the basis of *most economically advantageous tender* in accordance with Contract Standing Order 11.1 (b).
- 19.5 Where the project value is near the EU threshold consideration should be given to tendering under the EU rules.
- 19.6 The Procurement Committee has powers under the Councils constitution part H2.1.02 (based on S.15 of the Local Government Act 2000) to delegate any of its powers to officers.
- 19.7 The Head of Legal Services confirms that no leaseholder issues are applicable.
- 19.8 The Head of Legal Services confirms that there are no reasons preventing the Members from approving the recommendations in Paragraph 13. of this report.

20.0 Comments of the Head of Procurement

- 20.1 The contractors asked to tender were selected from the Council's approved list of pre-qualified contractors; all have financial capacity and capability to undertake the work as outlined above.
- 20.2 All 6 of the contractors were asked to resubmit prices and timescales, and the project can therefore demonstrate equal treatment of all contractors throughout the process.
- 20.3 The lowest price tender was only 2.7% higher than the pre-tender estimate, giving confidence that a thorough cost management process is being undertaken.
- 20.4 A thorough consultation process has been undertaken to ensure that the design and project proposals meet with stakeholder requirements.
- 20.5 As is to be expected with a project of this size, nature and value, a robust evaluation of the construction contractors' quality methodologies has been undertaken.
- 20.6 In summary, this report represents a thorough and robust procurement, and the Head of procurement supports the recommendations made at Appendix B of this report.

21.0 Appendices

- 21.1 Appendix A: Site Access Strategy Plan 135-SK-D-32 Sept 2005
- 21.2 Part B of this report contains exempt information.