



**Havering**  
LONDON BOROUGH

IS/127+  
EXEMPT  
Appendix  
DECISION TO  
~~REMAKE~~  
NOW MADE

## NOTICE OF KEY EXECUTIVE DECISION

<b>Subject Heading:</b>	Retrospective authorisation to award a contract for the remodelling and extension of Towers Junior School
<b>Cabinet Member:</b>	<b>Councillor Meg Davis; Children and Learning</b>
<b>CMT Lead:</b>	Andrew Blake Herbert. Assistant Chief Executive- Communities and Resources.
<b>Report Author and contact details:</b>	Andy Skeggs Head of Technical Services <a href="mailto:Andy.skeggs@havering.gov.uk">Andy.skeggs@havering.gov.uk</a> 01708 433600
<b>Policy context:</b>	Primary Schools Expansion Programme.
<b>Financial summary:</b>	The Council's 2013-14 Basic Need Programme agreed by Cabinet in February 2013 included a provision of £1,790,000 to remodel and extend Towers Infants and Towers Junior Schools to expand from a 2FE to a 3FE. A further £199k to be vired from the unallocated balance for primary expansions within the 13/14 capital programme.
<b>Reason Decision is Key</b>	Expenditure of £500,000 or more
<b>Date notice given of intended decision:</b>	December 2013
<b>Relevant OSC</b>	Children & Learning
<b>Is it an urgent decision?</b>	No
<b>Is this decision exempt from being called in?</b>	No

### The subject matter of this report deals with the following Council Objectives

- Havering will be clean and its environment will be cared for
- People will be safe, in their homes and in the community
- Residents will be proud to live in Havering

## Part A

### DETAIL OF THE DECISION AND RECOMMENDED ACTION

To agree the retrospective award of contract to Cumberland Construction Ltd in the sum of £989,927.77 for the remodelling/ refurbishment. To agree total expenditure in the sum of £1,248,777 from within the approved allocation in the Council's agreed Capital Programme to cover works, contingency, costs, fees, it and FF&E.

### AUTHORITY UNDER WHICH DECISION IS MADE

Authority for Members of CMT within part 3 of the Constitution:

#### Contract powers

(b) To award all contracts with a total contract value between £156,000 and £5,000,000.

### STATEMENT OF THE REASONS FOR THE DECISION

The Council's 2013-14 Primary School Expansion Programme agreed an allocation of £1,790,000 for the expansion of Towers Infant and Junior Schools. The Infant expansion has been completed and estimated cost is in the order of £740,000 leaving £1,050,000. Tender documentation was issued on the basis of a JCT Design and Build Contract to four contractors using the ConstructionLine database. The received tenders were evaluated on a price/ quality basis and the results are set out below

			Contractor A		Contractor B		Contractor C		Contractor D	
	Weighting	Max	Base	Weighted	Base	Weighted	Base	Weighted	Base	Weighted
Method statements	4	12	2	8	3	12	3	12	2	8
Contractors Proposals	5	15	3	15	1	5	3	15	3	15
CITDS exemption certificate.	1	3	3	3	3	3	3	3	3	3
Current insurances	1	3	3	3	3	3	3	3	3	3
Performance bond	1	3	3	3	3	3	3	3	3	3
Programme	3	9	3	9	3	3	1	1	2	3
Waste/ recycling	2	6	3	6	3	3	3	6	0	2
Joint Fire code	1	3	0	0	3	3	3	3	0	0
Outline H&S plan	2	6	0	0	3	6	3	6	0	0
Alternative material specs									0	0
Additional info									0	0
Unqualified acceptance of contract adjustments	5	15	3	15	10	10	1	5	10	10
ER spec compliance	5	15	3	15	10	10	1	5	10	10
Response to H&S questions	3	9	2	6	6		1	3	3	3
<b>TOTAL</b>				<b>83</b>		<b>76</b>		<b>67</b>		<b>60</b>
<b>%</b>				<b>83.84</b>		<b>76.77</b>		<b>67.68</b>		<b>60.61</b>
<b>Score (70%)</b>				<b>58.59</b>		<b>53.74</b>		<b>47.36</b>		<b>47.42</b>
<b>Tender</b>			<b>£989,927.77</b>		<b>£1,091,453.20</b>		<b>£885,507.09</b>		<b>£985,456.00</b>	
Score based on lowest price (30%)				<b>26.84</b>		<b>24.34</b>		<b>30</b>		<b>26.96</b>
<b>TOTAL</b>				<b>85.52</b>		<b>78.08</b>		<b>77.37</b>		<b>69.38</b>

It is therefore proposed to award the contract to Contractor A; Cumberland Construction Ltd. In the sum of £989,927.77.

**OTHER OPTIONS CONSIDERED AND REJECTED**

Various options for the design were considered and the proposal best fits the tight site constraints and operational requirements.

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Andy Skeggs

Designation: Head of Technical Services

Signature:

Date: 20/10/2015

## Part B

### LEGAL IMPLICATIONS AND RISKS

The procurement appears to have been conducted in accordance with the Council's procurement rules and therefore there is minimal risk of a legal challenge to the award of tender to the cheapest contractor.

Stephen Doye, Legal Manager – Community Service

### FINANCIAL IMPLICATIONS AND RISKS

The proposal is costed as follows:

<b>Costs:</b>	£
Works	989,928
Fees – tech/project mgt/surveys	188,849
IT and FF&E.	30,000
Provisonal sum for highways works	40,000
<b>Total</b>	<b>1,248,777</b>
<b>Funded by:</b>	
<b>Allocation within Primary School Expansion</b>	<b>1,050,000</b>
<b>Unallocated balance within phase 1 of the primary expansion capital programme</b>	<b>198,777*</b>
<b>Total Funding</b>	<b>1,248,777</b>

\* Within the 13/14 Capital Programme there was an unallocated balance of £2,728,500 for primary expansions of which £585,000 set aside to fund additional costs within the current phase 1 programme, leaving £2,143,500 for phase 2 of the expansion programme.

Following the virement of £198,777 to Towers there will be an unallocated balance of £386,223 for the phase 1 programme.

Sam Gable, Finance Business Partner

### HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no Human resource issues.

Geraldine Minchin, Human Resources Business Partner

### EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The tender processes will be conducted in accordance with the Council's Procurement Framework. The selected contractors will be required to comply with relevant accessibility and Health and Safety regulations and standards.

Andreyana Ivanova, Diversity Advisor

### BACKGROUND PAPERS

Cabinet Report September 2012 authorising issue of tenders.

Cabinet Report February 2013 confirming financial allocations.

**Part C- Record of decision**

I confirm that I have made this executive decision, in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed 

Name: Andrew Blake Herbert

Designation: Assistant Chief Executive- Communities and Resources

Date 3 November 2015

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration Manager in the Town Hall

**For use by Committee Administration**

This notice was lodged with me on 4 November 2015

Signed 