

Agenda item:

**[No.]**

**Report to Procurement Committee**

**6 July 2010**

Report Title. **Risley Primary School Re-Wire**

Report of : Peter Lewis, Director of Children and Young People's Service

Signed :

Contact Officer :

David Moore, Construction Lead, Children and Young Peoples Service

Wards(s) affected: **White Hart Lane Ward**

Report for: **Key Decision**

**1. Purpose of the report (That is, the decision required)**

- 1.1. To approve a waiver of Contract Standing Orders (CSO 8.04 ) to enable a tender process to take place without advertising by inviting bids from a selection of contractors from the Constructionline register of pre-qualified contractors and to seek approval for the award to the recommended contractor of the Risley Primary School Re-Wire contract.

**2. Introduction by Cabinet Member (if necessary)**

- 2.1. These works are urgent and necessary and it is important that they can commence during the school summer holidays. I concur therefore with the recommendation to waive the CSO.

**3. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

3.1. The design applies some the five principles of the Primary Strategy for Change:

- Principle One – We want the children to enjoy their learning and to make good progress
- Principle Two – We want to promote learning through access to greater opportunities for all within the community
- Principle Three – We want to secure the health and well-being of our children and young people and safeguard their welfare, especially the more vulnerable
- Principle Four – We want to further develop the leadership capacity in our schools

3.2. The design and construction supports some of the seven Haringey Greenest Borough Strategy priorities in the following ways:

Priority One – Improving the Urban Environment

- CO2 reduction.
- Seek 30% reduction in lighting energy use over the current system.

Priority Two – Protecting the natural Environment

- Sensitive specification of materials

Priority Three – Managing Environmental Resources Efficiently

- Energy efficient systems for lighting
- Lighting will be provided through a combination of daylight sensors, passive detectors and switching
- Voltage Optimisation

Priority Four – Leading by example – managing the public sector sustainably

- Aims to reduce energy usage and support best practice

Priority Five – Sustainable design and construction

- Site waste management plan.

Priority Seven – Raising Awareness and Involvement

- The design will enable the school to monitor energy used

3.3 In addition, the following principles are being addressed within the design:

- School Lighting Specification 4

#### **4. Recommendations**

- 4.1. That Members agree to waive Contract Standing Orders (CSO 8.04 ) to enable a tender process to take place without advertising by inviting bids from a selection of contractors from the Constructionline database on the ground that

- this is in the Council's overall interests in accordance with CSO 7.03(d).
- 4.2. That Members agreed to award the contract for the above project in principle, subject to confirmation of funding, to the contractor named in Part B as allowed under Contract Standing Order CSO.11.03
  - 4.3. That finalisation of the award including confirmation of funding be delegated to the Director for Children and Young People's Services.

## **5. Reason for recommendation(s)**

- 5.1. The contractor named in Part B was evaluated on cost (40%) and quality (60%). The combined scoring is considered to represent the best value for money and is considered to be satisfactory as the basis for a contract.
- 5.2. The works are essential in nature and need to be commenced in the summer holidays.

## **6. Other options considered**

- 6.1. The LHC (London Housing Consortium) Network offers a selection of products, services and contractors through pre-tendered framework arrangements. A review of the LHC framework arrangements was carried out. However, this review revealed that due to the nature of the works to be undertaken, no suitable products, services and contractors were identified.

## **7. Summary**

### **Background**

- 7.1. A recent survey was conducted by the Council's term consultants Norfolk Property Services (NPS), into the condition of the incoming electrical mains to 5 schools, following an incident in a school where a mains failure required the school to drastically reduce its demand pending a mains upgrade.
- 7.2. During this survey work, it was noted that at a number of schools the electrical installations (mainly lighting and power), were coming to the end of their useful life and that works to these installations was required. It was recommended that a programme of upgrading be considered in the near future to ensure uninterrupted long term provision, and to ensure that the schools future electrical and lighting needs are maintained.
- 7.3. Following the issue of the above mentioned report it was evaluated that a programme of re-wires be instigated. The following schools can be considered to be the commencement of the first phase of this programme:

- a) Alexandra Primary School, Western Road, London, N22 6UH
- b) Risley Primary School, The Roundway, London N17 7AB
- c) Seven Sisters Primary School, South Grove, London, N15 5QE

7.4. Following the production of a feasibility study by NPS, into the process to conduct the proposed re-wires the following strategy was developed to ensure that the works could be undertaken without the requirement to close any of the schools.

- a) The heavy re-wire works would be undertaken during the school summer holidays, works to include the replacement of the main incoming supply board and distribution sub boards (in communal areas), the rewiring of the lighting and small power in communal areas, and the containment within communal areas.
- b) During the first half of the new term, a rolling programme of works would be instigated to rewire the small power and lighting within each classroom. Broadly 2 classrooms would be handed over to the contractor at a time, with an expectation that 4 rooms would be complete in a week.
- c) During the half term holiday, areas of the school which couldn't be undertaken during occupation would be completed. With any strip out works being completed over the Christmas holidays.

7.5. The scope of works does not require planning permission.

7.6. Funding has been agreed by Cabinet.

7.7. The key decision is included in the Forward Plan.

7.8. The Children and Young People's Service is project managing this project. Norfolk Property Services were appointed as contract administrator and lead designer in November 2008 from the Haringey Design Framework.

### **Procurement Process**

7.9. A waiver of standing orders is sought on the basis that it is in the Council's overall interest. A fully advertised procurement process including the usual pre-qualification period would have required a much lengthier lead time and therefore would not have allowed the principal objective of undertaking the works during the summer holidays to be met. Constructionline (a UK register of pre-qualified constructions services) was used as a means of securing pre-qualified, specialist contractors who could be invited to tender in an expedient manner.

7.10. Competitive tenders were invited from six firms from the Constructionline register. The list was generated by Construction Procurement Group using the randomly selected process of Constructionline to select contractors suitable to undertake the anticipated works value.

7.11. The defects liability period is 12 months.

7.12. Competitive tenders were invited from six firms selected by the Council from Constructionline.

The list of tenderers was (in alphabetical order):

- AJS Limited
- Lowe & Oliver Limited
- P I P Electrics Limited
- Powerminster Gleeson Services Limited
- M J Quinn Integrated Services Limited
- Raytell Electrical Co Ltd.

7.13. Of the 6 tenderers, 2 returned.

7.14. Analysis of the tenders by Keegans Ltd (the Council's Quantity Surveyors) revealed a number of anomalies, which have been resolved with the tenderers. The Council's Quantity Surveyors have recommended that a client contingency be allowed for in the overall budget.

7.15. The Council's Consultant Quantity Surveyors, have identified 3 elements of works that were not adequately defined to enable the respective tenderers to price, these are as follows:

- i. Supply and installation of Containment Systems for intruder Alarms, CCTV and Access Control Systems.
- ii. Supply and installation of Containment Systems for Telecom, Voice and Data Systems.
- iii. Supply and installation of Lightning Protection system.

7.16. A provisional sum allowance has been allowed for these items

7.17. The contract is to be awarded on a fixed price basis.

## **Programme**

7.18. The work is scheduled to commence on site in August 2010 and completed in December 2010.

7.19. The construction period will be 22 weeks

## **Sustainability**

7.20. A Site Waste Management Plan has been allowed within the project/specification.

7.21. The design demonstrates good sustainable practice, economically and environmentally to achieve maximum life expectancy.

7.22. The design includes:

- Energy efficient systems for lighting
- Lighting will be provided through a combination of daylight sensors, passive detectors and switching

## **8. Chief Financial Officer Comments**

8.1. The Chief Finance Officer was consulted in the preparation of this report and comments that the CYPs capital programme is subject to overall review and the capital budget will be revised by Cabinet on 13<sup>th</sup> July. Final approval to let this contract will depend on the outcome of this review, and the priorities for investment agreed by Members for 2010/11 to 2012/13.

## **9. Head of Legal Services Comments**

9.1. The value of the Alexandra Primary School re-wire contract is below the threshold where tendering in Europe is required in accordance with the Public Contract Regulations 2006. However, the Council's Contract Standing Orders (CSO) tender requirements still apply.

9.2. Children's and Young Peoples Services Directorate has selected six firms from the Constructionline pre-qualified list and invited them to tender for the re-wire works.

9.3. The tender opportunity was not advertised and a selection was made of some and

not of all pre-qualified contractors using Constructionline selection procedures. As a result, the process used, though expedient, is not one of the tender procedures provided for by CSO 8.04. A waiver of CSO is therefore sought.

9.4. As the value of the contract is over £250,000, the Procurement Committee must approve the waiver. The waiver is sought on the ground that it is in the Council's overall interest, a ground provided for by CSO 7.03(e).

9.5. Given the value of the contract, the award must also be approved by the Procurement Committee in accordance with CSO 11.03.

9.6. Under section 12 of the Local Government Act 2000 the Committee has power to delegate their powers to an officer of the Council including to delegate to a Director the power to make or finalise the contract award as recommended in this report.

9.7. The Head of Legal Services confirms that there is no legal reason preventing Members from approving the recommendations set out at paragraph 4 of this report.

## **10. Head of Procurement Comments**

10.1. The contractors have been selected from the government UK register Constructionline as a trial of this pre qualification database.

10.2. The tender has been prepared and tendered on a quality/price basis of 60%/40% and evaluated as the most economically advantageous tender for this award.

10.3. The Quantity Surveyor has checked the returns and has confirmed that the lowest tender offers value for money.

10.4. The Head of Procurement recommends the award as stated in Part B paragraph 2.13 in Appendix A represents best value for the Council

## **11. Equalities & Community Cohesion Comments**

11.1. Following consultation with the Principle Equalities Officer, an equalities impact assessment was deemed not to be required for this project on the basis of the following:

a) Children with hearing difficulties have their own individual evacuation plan,

and it is not deemed practical to introduce strobe alarms throughout the school.

- b) Children who are partially sighted will have an improved situation, due to the improved lux levels from the higher quality of fittings specified than those which are currently installed at the school

No other equalities considerations could be identified for this project however as with all work carried out on behalf of the council we will comply with the Council's Equalities Scheme and Equal Opportunities Policy.

## **12. Consultation**

- 12.1. Extensive consultation has been carried out with end users in arriving at the agreed layouts.
- 12.2. The school and head teacher have been fully consulted and have agreed the proposed phasing of the works.
- 12.3. The school governors have been informed of the works.

## **13. Service Financial Comments**

- 13.1. Please see the comments of the Chief Finance Officer in 8.1 and note the caveat that final approval to let this contract is subject to the Council's decision following a review of the Capital Programme on 13<sup>th</sup> July.
- 13.2. The approved CYPS capital programme includes a budget of £1.25m for electrical rewire at a number of schools. The approved CYPS capital programme also carries a programme contingency of £4m. There are therefore sufficient resources in the approved programme to proceed with this project at a total cost of £502,000, subject to the review of overall investment priorities by Cabinet on 13<sup>th</sup> July.
- 13.3. This report identifies the works required and the tender outcome for one of the electrical rewire projects approved for consideration, at Risley Primary School. The programming of these works is complex, and the narrow window of opportunity to progress works during the summer school holidays mean that it is sensible to move forward with this project to procurement approval, subject to the caveat above.
- 13.4. The electrical rewire projects will be financed from a combination of resources underpinning the CYPS capital programme, including capital grant, supported borrowing and a 10% contribution to the works from each school concerned.



The school contributions required are in line with agreed policy for the primary capital programme and have been notified to schools.

#### **14. Use of appendices /Tables and photographs**

14.1. Part B of this report contains exempt information.

#### **15. Local Government (Access to Information) Act 1985**

15.1. This report contains exempt and non-exempt information. Exempt information is contained in Appendix A of this report and is **NOT FOR PUBLICATION**. Exempt information is under the following category (identified in amended Schedule 12A of the Local Government Act 1972). s. (3) Information relating to financial or business affairs of any particular person (including the authority holding that information).