

## **CABINET**

**1 OCTOBER 2013**

### **GATEWAY 4 PROCUREMENT POST PROJECT COMPLETION REVIEW: LORDSWOOD INFANT & JUNIOR SCHOOLS**

Portfolio Holder: Councillor Mike O'Brien, Children's Services (Lead Member)

Report from: Barbara Peacock, Director of Children and Adults Services

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#### **Summary**

This report reviews the progress of the Lordswood Infant & Junior Schools contract delivered through the supplier as highlighted within 2.1.2 of this report.

This is based upon the high risk classified procurement process which was undertaken during January 2011 to March 2011 and which led to an award of contract in April 2011.

The commencement and delivery of this procurement requirement was approved by the Cabinet at Procurement Gateway 1 on 21 December 2010 and subsequent approval for contract award was provided by the Cabinet at Procurement Gateway 3 on 29 March 2011.

This Procurement Gateway 4 report has been approved for submission to Cabinet after review and discussion at Children and Adults Directorate Management Team meeting and Procurement Board on 17 September 2013.

#### **1. Budget and Policy Framework**

##### **1.1 Post Project Appraisal / Contract Management**

This procurement post project appraisal and its subsequent review is within the Council's policy and budget framework and ties in with all the identified Core Values, Strategic Priorities, Strategic Council Obligations and Departmental/Directorate service plans as highlighted within the Procurement Gateway 1 Report.

## **1.2 Statutory Requirements**

The procurement was a key project in Medway's Primary Strategy for Change Programme, which attracted £11million of Government funding to support the Council's strategic objective. The project was consistent with the Council's School Organisation Plan. Within the primary phase Medway's School Organisation Plan principles are:

- To review the future of schools with low standards;
- All Infant and Junior schools should be amalgamated over time;
- To review the future of schools that are at risk of becoming unviable;
- To enable popular and successful schools to expand

## **2. Background**

### **2.1 Contract Details**

2.1.1 This contract is a Works contract.

#### 2.1.2 Supplier Details

This Gateway 4 Report relates to the Lordswood Infant & Junior Schools contract awarded B W May.

#### 2.1.3 Contract Description

The School and Council's objectives were met. The works were to provide functional, inspirational and secure open learning environments. To do this the project provided one united building, which improved the accommodation for teaching and learning, made better use of the space on the ground floor, enabling all classrooms to be accommodated and situated together in year groups. The project provided access to shared resources and to outside classroom space, enabling cross class working. The final provision of a link building joined the two schools together. The link building united the schools physically as well as providing a functional weatherproof route for children, staff and visitors. These project objectives supported the amalgamation of the predecessor infant and junior school, which took place on 1 September 2010.

### **2.2 Permissions Required**

This report provides the Cabinet with a post project appraisal and concludes this contract on the basis that this contract was for a one-off procurement requirement and because the contract has fulfilled requirements in accordance with the service specification and associated contract terms and conditions.

### **3. Options**

In arriving at the preferred option as identified within Section 4.1 'Preferred Option', the following options have been considered with their respective advantages and disadvantages.

#### **3.1 Conclude Current Contract and Provide Action Plan**

The option of concluding the current contract at the end of the contract term on the basis that it is a one-off procurement requirement and providing an action plan for future projects has been considered and below are the advantages and disadvantages of this option:

Advantages:

- Works were completed on time
- Works were completed in budget.

Disadvantages:

- There are no associated disadvantages with this option.

#### **3.2 Continue With Current Contract and Negate Any Further Gateway 4 or Gateway 5 Reporting Requirements**

The option of continuing with the current contract for the remainder of the contract term and negating any further Gateway 4 or Gateway 5 requirements is not a viable option because the contract was for a one off piece of work which has already been completed.

#### **3.3 Continue With Current Contract and Subject Contract to Further Gateway 4 and/or Gateway 5 Reporting Requirements**

The option of continuing with the current contract for the remainder of the contract term and subjecting the contract to further Gateway 4 and/or Gateway 5 requirements is not a viable option because the work has already been completed.

#### **3.4 Other alternative options**

No alternative options have been identified.

### **4. Advice and analysis**

#### **4.1 Preferred Option**

Further to an extensive review of procurement options as highlighted within Section 3 'Options' above, the following preferred option is recommended to the Cabinet including justification for this recommendation:

Conclude Current Contract and Provide Action Plan due to the contract being for a one off procurement, which is completed. No further procurement / contract management resources or skills are required to

be deployed on this contract as it is a one-off contract with no additional termed requirements and will therefore no longer be required.

#### 4.1.1 Procurement Project Outputs / Outcomes

The following procurement outcomes/outputs identified as important at Gateway 1 to the delivery of this procurement requirement and identified as justification for awarding the contract at Gateway 3, have been appraised in the table below to demonstrate how the procurement contract and corresponding supplier has delivered said outcomes/outputs.

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?	How has procurement contract delivered outputs/outcomes?
1. Appointing a contractor for the works who will deliver a quality product within the timescales required and within the given budget	Successful completion of the building works within the timescales which will be measured through the tender process	School Organisation team. Building & Design Services. Staff and governors of Lordswood School	Monitored throughout the programme by monthly site visits and contractor reports.	Awarded to BW May. They delivered a fit for purpose building, and met all agreed timescales. The project came within budget
2.Appointing a contractor for the building works who is able to work within the constraints of a school environment	Successful procurement of the contractor within the specifications contained within the tender process	School Organisation team. Building & Design Services. Staff and governors of Lordswood School	Monitored throughout the programme by monthly site visits and contractor reports.	BW May worked closely with the school to ensure that there was minimal disruption.
3. Delivery of the key objectives for the project which are: Completion of the refurbishment works and construction of the new link building.	Completion of the building works meeting all the Client's requirements	School Organisation team. Building & Design Services. Staff and governors of Lordswood School	Assessed at the end of the project, and also monitored throughout the contract period	The key objective was met. They now operate a unified school as set out in their own objectives

4. Improvements to the teaching and learning at the School.	Measured through Key Stage results, Ofsted ratings and National Indicators	School Organisation Team Staff and governors of Lordswood School & Ofsted	Through the school results produced following completion of building works in September 2011.	Early Years Foundation Stage Profile (EYFSP) 2013. 50% of children exceeded or expected levels of attainment.
5. The development of collaborative and community use of the facilities	Development of SLA for use of facility for community and other users	School Organisation Team. Staff and governors of Lordwood School	Following the completion of the building works in September 2011.	By providing works to unify the schools it has offered opportunities for the school to engage with their community

#### **4.1.2 Procurement Project Management**

No further procurement management resources or skills are required to be deployed on this contract as it is a one-off contract with no additional termed requirements and will therefore no longer be required.

#### **4.1.3 Post Contract Award Contract Management**

No further contract management resources or skills are required to be deployed on this contract as it is a one-off contract with no additional termed requirements and will therefore no longer be required.

#### **4.1.4 Other Issues**

There are no other issues that could potentially impact the remainder of this contract term.

#### **4.1.5 TUPE Issues**

Further to guidance from Legal Services, Human Resources and the Strategic Procurement Team, it was identified that at Gateway 1 that TUPE did not apply to this recommended procurement contract award at Gateway 3 as this is a Works related procurement with no Services related implications and therefore there are no further TUPE issues to consider.

### **5. Risk Management**

#### **5.1 Risk Categorisation**

There are no risks associated with this procurement Contract at this Gateway 4 Stage.

## **6. Consultation**

### **6.1 Internal (Medway) Stakeholder Consultation**

As part of this ongoing procurement contract management, no internal Stakeholder consultation is required.

### **6.2 External Stakeholder Consultation**

Following receipt of the post project feedback no further external stakeholder consultation is required.

## **7. Procurement Board**

7.1 The Procurement Board considered this report on 17 September 2013 and supported the recommendation set out below.

## **8. Financial and legal implications**

### **8.1 Financial Implications**

8.1.1 This procurement contract and its associated costs as per the preferred option highlighted at Section 4.1 'Preferred Option' was delivered within the original budget agreed for the project, releasing capital grant which is now available to meet pressures elsewhere within the programme.

8.1.2 Detailed finance and whole-life costing information is contained within Section 2.1 Finance and Whole-Life Costing of the Exempt Appendix.

### **8.2 Legal Implications**

8.2.1 This procurement contract and its associated delivery as per the preferred option highlighted at Section 4.1 'Preferred Option' and the recommendations at Section 9, has the following legal implications which the Cabinet must consider.

8.2.2 This contract had been completed in line with the agreed specification and terms and conditions. The works were completed on time and to the budget allocated. There are no legal implications at this stage.

### **8.3 Procurement Implications**

8.3.1 This procurement contract and its associated delivery as per the preferred option highlighted at Section 4.1 'Preferred Option' and the recommendations at Section 9, has the following procurement implications which the Cabinet must consider.

8.3.2 The procurement project has delivered the outcomes listed under 4.1.1 above. The project has come in under budget and the Head Teacher is pleased with the result.

## 8.4 ICT Implications

8.4.1 This procurement requirement does not have any ICT implications.

## 9. Recommendation

9.1 The Cabinet is requested to note the outcome of the contract as set out in paragraph 4.1 of the report.

## 10. Suggested reasons for decision(s)

10.1 The recommendations contained within Section 9 'Recommendations' above are provided on the basis that the contract was one-off with no additional termed requirements.

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### Background papers

The following documents have been relied upon in the preparation of this report:

Description of document	Location	Date
Gateway 1 Options Appraisal: Lordswood School Primary Strategy Project	<a href="http://democracy.medway.gov.uk/ie/ListDocuments.aspx?CId=115&amp;MIId=2108&amp;Ver=4">http://democracy.medway.gov.uk/ie/ListDocuments.aspx?CId=115&amp;MIId=2108&amp;Ver=4</a>	December 2010
Gateway 3 Procurement Tender Process Review and Contract Award: Lordswood School – Primary Amalgamation Project	<a href="http://democracy.medway.gov.uk/ie/ListDocuments.aspx?CId=115&amp;MIId=2112&amp;Ver=4">http://democracy.medway.gov.uk/ie/ListDocuments.aspx?CId=115&amp;MIId=2112&amp;Ver=4</a>	March 2011