

## **CABINET**

**29 SEPTEMBER 2015**

### **ABBAY COURT SCHOOL – RELOCATION AND EXPANSION WORKS**

Portfolio Holder: Councillor Mike O'Brien, Children's Services

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

Author: Janet Elliott, Category Manager

#### **Summary**

This report provides information on the recent decision made by the Monitoring Officer, in consultation with the Procurement Board, to award a contract for the necessary works to relocate Abbey Court School to the disused Temple Secondary School site on Cliffe Road, Strood.

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

- 1.1 These proposals are consistent with the provision of the School Organisation Plan 2011-16 and the Special Educational Needs Policy and Strategy, and with the Council Plan priority of 'Children and young people having the best start in life'.
- 1.2 The total available budget is £12.3million, which included £2.4million targeted basic need funding.

#### **2. Background**

- 2.1 Medway has agreed the principle that the trend to place children out of area or in independent provision should be reversed where possible, and aims to educate more children close to where they live.
- 2.2 Abbey Court Community Special School is an outstanding school for pupils aged 3-19 with severe learning difficulties, and profound and multiple learning difficulties, and is the only school in Medway able to cater for children with these most complex needs. It is currently located on two separate sites, one in Rainham and the other in Strood.
- 2.3 On 15 October 2013, the Monitoring Officer, in consultation with the Procurement Board approved the use of the Improvement and Efficiency South East (IESE) Construction Framework to source a contractor to

complete the works to relocate the school to the disused Temple Secondary School site on Cliffe Road in Strood.

- 2.4 The project will deliver an additional 68 places over the two sites and provide the much needed space and facilities that are currently lacking.

### 3. Options

- 3.1 The options for this project were considered by the Procurement Board in October 2013, resulting in the initial use of IESE Construction Framework.

### 4. Advice and analysis

- 4.1 The project was originally tendered via the IESE framework, as approved for use by Procurement Board in October 2013. All eight framework providers were invited to tender and 3 were selected to proceed and take part in a mini competition.

- 4.2 Although this original exercise was successful, and the demolition works and design were completed, agreement could not be reached with the chosen contractor to deliver the construction phase.

- 4.3 The project was retendered via the open market in February 2015, in line with the Council's Contract Procedure Rules and the Public Contract Regulations 2006.

- 4.4 The prequalification questionnaire was published on the portal on 19 February 2015 and 8 responses were returned on 27 March 2015. Formal invitations to tender were sent to 5 shortlisted suppliers on 4 June 2015 and 2 completed bids were returned on 29 July 2015.

- 4.5 Details of the tender returns and the evaluation process are set out in the exempt appendix.

### 5. Risk management

- 5.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Contractual Delivery	Contractor unable to meet the schedule of works	Detailed project programme to be adhered to and reviewed at regular meetings with the contractor; stakeholders will be fully engaged throughout	Medium

Financial	Unforeseen expenditure outside approvals	Building and Design Team will work closely with the contractor to identify further efficiencies whilst maintaining quality standards	Medium
-----------	--	--	--------

## **6. Procurement Board**

6.1 The Procurement Board considered this matter on 24 August 2015 where the Monitoring Officer, in consultation with the Procurement Board, agreed to award the contract to Neilcott Construction Limited to deliver the works at Abbey Court School.

6.2 Work is expected to start on site in November 2015, and the building is expected to be completed in Autumn 2016, although this is subject to the final programme agreed with the contractor.

## **7. Financial implications**

7.1 The financial implications together with the outcome of the tender evaluation process are set out in the exempt appendix.

## **8. Legal implications**

8.1 The Council has power to enter into contracts pursuant to the Local Government (Contracts) Act 1997 and the general power of competence in the Localism Act 2011.

8.2 As the procurement commenced before 26 February 2015 it will be regulated by the Public Contracts Regulations 2006.

## **9. Recommendation**

9.1 The Cabinet is asked to note the contents of the report.

## **10. Suggested reasons for decision(s)**

10.1 To ensure that Cabinet is informed of the outcome of the tender process for these works.

### **Lead officer contact**

Janet Elliott, Category Manager, T: 01634 331023, E: [janet.elliott@medway.gov.uk](mailto:janet.elliott@medway.gov.uk)

### **Appendices**

Exempt Appendix

**Background papers**

Proposals for the Expansion and Relocation of Abbey Court Special School  
Cabinet – 26 November 2013

<http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?Ild=11854>

Outcomes of Consultation for the Expansion and Relocation of Abbey Court School  
Cabinet – 13 May 2014

<http://democracy.medway.gov.uk/mglssueHistoryHome.aspx?Ild=12278>