

North Somerset Council Decision



Decision Of: Director of Children's Services With Advice From: Section 151 Officer and Head of Strategic Procurement

Directorate: Children's Services

Decision No: CY007 (2023/24 scheme)

Subject: Contract Award for the construction services for delivery of SEND interventions at five academy schools across North Somerset

Key Decision: Yes

Reason: The value is greater than £500,000 and the works will affect more than one community/ward.

Background:

New provisions are being delivered at five schools across North Somerset as part of the Council's agreed Safety Valve Programme to support a reduction in revenue payments to providers outside of the district by increasing SEND places locally.

At four schools (Crockerne CE Primary; Broadoak Academy; Hans Price Academy and Milton Park Primary) the work involves the remodelling of existing classrooms with adjacent external space and at a fifth (Churchill CE Primary) an extension will be built.

An open tender exercise has been completed to identify a single contractor to deliver the projects.

Decision:

To approve the contract for the delivery of SEND interventions at five schools be awarded to John Perkins Construction Ltd of Unit 22, Dragon Court, Crofts End Road, St George, Bristol, BS5 7XX (company registration number 2758627) to undertake the work at the above schools over the summer of 2023 with a contract value of £512,617.

Reasons:

Introduction

The council commissioned Faithful & Gould (F&G) to provide procurement support prior to the procurement commencing. F&G contacted several suitable contractors in the area to stimulate interest. Market conditions are challenging, and the council received only two bids, despite this early market engagement activity.

Of the two bids, one was not compliant as they did not provide the quality question responses.

John Perkins Construction Ltd (JPC) provided the only compliant bid and it was independently assessed by four experienced evaluators as well as being the subject of a Tender Report by F&G.

All four assessors concurred that the bid was a quality submission and supported the appointment of JPC. The F&G report also recommended JPC's appointment. Both NSC and F&G have worked with JPC on similar projects with positive outcomes.

In addition, the cost is below the pre-tender estimate.

Commissioning Plan

The Commissioning Plan CY102 and the Procurement Plan CY121 were approved by the Executive Member for Children's Services, in March 2023 (see Background Papers).

Evaluation

An independent evaluation of the tender was carried out by:

- Head of Strategic Place Planning, Capital Programmes and School Organisation / Admissions Service (NSC)
- Estates Manager (Extend Learning Trust)
- Regional Director (F&G)
- Technical Lead (NSC)

The tender was assessed on the following quality criteria:

1. Project delivery approach and management
2. Project Lead and CV's
3. Programme of key milestones
4. Risks and mitigations
5. Environmental impact and mitigations

All four of the assessors independently scored the tender with a 4 or 5 (5 being top marks) in each category.

Contract Management

Within NSC the project will be managed by a Technical Lead from the Property & Place team he will be supported on project, contract and cost management by F&G who have been appointed to act as Employer's Agents.

The work will be delivered using the JCT Intermediate Building Contract with Contractors Design 2016 which will be completed prior to signing by F&G on behalf of the council. F&G will also support the NSC Technical Lead with the management of the contract. The F&G commission also covers the provision of QS services and the valuation of work prior to payments and the management of change and budget.

A project supervisor has been appointed to oversee the quality of work at each site.

Options Considered:

It is essential that the work is undertaken this summer, so no other option was considered.

Financial Implications:

Costs:

The total cost of this appointment is up to £637,617.

The tender submission value was £512,617 however JPC have expressed that they do not believe some elements of the design are as defined as they might be which present the opportunity for variation. F&G have reviewed these concerns and have suggested NSC hold £125,000 (£25,000 / school) in contingency.

Funding:

The funding comes from the High Needs Provision Capital Allocation 2022/23, and the project code is KCE267.

	Budget £	Contract Award £
Churchill Primary	202,500	142,217
Hans Price Academy	130,000	72,582
Broad oak Academy	155,000	66,748
Crockerne Primary	125,000	61,346
Milton Park Primary	210,000	91,397
Locking Primary	132,250	-
Prelims / OHP & Inflation		56,927
Provisional		21,400
	954,750	512,617

Legal Powers and Implications:

The work will be delivered using the JCT Intermediate Building Contract with Contractors Design 2016 which will be administered on the behalf of NSC by F&G.

As per contract standing orders Contract awards between £500,000 and £999,999 can be approved by Director advised by the s.151 officer and Head of Strategic Procurement.

Climate Change and Environmental Implications:

Where the interventions that are to be made are the refurbishment of existing areas of the schools this will result in the installation of more energy efficient lighting, heating, ventilation, doors and windows.

Consultation:

This work forms part of the High Needs Provision Capital Allocations (HNPCA) work funding by a Department for Education grant. NSC undertook extensive consultation on how this grant should be spent. The consultation document was made available on North Somerset's e,consult website and sent to the following groups: All schools and governing bodies across North Somerset, MATCEOs and Trust Boards; trade unions; the local MPs; Town and Parish Councils; the Diocese of Bath & Wells; Diocese of Clifton; Weston College, Early

Years Stakeholders; SEND Stakeholder groups, neighbouring LAs Targeted updates were also sent to the SEND Partnership Board, the Education Excellence Partnership Board, the Strategic Schools' Forum and it was also highlighted in Noticeboard (our local schools' newsletter) and our SEND partnership colleagues. The above schemes have been developed as a result of the consultations held.

Early market engagement was carried out by F&G to encourage the market to bid for the work.

Risk Management:

Risk	Mitigation
Programme Delay to the completion date impacting on the school.	<ul style="list-style-type: none"> • Creation of a realistic initial programme with buy-in from all stakeholders • Regular, clear, concise communication between all parties • Early identification of issues
Cost control – costs exceeding budget or tendered price.	<ul style="list-style-type: none"> • Creation of a realistic initial cost schedule which is agreed between NSC and JPC • Robust interrogation of all proposed changes and subsequent cost by qualified QS. F&G have been appointed as Employer's agent to manage the works.

Equality Implications:

Have you undertaken an Equality Impact Assessment? Yes. A comprehensive EIA was undertaken in the application for funding from DfE.

Corporate Implications:

The SEND interventions are high-profile and partially funded by the DfE. Failing to deliver them or doing so late or to insufficient quality would have negative implications for NSC. As such it is deemed imperative that an appropriately qualified contractor is procured to deliver the work.

Appendices:

None

Background Papers:

Commissioning Plan CY102 (2022/23 scheme)

Procurement Plan CY121 (2022/23 scheme)

Signatories:

Decision Maker(s):

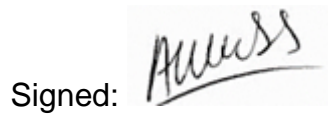


Signed:

Title: Director of Children's Services

Date: 14.06.23

With Advice From:



Signed:

Title: S151 Officer

Date: 14.06.23

Signed: Geoff Chamberlain

Title: Head of Strategic Procurement

Date: 14.06.23