



Report of: **Executive Member for Children and Families**

Meeting of:	Date	Ward(s)
Executive	23 November 2017	St Georges

Delete as appropriate		Non-exempt
-----------------------	--	------------

APPENDIX 1 TO THIS REPORT IS EXEMPT AND NOT FOR PUBLICATION

SUBJECT: **Contract Award Report for Tufnell Park Primary School Redevelopment**

1. **Synopsis**

- 1.1 In September 2016, the Executive approved the procurement strategy for the redevelopment of Tufnell Park Primary School, and in May 2017, the Executive agreed to expand Tufnell Park Primary School. The development is a capital investment priority for the council. The existing condition and suitability of the school buildings means that these works are required to maintain educational improvement, and in order to provide sufficiency of school places.
- 1.2 This report seeks approval to award a contract for the redevelopment of Tufnell Park Primary School to Morgan Sindall Group Construction and Infrastructure Ltd (hereafter referred to as Morgan Sindall). Officers from Children's Services will work with legal and finance officers to finalise the form of contract documentation. Details are provided of the works relating to the proposed contract, programme and timescales as well as budget.

2. **Recommendations**

- 2.1 To note progress on the development of proposals for the redevelopment of Tufnell Park Primary School, programme and affordability.
- 2.2 To agree to award a contract for the redevelopment of Tufnell Park Primary School to Morgan Sindall.
- 2.3 To delegate authority to the Corporate Director of Children's Services in consultation with the Corporate Director of Resources and the Director of Law and Governance to negotiate and agree the design and build contract documentation with Morgan Sindall.

- 2.4 Subject to agreement being reached on the contract documentation, to delegate authority to the Director of Law and Governance (or such other officer as may be authorised by her in accordance with Article 14.04 of the Council's Constitution) to enter into the contractual documentation to give effect to the award of the Tufnell Park Primary School design and build contract to Morgan Sindall.

3. Background

- 3.1 The Executive approved the procurement strategy in September 2016. Following a competitive process using the Southern Construction Framework (SCF) Lot 3 London Construction Projects £5m plus, the council appointed Morgan Sindall to undertake pre-construction services relating to the redevelopment of Tufnell Park Primary School. This was confirmed by a Recordable Decision of the Corporate Director of Children's Services in January 2017.
- 3.2 Since this date, the council and key stakeholders have worked with Morgan Sindall to develop detailed design and construction proposals for this scheme. The planning application was submitted on 12 July 2017, and is scheduled to be determined by the Planning Committee on 7 November 2017. Morgan Sindall have commenced open book competitive tendering of works packages (market testing) and detailed analysis of this information and related contractor proposals are scheduled to be finalised by December 2017.
- 3.3 The following provides a summary of the development and construction programme:
- Planning Application to be determined by Planning Committee 7 November 2017.
 - Completion Market Testing and confirmation of Contractor Proposals November 2017.
 - Contract Signing January 2018
 - Construction Start March 2018*
 - Construction End (new school facilities) Summer 2019
 - Construction End (demolition and landscaping) Winter 2019.

*note: consideration is being given to advancing some elements of works in order to achieve the overall completion date, for example; establishing site compound and hoarding, tree protection and tree works, asbestos removal, demolition of existing arts and music classroom and the provision of temporary accommodation for junior pupils, pre-orders for essential machinery and equipment with long lead in times. Such "enabling works" can be added to the existing pre-construction services contract by variation. These works will be novated into the design and build contract.

- 3.4 In summary, the redevelopment of Tufnell Park Primary School will provide:
- New facilities for Tufnell Park Primary School with capacity for three forms of entry
 - Provision for 2 year olds.
 - Demolition of the existing school buildings and associated landscaping.
 - The new buildings will achieve BREEAM (Building Research Establishment Environmental Assessment Method) excellent rating
 - Disabled access
 - Community facilities (subject to conditions attached to the Planning Decision Notice).

4. Implications

4.1 Financial implications:

There is an approved capital budget for the redevelopment of Tufnell Park Primary School.

Preliminary market testing and cost analysis undertaken during Autumn 2017 indicate that the development is viable within the overall project capital budget.

The actual value of the Design and Build contract with Morgan Sindall will be determined following completion of market testing and as detailed contractor proposals are finalised in December 2017.

The council will take into account other project costs associated with the development, for example: ICT

network and user equipment, decant costs, professional fees; survey costs; preparatory works; and planning fees, and will allow reasonable contingency for costs associated with a Community Benefits Agreement and for unknowns which may occur.

Any costs above the approved capital budget will be met from the Children's Services capital contingency.

More detailed financial implications are considered in the exempt Appendix 1 to this report.

4.2 Legal Implications:

The council has a duty to provide and maintain sufficient schools for the provision of primary education in its area (sections 14 and 16 of the Education Act 1996). Accordingly, the council has power to enter into a contract for the construction of a new school building at Tufnell Park Primary School (section 1 of the Local Government Contracts Act 1997).

The threshold for works contracts for the application of the Public Contracts Regulations 2015 is currently £4,104,394. The value of the contract to be let is above this threshold. As a result of previous Executive approvals, a design and build contractor is being procured from the Southern Construction Framework Lot 3 London Construction Projects £5m plus. That framework was established following a competitive tendering exercise undertaken in accordance with the Public Contracts Regulations 2006.

The Council is able to utilise the Southern Construction Framework (SCF) Construction Projects £5m plus. A Public Body User Agreement has been entered into with SCF in order to use the framework for this scheme. Following the mini-competition pursuant to the SCF framework, a Pre-Construction Agreement was entered into with Morgan Sindall. It is now intended that a JCT form of Design and Build Contract is utilised for the development in accordance with the Pre-Construction Agreement.

Accordingly, the contract for the redevelopment of Tufnell Park Primary School may be awarded to Morgan Sindall Construction and Infrastructure Ltd, provided that the price represents value for money for the Council.

Morgan Sindall's final proposals once received may require further clarification and negotiation to ensure that no unreasonable risk is transferred to the Council.

In considering the recommendations in this report members should take into account the information contained in the exempt appendix 1 to the report.

4.3 Environmental Implications

The energy efficiency of the existing 1960s building stock is poor. Poor insulation and U values mean that the building is difficult to heat during winter months and overheats during the summer.

In providing a new building for the School, it is intended that the thermal performance of the school will be significantly improved. In addition, green/brown roofs and rainwater attenuation will improve biodiversity and provide a more sustainable urban drainage. The new facilities are to achieve a BREEAM excellent rating. A more efficient heating and ventilation system will also improve the energy consumption of the school and assist in providing school environments more conducive to teaching and learning. Landscaping proposals will re-provide or enhance any existing habitat space and consideration will be given to the protection of trees and bio-diversity through the design and throughout the works.

The design and construction proposals for the new school have been developed to take account of environmental factors in materials selected and consider construction methodology so that waste is minimised during construction. The works will be registered with the Considerate Contractor Scheme and will comply with local policies to minimise impact on neighbours, especially with regards to noise, dust and vibration. The planning application has been assessed against adopted policies in the Development Plan.

Morgan Sindall have signed up to the SCF Environment and Sustainability Charter and the SCF Waste Resources Action Programme.

4.4 Resident Impact Assessment:

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment was completed on 31 August 2016 and a summary is included below:

The works will improve the quality of educational provision for all children at the school, and will enable the school to better meet national guidelines for space standards and make significant improvements to the working environment for pupils and staff. It will also deliver environmental improvements to ensure suitability of accommodation. The project will enable young children from all backgrounds to learn in a suitable environment. The new facilities will provide disabled access in compliance with the Equality Act 2010 and will meet all statutory and planning policy requirements.

The proposed development will provide high quality facilities for all members of the community and allow the school to act as a social hub in the locality by improving community access and opportunities with dedicated spaces. It will also allow the school to extend and enhance its extended school agenda, benefitting those who live in the local community, subject to relevant consultation and any planning conditions.

All Islington schools currently operate with measures in place to safeguard children and vulnerable adults. Policies and procedures will be in place during the works and following completion of the new school building which will be designed to reduce risks relating to safeguarding. There will be no Human Rights Breaches.

5. Reason for recommendations

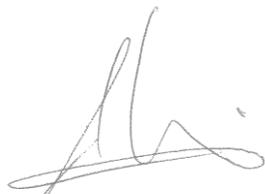
- 5.1 The proposed development will significantly enhance facilities at Tufnell Park Primary School. To meet the required completion date (September 2019), the programme Contract Close is scheduled for in December 2017. Approval is sought to award the contract to Morgan Sindall Construction and Infrastructure Ltd and to delegate powers to officers to finalise contract documentation.

Appendices: Appendix 1, Exempt Report

Background papers: None

Final report clearance:

Signed by:



10 November 2017

Executive Member for Children and Families

Date

Report Author: Tom Louvre, Capital, Asset Management and Contracts Manager,

Tel: Children's Services
0207 527 5540
Email: tom.louvre@islington.gov.uk

Financial Implications Author: Tim Partington, Head of Finance
Tel: 0207 527 1851
Email: tim.partington@islington.gov.uk

Legal Implications Author: David Daniels, Assistant Director Legal Services
Tel: 0207 527 3277
Email: david.daniels@islington.gov.uk