

Report for:
ACTION

Item Number:

Contains Confidential or Exempt Information	YES (Part) Appendix B contains Exempt Information by virtue of Paragraph 3 of Schedule 12A to the Local Government Act 1972
Title	Fielding Primary School ARP Award of contract
Responsible Officer	Tamara Quinn, Assistant Director Planning, Resources & Service Development, Ext. 8444, E-mail: TQuinn@ealing.gov.uk
Author	Laurence Field, Ext. 5425, E-mail: FieldL@ealing.gov.uk
Portfolio	Councillor Nagpal, Cabinet Member for a Fairer Start
For Consideration By	Cabinet
Date to be Considered	13 th July 2021
Implementation Date if Not Called In	26 th July 2021
Affected Wards	Northfield
Keywords/Index	Fielding Primary School; Schools Capital Programme; award contract.

Purpose of Report:

To obtain authority to award a contract for the Fielding Primary School ARP building works further to the decision to invite and evaluate tenders by Cabinet dated 19th January 2021.

The award of contract for this work was previously approved by Cabinet dated 25th May 2021 but the contractor subsequently withdrew their tender.

1. Recommendations

It is recommended that Cabinet:

- i. awards a contract in the sum of £1,382,371.08 to H Carolan Construction Limited for the Fielding Primary School ARP works to be funded from the existing approved Schools SEN Expansion Programme budget as set out in the Capital Programme 2021/22 to 2025/26.

2. Reason for Decision and Options Considered

2.1 The Council has a statutory duty to secure sufficient school places and to promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. The Council must also promote choice and diversity.

2.2 Cabinet authorised the Executive Director for Children, Adults and Public Health, in consultation with the Portfolio Holder, to invite and evaluate tenders for the main works contracts, and any enabling works contracts, required for the provision of the ARP at Fielding Primary School at an estimated value of £1.500m, on 19th January 2021.

2.3 Cabinet approved the award of contract for this work previously in May 2021 but the successful tenderer subsequently withdrew their tender prior to entering into contract. It is now recommended to award the contract to H Carolan Construction Ltd's whose tender is the most economically advantageous tender to the Council.

2.4 Awarding the building contract for the Fielding Primary School ARP works will create facilities for an additional 24 pupils with an Education, Health and Care Plan and support their needs within a mainstream school environment.

2.5 The relevant background report, Determination of Statutory Proposals for Fielding Primary School ARP and Children's Services Capital Approvals, which was presented to Cabinet on the 19th January 2021, can be accessed via the following link:

<https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6520/Committee/3/Default.aspx>

3. Key Implications

3.1 Cabinet, on 19th January 2021, approved the invitation and evaluation of tenders for Fielding Primary School ARP at an estimated value of £1.500m.

3.2 Competitive tenders were sought for the Fielding Primary School ARP. Tenders were submitted on 25th March 2021. The tenders were evaluated, by the Council's Quantity Surveyors, on the basis of the most economically advantageous tender to the Council using an Evaluation Matrix approved by the Council's Commercial Hub. H Carolan Construction Limited submitted the most economically advantageous tender to the Council as set out in Appendix A. The tender evaluation report is included in Confidential Appendix B.

4. Financial

4.1 A schedule of costs for the Fielding Primary School ARP building works is contained in Appendix A. The total cost of the ARP works at Fielding Primary School is estimated at £1.706m which will be funded from the existing approved Schools SEN Expansions Programme budget as shown in Table 1 below.

Table 1: Funding Stream for Fielding Primary School ARP (Adapted from February 2021 Budget Strategy and MTFs 2021/22 to 2023/24 Cabinet Report Appendix 7 Capital Programme 2020/21 to 2025/26)

The Cabinet report is available on the Council's website at the following address:
<http://ealing.cmis.uk.com/ealing/Home.aspx>

Item Ref.	Scheme	Budget 2021/22	Budget 2022/23	Budget 2023/24	Total Budget 2020/21-2023/24
		£m	£m	£m	£m
0027	Schools SEN Expansion Programme	2.855	1.750	-	4.605

4.3 The contract will be managed by the Council's internal Projects Delivery Unit (PDU). Schools Service budgets, DSG usage and the Council's capital programme are monitored as part of the Council's budget monitoring process.

5. Legal

5.1 The contract for the Fielding Primary School ARP has been tendered and is being let in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015 (as amended) as applicable.

5.2 Section 14 of the Education Act 1996 establishes that the Council has a statutory duty to ensure that there are sufficient school places in their area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice.

5.3 The School Standards and Framework Act 1998 places a statutory duty on the Council to maintain the fabric of the premises of a maintained and community schools. Further, the Council has statutory duties to provide school places and to comply with the School Premises (England) Regulations 2012.

6. Value For Money

Competitive tenders were sought for the Fielding Primary School ARP works contract. The Council's Quantity Surveyors evaluated the tenders using the evaluation matrix approved by the Council's Commercial Hub to determine the most economically advantageous tenders to the Council. The proposals as submitted by H Carolan Construction Limited have been fully examined by the Council's Quantity Surveyors and are considered to represent value for money.

7. Sustainability Impact Appraisal

The proposals will include an assessment of the impact on sustainability as outlined within the Council's procurement policies.

8. Risk Management

There are established processes for managing Capital projects and risks are identified as part of the project management process. A Risk Register will be prepared for the project, and this will be updated and managed until completion of the project.

9. Community Safety

None

10. Links to the 3 Priorities for the Borough

The project is linked to 'Opportunities and living incomes' and 'A healthy and great place' priorities.

11. Equalities, Human Rights and Community Cohesion

An Equalities Analysis Assessment has been carried out for the project described in this report and is set out in Appendix C.

12. Staffing/Workforce and Accommodation implications:

N/a.

13. Property and Assets

This report deals with schools' property and assets.

14. Any other implications:

None

15. Consultation

Extensive consultations were carried out with Fielding Primary School. Consultation has also taken place with the Portfolio Holder and with the wider school community, including statutory consultation.

16. Timetable for Implementation

Table 3: Fielding Primary School ARP Contract Timetable for Implementation

Approval to Award Contract	13 July 2021
Contracts Signed and Sealed	July/August 2021
Construction Work Commences on Site	August 2021
Construction Work Completes on Site	Summer term 2022
Accommodation Opens	September 2022

17. Appendices

- A. Financial Implications
- B. Tender Evaluation Report (Confidential Appendix)
- C. Equalities Analysis Assessment

18. Background Information

18.1 Reports to Cabinet in October 2020 and January 2021.

The above reports are available on the Council's website at:

http://www2.ealing.gov.uk/services/council/committees/agendas_minutes_reports/cabinet/index.html

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Cllr. Kamaljit Kaur Nagpal	Portfolio Holder, A Fairer Start	29/6/21	29/6/21	Throughout
Judith Finlay	Executive Director Children, Adults & Public Health	29/6/21	29/6/21	Throughout
Tamara Quinn	Assistant Director Planning, Resources & Service Development	29/6/21	29/6/21	Throughout
Justin Morley	Head of Legal Services (Social Care and Education)	29/6/21		
Craig McDowell	Category Lead (People)	29/6/21		
Russell Dyer	Assistant Director Finance	29/6/21		
Stephen Bell	Finance Manager – Children and School Services	29/6/21		
Chuhr Nijjar	Senior Contracts Lawyer	29/6/21		
External				
	eg voluntary organisation			

Report History

Decision type:	Urgency item?
Key decision	No
Report no.:	Report author and contact for queries:
	Laurence Field, Programme Manager; Ext. 5425