

Notice of Non-key Executive Decision

Subject Heading:	Authority to Commence a Tendering Process for the Replacement of a dilapidated (classroom) block building at Parkland Junior school
Cabinet Member:	Councillor Robert Benham – Cabinet Member for Education, Childrens and Families and Deputy Leader of the Council
SLT Lead:	Robert South - Director of Children's Services
Report Author and contact details:	Gary Moreland – Schools Asset Manager Telephone: 01708 431718 Email: Gary.moreland@havering.gov.uk
Policy context:	Supports educational outcomes within the broader opportunities context of the Havering Vision
Financial summary:	Havering LA are responsible for maintaining community school buildings therefore an approved budget of £1,561,740 has been set aside from the LA School Condition Allocations (SCA) and is included within the approved capital programme for use at Parklands School. It is anticipated that the works being tendered will be contained within the allocated budget.
Relevant OSC:	Children & Learning Overview and Scrutiny Committee
Is this decision exempt from being called-in?	This is a non-key decision

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

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the commencement of a tendering process for a works relating to the replacement of a dilapidated wooden classroom block building at Parklands Junior school contract, at an estimated contract sum of £1,200,000 .

AUTHORITY UNDER WHICH DECISION IS MADE

Constitution rule 3.4(a) Powers of Second Tier Managers
Contract powers to approve the commencement of a tendering process.

STATEMENT OF THE REASONS FOR THE DECISION

Havering LA are responsible for maintaining school buildings therefore an approved budget of £1,561,740 has been set aside from the LA School Condition Allocations (SCA) 2020/21 and 2021/22

Budget Code C31190 £1,261,740 2020/21

Budget Code C38340 £ 300,000 2021/22

It is estimated the funding set aside is more than sufficient to undertake this piece of work including professional fees, surveys and any contingency; and that any underspend would be returned to the general condition spend allocation for other priority works in community schools.

The existing 4 x classroom block building is a wooden block constructed post war which has been repaired on a number of occasions, the electrical and mechanical services are failing and the structure is rotted and fails to contain heat. This has been surveyed and it has been established that it is now beyond serviceable repair and is in urgent need of replacement.

It is proposed that these works will be tendered via the Fusion procurement system through Constructionline with the support of the procurement business lead. This approach has been agreed with Corporate Procurement. It is proposed to tender these works using a JCT Design and Build Contract 2016 (DB).

It is proposed that these works will be completed by Summer 2022.

OTHER OPTIONS CONSIDERED AND REJECTED

Doing nothing would lead to the Council failing in its statutory obligations to provide a safe working and learning environment for its pupils and staff. These classrooms are in current use as part of the curriculum and so must be replaced to support the pupil

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numbers on roll. These classrooms will be in use until the new build is complete.

Temporary repairs were made last year following complaints from parents and staff. Further repair is not a viable option.

E-Auctions have been considered and rejected as a procurement option

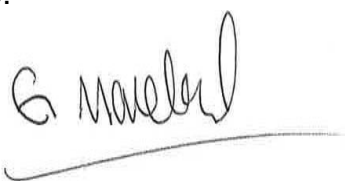
NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Gary Moreland

Designation: Schools Asset Management Technical Services

Signature:

Date:



14/05/21

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The Council has power to procure the contract under the general power of competence contained in section 1 of the Localism Act 2011 which allows the Council to do anything that an individual may do subject to any statutory constraints on the Council's powers. None of the constraints on the Council's s.1 power are engaged by this decision.
2. The Council has a duty under Sections 13, 13A and 14 of the Education Act 1996 to ensure that efficient primary, secondary and further education is available to meet the needs of its population. It has power to procure and enter into the contracts under s111 Local Government Act 1972 as the contracts will facilitate the Council to discharge this duty.
3. The Council is a contracting authority for the purposes of the Public Contracts Regulations 2015 (PCR 2015). The value of the contract is below the PCR 2015 threshold for Works of £4,733,252. Procurement of the contract is not therefore caught by the full regime of the PCR 2015 but must comply with the requirements of the Council's Contract Standing Orders (CSO). Procurement of the contract via constructionline is in accordance with CSO13.
4. For the reasons set out above, the Council may tender for the contract as set out in this report.

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FINANCIAL IMPLICATIONS AND RISKS

Estimated Costs and Funding is set out below:

Contract Sum	£1,200,000
Professional Fees	90,000
Contingency	100,000
Total Costs	1,390,000

Total Funding (including £100,000 project contingency)	1,390,000
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Havering LA are responsible for maintaining school buildings therefore an approved budget of £1,561,740 has been set aside from the LA School Condition Allocations (SCA) 2020/21 and 2021/22 and is included within the approved capital programme for use at the school.

Budget Code 2020/21 C31190 £1,261,740 2020/21
Budget Code 2021/22 C38340 £ 300,000 2021/22

It is estimated the funding set aside is more than sufficient to undertake this piece of work including professional fees, surveys and any contingency; and that any underspend would be returned to the general condition spend allocation for other priority works in community schools.

The financial implications will be reassessed prior to the award of any contract

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

There are no Human Resources implications associated with this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

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BACKGROUND PAPERS

None

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Part C – Record of decision

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: Mark Butler

Director of Asset Management - OneSource

Date: 28th May 2021

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____