

<b>Award of Contract for construction works at Barnack Church of England (voluntary Controlled) Primary school</b>
<b>Cabinet Member for Education, Skills and University</b>
<b>May 2021</b>
<b>Deadline date: May 2021</b>

Cabinet portfolio holders:	Cllr Ayres, Cabinet Member for Education, Skills and University and Cllr Coles, Cabinet Member for Finance
Responsible Director:	Wendi Ogle Welbourne – Corporate Director People & Communities, Cambridgeshire County and Peterborough City Councils
Is this a Key Decision?	YES If yes has it been included on the Forward Plan : Yes Unique Key decision Reference from Forward Plan : KEY/26APR2021/06
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	YES Project Number:

R E C O M M E N D A T I O N S
<p>The Cabinet Member, is requested to:</p> <ol style="list-style-type: none"> <li>1. Authorise the award of the contract to Borrás Construction Limited for the sum of £716,595.23 relating to the construction works at Barnack Church of England (Voluntary Controlled) primary school following a mini competition against an existing CCC Minor Works Framework Lot 3.</li> <li>2. Authorise the Head of Legal Services or delegated officers to enter into any legal documentation on behalf of the Council in relation to this matter, including the JCT Intermediate building contract.</li> </ol>

**1. PURPOSE OF THIS REPORT**

- 1.1 The purpose of this report is to provide background information and seek the Cabinet Member’s approval in relation to the recommendations.
- 1.2 This decision is proposed in accordance with the delegations for the Cabinet Member for Education, Skills and University exercising delegated authority under paragraph 3.4.8 (a) of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (h).

**2. TIMESCALE**

2.1

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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**3. BACKGROUND AND KEY ISSUES**

- 3.1 Barnack School is a mainstream primary school for mixed genders aged 5-11. The school is located in Barnack, Peterborough and currently accommodates 210 children. This report seeks the Cabinet Member’s approval to the recommendations to undertake internal modifications, a small extension, external works to the grounds and condition works to roofs and heating pipes. The proposal includes:
  - A small extension to provide a new main entrance and reception area.
  - Condition improvement works to the flat roof and internal heating pipes.
  - New safeguarding fencing to the school field and surrounding land.
  - Installation of a new MUGA, which will also be for use by the local community outside of core school hours (to be funded by the Parish Council).
  - Internal remodelling and refurbishment of children’s toilet areas.
- 3.2 The Council has Community Infrastructure Levy (CIL) funding available to support improvements to the school building. CIL or developer s106 funding is sought for the provision of additional places and at the conclusion of the project the school will be able to admit additional children into the school at the request of the LA if they are needed. The school also requires condition works to resolve existing defects in the school’s building fabric. The project is therefore a combined project to both provide a new, improved accessible entrance for the school in a more logical place with easier access for all visitors and undertaking greatly needed condition works. The scheme will also make use of the Parish Councils CIL/grant funding which they are keen to contribute to the improvement and re-location of the MUGA facility that will benefit both the school and the wider Barnack community.
- 3.3 The provision of the additional places (up to 30 places) that may be required had been considered at John Clare Primary School in Helpston. This expansion would have cost an estimated £3.5m with the developer of the neighbouring housing site providing additional land only. The more modest scheme at Barnack removes the need for additional places at Helpston for the period for which the Council has school forecasts (5 years). Currently, there is crossover between the two school catchments in terms of where children attend school.
- 3.4 Approval is requested for the above-mentioned construction works to be undertaken and a contract be set in place with the recommended contractor. Funding for the scheme is through the following budgets:
  - Peterborough Education Team, Specific Condition Allocation (SCA) budget. This is a yearly budget provided to the authority to undertake and manage condition works across the maintained school estate (Barnack fits in to this category). This is a grant and not borrowing.
  - Barnack school Devolved Formula Capital (DFC) budget. This is a grant provided to schools from the Department of Education to use for small schemes and capital works.
  - CIL funding linked to local developments and developer contributions. This funding has been identified for use at Barnack School.

The Parish council are keen to contribute towards the cost of the Multi-Use Games Area (MUGA) using their own CIL budget/Grant funding. A funding agreement may be required for this portion of the scheme. The cost of the MUGA is £102,819.12.

- 3.5 The Council has recently undertaken a tendering exercise, utilising Cambridgeshire County Councils Minor Works contractor framework. Working with Peterborough procurement and legal teams, tenders were sent out to Lot 3 contractors (lot 3 covers expected construction projects between £500,000 - £1m) on 23<sup>rd</sup> March and have been received back on 26<sup>th</sup> April.

The Contract Notice for this framework explicitly allowed the framework to be used by any City, District, Borough, or other Local Authority within the County of Cambridgeshire, which does include Peterborough City Council.

The contract award was based solely on 100% price whereby the successful supplier submitted the lowest total priced bid below the initial budget (£776,000).

**Two tender bids were received, and the successful contractor achieved a score of 100.00 against the other tenderer scoring 87.60.**

#### **4. DETAILS OF DECISION REQUIRED**

- 4.1
- A small extension to provide a new main entrance and reception area.
  - Condition improvement works to the flat roof and internal heating pipes.
  - New safeguarding fencing to the school field and surrounding land.
  - Installation of a new MUGA, which will also be for use by the local community outside of core school hours.
  - Internal remodelling and refurbishment of children's toilet areas.
- 4.2 A budget of £776,000 has been set for the project. Approval to the funding package was agreed at the officer Capital Review Group on 2<sup>nd</sup> March 2021.
- 4.3 The works are proposed to happen on site from /early Jun 2021 and continue for 21 weeks. Completion would be around November 2021.
- 4.4 The scheme required planning permission, and the application for these works was granted permission on 27<sup>th</sup> November 2020, Ref: 20/00992/FUL.

#### **5. CONSULTATION**

- 5.1 The Headteacher and representatives of the school have been involved in the development of the specification and design for the new school site.
- 5.2 The school and governing body have been fully involved in the design process.
- 5.3 As a statutory consultee Sport England were informed at an early stage of the proposal and formally consulted through the planning application for the new school building.
- 5.4 Key stakeholder departments within the Council have either previously been or are fully involved in the proposals. These include the Planning Department, Strategic Finance, Property and Legal Services.

#### **6. ANTICIPATED OUTCOMES**

- 6.1 The successful contractor will undertake construction works at the school under a JCT intermediate contract.

#### **7. ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 **The following options were considered and rejected:**  
**To do nothing.** This option was considered and rejected due to the need to undertake condition works and site, and taking the opportunity to roll in additional works which would be to the benefit of the school, the wider community and the potential to save £3.5m extending John Clare.
- 7.2 **To tender via the Peterborough Construction Framework** – this option has been considered and rejected due to the fact that Peterborough do not have an existing contractor framework which covers this value of construction works.

## 8. IMPLICATIONS

### 8.1 Financial implications

The financial implications of this Cabinet Member Decision Notice are set out in the main body of the report and also in the report to the capital review group on 2nd March. A finance business case will be submitted for final approval to the Executive Director People and Communities.

### 8.2 Legal Implications

The Cambridgeshire County Council Minor Works framework permits the Council to use the Framework to procure the works.

The Council will enter into any agreement pursuant to its powers contained in section 2 of the Local Government Act 2000, section 14 of the Education Act 1996, section 22 of the Schools Standards and Framework Act 1998 and section 111 of the Local Government Act 1972 in order to enable investment in certain educational services and facilities.

### 8.3 Equalities Implications

The design of the new building, internal remodelling and MUGA must be compliant with all relevant legislation and building regulations to ensure accessibility and use for all. Further consideration has been given to the needs of the children, staff and other users attending this school and ensuring the design is fit for purpose.

### 8.4 Carbon Impact Assessment

The specification for the works (which are generally maintenance/condition works) includes for replacement lights to be LED, and the extension will meet all relevant building regulations, including around energy use and efficiency.

### 8.5 DECLARATION / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

None

## 9. BACKGROUND DOCUMENTS

- 9.1 Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

None

## 10. APPENDICES

- 10.1 None.