

## **CABINET**

**21 DECEMBER 2010**

### **GATEWAY 3 CONTRACT AWARD: WOODLANDS SCHOOL – IMPROVEMENTS TO NURSERY, RECEPTION AND SEN PROVISION**

Portfolio Holder: Councillor Les Wicks, Children's Services  
Report from: Rose Collinson, Director of Children and Adults  
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#### **Summary**

This report provides the details of the evaluation of tenders received to complete the works at Woodlands Primary School to improve the nursery provision, the children's centre family spaces, reception and SEN provision.

#### **1. BUDGET AND POLICY FRAMEWORK**

- 1.1 This report seeks approval within the Council's policy framework as set out in the Children and Young People's Plan for the completion of the works at Woodlands School to support young people in reaching their potential.
- 1.2 £184,288 is currently available from the 2009/2010 budget which has been rolled forward. In addition, Cabinet (30 November 2010) has recommended to Council to include provision in the Capital Programme (13 January 2011) to allocate £350,000 developer contributions from the Grange Farm development to the completion of these works.

#### **2. RELATED DECISIONS**

- 2.1 On 28 September 2010, Cabinet (decision 141/2010) approved the procurement of final works to bring the accommodation at the school to the required standard for delivery of the curriculum.

#### **3. BACKGROUND/INTRODUCTION**

- 3.1 On 22 April 2008, Cabinet (decision 106/2008) agreed the arrangements for admission in 2009 for community and voluntary controlled primary schools.

The arrangements included a change in admission arrangements for Woodlands Primary School with an expansion from a planned admission number of 45 pupils per year group to 60 pupils per year group.

- 3.2 The expansion was based on the presumption that local authorities should allow popular and successful schools to expand, reflected in the Medway School Organisation Principles. Woodlands Primary School's previous Ofsted inspection, published in July 2006, prior to the agreement to expand the size of the school, graded the school as an outstanding school and the school was consistently oversubscribed.
- 3.3 An initial sum of £750,000 was included in the capital programme for 2008/2009, to be funded from developer contributions, and additional funding of £525,000, using borrowing approvals, was subsequently approved by Council on 26 February 2009 taking the total scheme budget to £1,275,000.
- 3.4 In September 2009, Woodlands Primary School approached Medway Council for further additional funding to complete the building project. At this stage, officers instructed the school to halt any further building works until further investigations and a full options appraisal had been undertaken.
- 3.5 Since work at the school has been halted, interim measures have been put in place by the school, but these are not sustainable in the long term. The interim arrangements involve the school using community space that had been developed using lottery funding for sports and the arts as classroom space.
- 3.6 Technical advisors have reviewed the works undertaken and provided options for the completion of the scheme and Cabinet approved one of these options at its meeting on 28 September 2010.

#### **4 SUMMARY OF THE BUSINESS CASE**

- 4.1 The option approved by Cabinet will allow the school to deliver the curriculum effectively, in appropriate accommodation, but with some compromises when compared to more expensive options. The main compromises are as follows:

<b>Compromise</b>	<b>Mitigation</b>
No new hall or kitchen facilities have been provided.	Whilst this means that these spaces are smaller than recommended under BB99, the impact will be mitigated through management action, such as staggering lunchbreaks. In addition the community hall, which forms part of the community provision, could be shared with the main school.
No significant re-organisation of classroom, toilets, reception area and circulation	Whilst these works were sensible in terms of the organisation of the school, these works are not considered essential. Where spaces can continue to be used for their current purpose, this scheme has avoided unnecessary redevelopment work.

space.	
Some external circulation routes remain	Whilst it would be sensible to create internal circulation spaces throughout the school, these works are not considered essential.

- 4.2 Whilst the accommodation may not fully meet BB99 guidelines in every detail, particularly in terms of kitchen and dining accommodation, the majority of spaces do meet the requirements, and the overall accommodation is only slightly below the area recommended for a primary school of this size, by 33m<sup>2</sup>.
- 4.3 This scheme has been developed as part of a wider masterplan for the school, where urgent works have been identified as part of a first phase, represented by this option. Further works have been identified, as non-urgent, and could be delivered as part of a future phase of works, subject to additional funding being identified by the school.
- 4.4 There have been no changes to the proposed option since it was approved by Cabinet.

## 5. STRATEGIC CONTEXT

- 5.1 This procurement is part of a wider project to ensure that the educational and broader childcare needs of the geographical catchment area are met.

## 6. WHOLE LIFE COSTING/BUDGETS

- 6.1 The capital programme includes the following funding to cover fees and construction costs:
- £184,288 remaining budget from 2009/2010 budget rolled forward to enable area 1 of the phase 1 works (see attached plan) to commence on 10 January 2011
  - £350,000 developer contributions from Grange Farm to fund areas 2, 3 and 4 (see attached plan) of the phase 1 works (subject to Council approval on 13 January 2011).

## 7. RISK MANAGEMENT

- 7.1 There is a risk to the future viability of Woodlands Primary School if the works are not implemented. Without the completion of the building project, accommodation within the school will be insufficient to allow the school to deliver the curriculum and meet the needs of all building users. The Council has both a moral and statutory duty to promote high standards and to ensure the viability of our schools.
- 7.2 A risk register has been established for the project and all high-risk items have been costed and covered in the contingency costs for the works. These risks include items such as suitability issues with utility connections and unforeseen drainage or cabling works. The full register is included in the exempt appendix as it contains some commercially sensitive information.

## **8. MARKET TESTING (LESSONS LEARNT/BENCH MARKING)**

- 8.1 The contract has been procured using the KCC Contractors Framework, which provides a pre-qualified list of approved contractors whilst also including a range of local companies who are able to tender for the works.

## **9. STAKEHOLDER CONSULTATION**

- 9.1 All relevant stakeholders have been consulted on the proposals to complete the building works at Woodlands School. This includes the Head teacher, senior staff and the governing body.

## **10. EQUALITIES ISSUES**

- 10.1 The building works will make some improvements to access for physically disabled visitors and building users. The works will not cause any issues from any other equalities perspectives. The completion of the building project will provide enhanced facilities for all children including looked after children

## **11. ENVIRONMENTAL ISSUES**

- 11.1 The specification for the works included requirements that the contractor obtains materials from sustainable sources and also to aim for BREEAM “very good” rating for the completed scheme. This is in line with the rating that would sensibly be achievable for a refurbishment project.

## **12. PERMISSIONS / CONSENTS**

- 12.1 A planning application is not required and the design team has made a submission for building control approval via STG Building Control Partnership.

## **13. INVITATION TO TENDER**

### **13.1 Summary of Tender Process**

- 13.1.1 Tenders were invited from six Contractors selected by the school organisation team using the KCC Framework Select list of Contractors on the basis of JCT Design and Build Contract (DB), 2005 Edition, Revision 2 2009. The start date was given as 10 January 2011 with completion of Section 1 as 18 February 2011 and Section 2 would start on February 25th 2011 and complete by 8 April 2011. Tenders were despatched on the 7 October 2011 and a return date of the 18 November 2011 was given. Five contractors attended for a site visit during the tender period. Tenders were received at Medway Council offices and opened in the presence of the appropriate officials and in accordance with Medway protocols. Five contractors returned tenders with one contractor writing to the Council to decline the invitation during the tender period.

## **13.2 Tender Evaluation**

13.2.1 The tender analysis is included in detail in the exempt appendix as the text contains commercial information. The evaluation was based on price, following a check to ensure that contractors had allowed for everything in the invitation to tender.

13.2.2 Prices received were as follows:

Tender 1	£328,922.20
Tender 2	£293,938.00
Tender 3	no tender submitted
Tender 4	£361,615.00
Tender 5	£328,712.79
Tender 6	£375,501.00

## **13.3 Preferred Bid**

13.3.1 Tender 2 is the preferred bid. This contractor has submitted full details of their insurance and guarantees and bonds, as well as satisfactory references. The tender is within the project budget and includes all items described in the tender documents. Contract management will be carried out by MACE, who are the architects, alongside the school organisation team.

## **14. PREPARATION OF THE NEXT STAGE OF PROCUREMENT**

### **14.1 Resources & Project Management**

14.1.1 The project is being managed by the school organisation service, supported by MACE, who acted as technical advisors during the options appraisal stage. The budget includes the following elements for fees:

- Professional fees - £ 50,700
- Surveys - £ 19,000

This represents 13% of the overall budget with design fees making up 9.5% of the budget. Full measured surveys were commissioned to support the design process along with a utilities survey.

### **14.2 Contract Management**

14.2.1 MACE, who will act as contract supervisor, will manage the contract. This is included in the fee costs shown above. Progress meetings will be held at regular intervals and cost reports prepared alongside each progress report to support the capital monitoring process.

## **15. COMMENTS OF THE PORTFOLIO HOLDER FOR CHILDREN'S SERVICES**

15.1 This report provides the details of the evaluation of tenders received to complete the works at Woodlands Primary School to improve the nursery provision, the children's centre family spaces, reception and SEN provision.

The tender was undertaken following approval by Cabinet on 28 September 2010 to procure a contractor to complete a scheme that had been started by the school under its own management. The completion of this contract will allow the school to deliver the curriculum effectively, in appropriate accommodation.

## **16. PROCUREMENT BOARD**

- 16.1 The Procurement Board considered this report on 1 December 2010 and recommended it to Cabinet for approval.

## **17. FINANCIAL, LEGAL AND PROCUREMENT COMMENTS**

- 17.1 The procurement is within the budget provision allocated for the works and the tender process has ensured that best value is achieved for the completion of this phase of the project. Approval of the addition to the Capital Programme will be considered at Council on 13 January 2011.
- 17.2 An established KCC Framework was used to appoint the contractor for the works. The framework was used in accordance with the terms and conditions set out ensuring that all EU and contract regulations were adhered to. Evaluations were undertaken in line with those set out and agreed, which has resulted in best value being achieved for the council.
- 17.3 The contract value is below the EU procurement threshold for works and therefore the procurement will primarily have been subject to the Council's Contract Rules. The contractors invited to tender were selected from KCC's select list of approved contractors. The contractors on this list would have been selected after advertisements in the appropriate trade journals and following a process of evaluation that would have considered the financial stability and technical competence of contractors applying to be included in the list. The Council's competitive process, with the award being on the basis of lowest price tender, should result in the award of a contract delivering value for money to the Council.

## **18. RECOMMENDATION**

- 18.1 Cabinet is recommended to approve the appointment of Contractor B to complete phase 1 of the building works at Woodlands School for a contract sum of £293,938.00 starting with the area 1 works and that areas 2, 3 and 4 be subject to Full Council approval of the addition to the Capital Programme as detailed in paragraph 1.2 of the report.

## **19. SUGGESTED REASONS FOR DECISION(S)**

- 19.1 The approval of the award of contract to Contractor B will enable the building works to be completed at Woodlands School, providing a more suitable environment for teaching and learning.

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### **BACKGROUND PAPERS:**

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

<b>Description of document</b>	<b>Location</b>	<b>Date</b>
Cabinet report on completion of building works at Woodlands Primary School	W:drive in school organisation and Cabinet agenda past items	28/09/2010



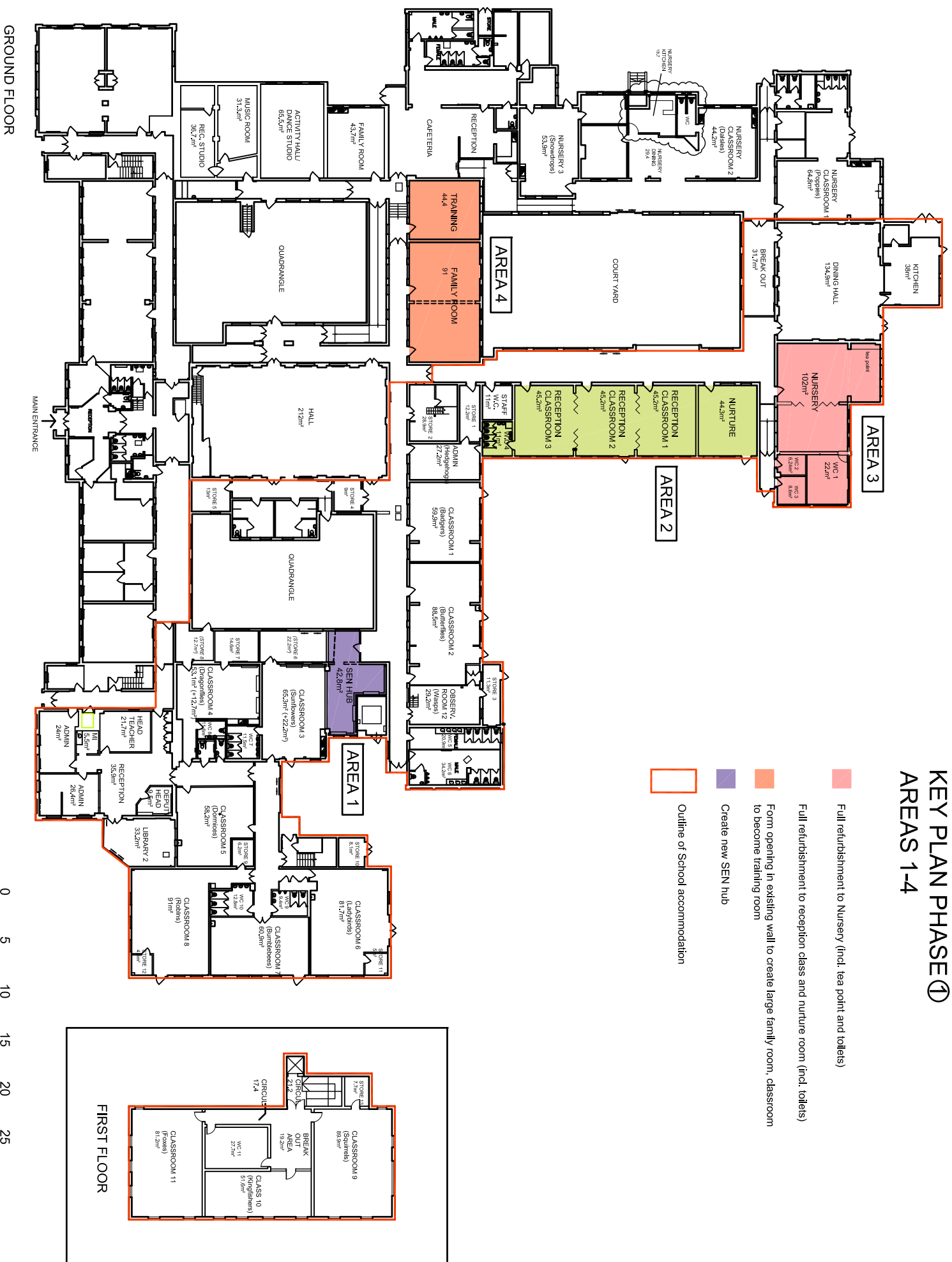


TENDER



## KEY PLAN PHASE ① AREAS 1-4

- Full refurbishment to Nursery (incl. tea point and toilets)
- Full refurbishment to reception class and nurture room (incl. toilets)
- Form opening in existing wall to create large family room, classroom to become training room
- Create new SEN hub
- Outline of School accommodation



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PROJECT GILLINGHAM WOODLANDS PRIMARY SCHOOL INTERNAL ALTERATIONS	DATE 10.12.10
DRAWING TITLE KEY PLAN PHASES 1 AREAS 1-4	SCALE 1:300 @ A3
DRAWN BY SA	CHECKED BY SA
PROJECT NO. 26117	DRAWING NO. A   102   D
DATE 10.12.10	REV. D