

Report of the Director of Childrens & Families

Report to the Executive Board

Date: 13th February 2019

Subject: Design & Cost Report and Tender Acceptance Report for the Learning Places expansion of Moor Allerton Hall Primary School



Capital Scheme Number: 32737/MAL/000

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Moortown		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		

Summary of main issues

1. The purpose of this report is to seek approval to incur capital expenditure of £5,653,729.02 from capital scheme number 32737/MAL/000, noting that £355,503.43 of this has been previously approved to facilitate the 'Early Works' enabling package, to provide supplementary accommodation necessary to support the increase in the Published Admission Number (PAN) from 60 to 90 pupils with effect from September 2018. Thus taking the capacity of Moor Allerton Hall Primary School from 420 pupils to 630 pupils. The project detailed within this report will follow-on from the previously completed 'bulge' cohort project, undertaken for the commencement of the 2018/19 academic year, and will provide the final tranche of accommodation necessary for the school to provide 630 learning places going forward.
2. The works required at Moor Allerton Hall Primary School are critical to ensure the Learning Places expansion accommodation is in place for commencement of the 2019/20 academic year. The works detailed within this report cover the full design and construction costs for the expansion at Moor Allerton Hall Primary School, inclusive of all professional fees, surveys, services, and all other costs associated with the development that sit outside of the construction contract. Noting that 'off-site' Highways required as a consequence of the project will be addressed under a separate, programme-wide design & cost report.
3. The project is to be delivered via the Leeds Local Education Partner (LLEP) with Norfolk Property Services Leeds (NPS) providing design and architectural services. The project

is to be delivered by City Development's Projects & Programme's Team on behalf of Childrens & Families. Contract and Legal support is to be provided via Procurement & Commercial Service who will support the drafting of construction contract in conjunction with the LLEP and our independent technical advisors.

4. Of the funding requested within this report a cumulative total of £355,503.43 has been approved separately to undertake packages of 'Early Works'. This was necessary to ensure the critical delivery path was met and the essential accommodation available for the commencement of the 2019/20 academic year. As per the prior approval, dated 7th January 2019 (DDN reference D48283) and 14th January 2019 (DDN reference D48298), these works have now been undertaken. The costs associated with the 'Early Works' package do not constitute part of this approval but are detailed within this report for context as they are included within the contract sum figures. The 'Early Works' packages sought to procure key materials, complete pre-construction activities and enabling works including establishment of the construction compound.
5. The project at Moor Allerton Hall Primary School has been subject to market testing. These returns have since been analysed by NPS Leeds on behalf of the Authority, from both a technical and financial perspective. Following this robust analysis the work package returns have been confirmed to adhere to the appropriate technical parameters and to offer 'value for money' to the Authority.
6. Planning for Moor Allerton Hall Primary School is scheduled for determination on the 8th February 2019. Any pre-commencement conditions will be discharged prior to work starting on-site, if they have not already been completed as part of the separately approved 'early works' package in consultation with the relevant statutory consultees.
7. The works detailed within this report are required to ensure a handover of the essential accommodation, necessary to facilitate the 2019/20 academic year intake of pupils. The project has been phased accordingly to ensure this requirement is met, the remainder of the project will complete in late autumn 2019. Failure to meet this critical path will result in the need to provide alternative temporary accommodation at Moor Allerton Hall Primary School to ensure that sufficient classroom space is available to place the additional pupils on roll. An unknown cost implication will be associated with this based on the length of any delay.

Recommendations

Executive Board is requested to:

1. Approve the expenditure of £5,653,729.02 from capital scheme number 32737/MAL/000 for the construction work and associated fees for the expansion of Moor Allerton Hall Primary School necessary for occupation from September 2019.
2. Authorise acceptance of the tender submitted via the Leeds Local Education Partnership in the sum of £4,730,797 inclusive of all professional design fees incurred by the appointed contractor, development costs and surveys incurred by the contractor. Noting that this figure includes the previously approved sum of £355,503.43 for the completion of the necessary 'Early Works' packages. Release of funding for the construction costs will be subject to valuations completed and validated by NPS Ltd. (Leeds).
3. Authorise the requirement to enter into a contractual agreement with Leeds D&B One Co. to deliver the development at Moor Allerton Hall Primary School. This will take the form of a JCT 2016 head contract between the authority and Leeds D&B One Ltd for the sum of £4,730,797.
4. Approve the entering into of a deed of variation with Environments for Learning Leeds PFI One Limited to exclude the existing service road across Allerton Fields from the PFI site for Allerton Grange School in order that such access road can be remodelled as part of the development at Moor Allerton Hall Primary School.
5. Exempt the resolutions arising from this report from the 'Call-In' process, on the grounds of urgency, as detailed within section 4.5 of this report.
6. Note that the estimated scheme cost of £5,653,729.02 includes; £4,730,797 for construction works (this is the contract / tender submission value inclusive of £355,503.43 of previously approved 'Early Works' costs), professional fees and survey costs of £509,285, £30,000 for loose furniture & equipment, £55,500 for supporting costs and a client held contingency commensurate to the scale and complexity of the project. The construction cost includes £358,694.00 of 'on-site' Highways upgrades to facilitate the conversion of the PFI service road into a drop-off loop serving both Moor Allerton Hall and Allerton Grange School. This solution has been developed in conjunction with Planning and Highways in response to evidenced congestion and road safety issues in the locality and represents a significant and critical 'abnormal' added to the scheme during design development.
7. Note that the officer responsible for implementation is the Head of Service Learning Systems and the Head of Projects and Programmes, Asset Management & Regeneration and authorise them to enter into all other agreements required to deliver this project.

1.0 Purpose of this Report

1.1. The purpose of this report is:

- To provide background information in respect to the expansion at Moor Allerton Hall Primary School and the necessity to enter into a JCT 2016 contract with Leeds D&B One Co. for the delivery of critical works required to adhere to the expansion programme.
- Contextualise the associated cost and risk implications of the proposed works, both in terms of the construction programme at Moor Allerton Hall Primary School and the wider Learning Places programmes implication.
- To seek approval to incur expenditure of £5,653,729.02 for the full extent of the proposed project.
- To seek authority to enter into contract with the LLEP (Leeds D&B One Co.), at a contract value of £4,730,797, for the construction programme at Moor Allerton Hall Primary School.
- Seek acceptance of the tender submitted by the LLEP in the sum of £4,730,797 for the aforementioned works.
- Seek approval to enter into a deed of variation with Environments for Learning Leeds PFI One Limited to exclude the existing service road across Allerton Fields from the PFI site for Allerton Grange School in order that such access road can be remodelled as part of the development at Moor Allerton Hall Primary School

2.0 Background Information

- 2.1. The Learning Places programme represents the Council's response to the demographic growth pressures in school place provision. The increasing birth rate in Leeds has required Leeds City Council to approve an increasing number of new school places since 2009 in order to fulfil its statutory duty. The scale of the response cannot be met through the existing estate; therefore the expansion of existing schools or the creation of new schools has been required in many instances. The capital school building solutions to the demographic need is managed via Childrens & Families Learning Places Programme. Project management of schemes arising from this process are delivered by City Development's Projects & Programmes Team.
- 2.2. This proposal has been brought forward to meet the projected demand for primary school places within North Leeds, current demographic data suggests that there is a need for additional secondary places within the vicinity of Moor Allerton Hall Primary School. The proposed works outlined in this report is a response to this demand and will ensure there are sufficient school places available for local children. This proposal builds upon the previous instances where temporary 'bulge' cohorts have been placed at Moor Allerton Hall Primary School over a number of years.
- 2.3. A report to and approved by Executive Board on 19th September 2018 detailed the outcome of consultation on the proposal to expand primary provision at Moor Allerton Hall Primary School from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2018. The report was subsequently called-in by Members and a Scrutiny Board held on the 10th October 2018 wherein the decision was ratified and released for implementation.

- 2.4. The formal expansion of Moor Allerton Hall Primary School has been preceded by two consecutive years of 'bulge' cohorts, effective from the commencement of the 2017/18 academic year and 2018/19 academic year respectively. The first of these two projects placed a temporary modular classroom provision at Moor Allerton Hall Primary School, this provided sufficient accommodation for the two 'bulge' years only with the permanent expansion requiring the generation of additional teaching space. The temporary modular building located at Moor Allerton Hall Primary School is not part of the permanent expansion plans, having seven years planning permission only, and will be removed from site at the end of the permanent expansion construction programme. This will be utilised elsewhere as part of a separate project to the one detailed herein.
- 2.5. In order to deliver the required accommodation in time for commencement of the 2019 academic year a project was instigated utilising the LLEP, as procurement vehicle, and NPS Leeds, as architectural lead. Following a competitive tender exercise, instigated and managed by the LLEP, Geo Houlton & Sons Limited were appointed as the principal contractor for the project.
- 2.6. A planning application for the proposed works was validated on the 12th November 2018 and is scheduled for determination on the 8th February 2019. Prior to submission briefings were held with Ward Members and a number of public pre-planning drop-in sessions, held at Moor Allerton Hall Primary School, were convened. Additionally, specific consultation was held with the owners of the residential property located within the school grounds, known as 'The Lodge', with accommodations being made to the plans where appropriate.
- 2.7. Extensive consultation has taken place with Highways, Planning and Parks & Countryside, Allerton Grange High School and their respective PFI management team with respect to the adoption (and therefore exclusion from the Allerton Grange PFI site) of the service road running through the Allerton Fields, adjacent Moor Allerton Hall Primary School, and leading up to the rear of Allerton Grange High School. The proposals included within the proposed construction package and detailed within the Planning submission is in direct response to the congestion at school pick-up and drop-off times and has been developed following intensive consultation with the aforementioned parties.
- 2.8. Due to the compressed construction programme, mandated by the fixed deadline of occupation for commencement of the 2019 academic year, it was necessary to approve and undertake packages of 'Early Works'. The intention of these packages was to complete works necessary to setup the site, procure key materials and complete enabling works necessary to support the construction programme.
- 2.9. Package one of the 'Early Works' programme was approved on the 7th January 2019 (DDN reference D48283) at a value of £127,687.46, this package completed site setup works including fencing and hoarding lines, tree protection and preparation of the site compound. Package two, for a value of £248,872.03, was approved on the 14th January 2019 (DDN reference D48298) and focused on enabling works to facilitate the ground works package. The 'Early Works' programme completes at the end of February 2019 wherein it is anticipated a seamless transition to the full construction contract will occur, in-line with the programme detail in section 3.2 of this report.
- 2.10. The expansion work proposed at Moor Allerton Hall Primary School detailed herein is co-dependent the relocation of the Lidgett Lane Community Centre and Moortown Children's Centre into a refurbished Highwood Public House. This allows critical

external and internal space on the school site to be freed up for use by the school to support their increase in pupil numbers. This requirement is subject to a separate, supporting project which was approved at the 19th December 2018 Executive Board. With this project requiring completion, and the two centres relocated, by circa May 2019 to allow the vacated areas to be refurbished as appropriate for a September 2019 occupation. Further details can be found in the published Executive Board report appertaining to this decision.

- 2.11. The proposal for Moor Allerton Hall Primary School will form part of the on-going work to address capacity and sufficiency across all of Childrens & Families; which includes secondary places in addition to primary, early years and specialist provision.
- 2.12. These proposals form part of the Council's Learning Places Programme that embeds the 'One Council' approach in terms of shared ownership of proposed solution across the various departments involved.

3.0 Main Points

3.1 Design Proposals and Full Scheme Description

- 3.1.1. The works at Moor Allerton Hall Primary School, necessary to facilitate the proposed expansion, consists of the following essential components:
 - Construction of a new two storey block consisting of six classrooms, associated welfare, storage provision and a small hall. This is to be an independent building located in the former position of the temporary modular classroom block.
 - Demolition of the former Community Centre, subject to completion of the renovations to the Highwood Public House as per the 19th December 2018 Executive Board report, and establishment of a new Sport England standard multi-use games area on its footprint.
 - Expansion of the school car park and provision of the necessary green travel measures in-line with the imposed planning conditions.
 - Package of internal remodelling works to set the school up as three forms of entry. Includes for conversion of the former Children's Centre into the school Nursery, subject to completion of the renovations to the Highwood Public House as per the 19th December 2018 Executive Board report, to allow the vacated areas to be utilised for an expanded Reception classbase.
 - Expansion of the school kitchen to support increased meal through-put requirements of a 630 place school.
 - Additional furniture and equipment necessary to support the increase in pupil numbers based on the increase of the published admission number by 30 places.
 - Formal adoption of the PFI service road up to Allerton Grange High School by Highways. The road is to be upgraded to form a dedicated parent drop-off loop for both Moor Allerton Hall Primary School and Allerton Grange High School. Works will be completed to upgrade the road to the required specification, form additional lay-bys for drop-off and connect the existing road into the Moor Allerton Hall Primary School infrastructure.

- All design development, professional services and survey costs associated with the scheme.
- 3.1.2. A market testing exercise has been undertaken to ensure that the financial close contract sum is both affordable, within market trends and represents value for money to the Authority. This exercise was undertaken cross programme and the returns have exceeded the target market testing rate of 75%. The return has in-turn been evaluated by the appointed technical advisors, from both a financial and technical perspective, and has been deemed to be a robust proposal which offers value for money to the authority.
- 3.1.3. A planning application for the proposed works was submitted on the 12th November 2018 and is scheduled for determination on the 8th February 2019. Prior to submission briefings were held with Ward Members and a number of public pre-planning drop-in sessions, held at Moor Allerton Hall Primary School, were convened.
- 3.1.4. The works detailed within this report have been procured under the Strategic Partnering Agreement (SPA) between the LLEP and Leeds City Council. The associated procurement rules apply to this process has been adhered to. The exclusive supplier arrangements, detailed under CPR 3.1.5, have been invoked in this instance.
- 3.1.5. Procurement & Commercial Service will provide legal and contractual support with the drafting of the construction contract. This will take the form of a JCT 2016 contract between LCC and D&E One Co. (the LLEP). Signing of the head contract will be subject to the evidence of the agreed 'step-in' requirements being enacted in all the pass down contracts.
- 3.1.6. As part of the design development process Highways have been commissioned to complete the transport assessment and the associated 'off-site' works required as a consequence of the proposal. At present the following is proposed to support the expansion scheme; new 'school keep clear' road markings and yellow lines, removal of legacy / superseded road markings, upgrade of legacy crossing to high visibility belisha beacons, installation of a new pelican crossing to Lidgett Lane, installation of bollards to prevent indiscriminate parking etc. This is currently in development and is subject to change based following review by Highways Board. The package of 'off-site' Highways works will be subject to a separate, programme-wide design and cost report covering the 2019 Learning Places Programme.
- 3.1.7. Note, the 'on-site' Highways scheme for this project are extensive, due to the concerns raised by Ward Members and the community during the various statutory consultations, and extend beyond Moor Allerton Hall Primary School. Due to the complex interface with the main build construction programme all the 'on-site' works will be completed by Geo Houlton & Sons Limited to ensure critical path dates are met. This includes the necessary upgrades to the PFI service road to bring it to an adoptable standard. To ensure compliance this will be undertaken in consultation with Highways and their required specification.
- 3.1.8. Due to the constricted programme and necessity to deliver the additional accommodation for commencement of the new academic year in September 2018 it is essential to approve the works detailed herein 21st February 2019 if the critical path is to be met.
- 3.1.9. The construction contract for the project is a combination of a 'head' JCT 2016 contract, between LCC and Leeds D&B One Co., and a 'pass down' JCT 2016

contract, between Leeds D&B One Co. and the main contractor, Geo Houlton & Sons Limited. Evidence of the LLEP's step-in rights to the various pass down contracts is to be provided before contract signature can be enacted.

3.2. Programme

3.2.1. The key milestones to achieve the programme are as follows, noting that this presumes 'Call-in' has been exempted:

- Completion of stat process 19th September 2018
- Planning application validated 12th November 2018
- Start on-site for 'Early Works 01' w/c 14th January 2019
- 'Early Works 01' Period 14th Jan to 1st Feb 2019
- Target planning determination date 8th February 2019
- Start on-site for 'Early Works 02' w/c 4th February 2019
- 'Early Works 02' Period 4th Feb to 1st March
- Executive Board date for main scheme DCR 13th February 2019
- Implementation date (Exempt from 'Call-In') 14th February 2019
- Contract award for full scheme w/c 18th February 2019
- Start on-site for full scheme 4th March 2019
- Completion of MUGA 28th June 2019
- Completion of remodelling package inc. kitchen 1st September 2019
- Completion of adoptable road 27th September 2019
- New block handover 28th October 2019
- External works completion & handover 22nd November 2019
- Site Clearance / Overall completion 20th December 2019

3.2.2. Completion of the works detailed herein is essential to provide the critical accommodation for the expansion at Moor Allerton Hall Primary School for the next academic year and achieve an occupation date of 1st September 2019, wherein the remodelling element must be completed to accommodate the 2019/20 intake of pupils. This element represents the critical path and the essential accommodation needed. The newly constructed two storey block will be available 28th October 2019, upon handover and occupation of this block the temporary modular accommodation on-site, installed in summer 2016 as part of the 'bulge' cohort programme, will be vacated and removed from site for use elsewhere as part of a separate project. The space previously occupied by the 2016 modular building will be reinstated as the necessary playground space needed to facilitate the expansion to three form entry.

3.2.3. Pressure has been placed on the critical path programme dates due to the statutory expansion approval report from September 2018 being 'called-in' and subject to Scrutiny Board on the 10th October 2018. As a consequence of this decision being called-in all work on the project ceased between the 27th September 2018, wherein the report was 'called-in', and 10th October 2018. This was a critical period during the programme where the detailed design elements were due for completion in order

to meet the pricing programme. A commensurate delay has been encountered which the design team have been working to pull back, further delay by a second 'call in' request would result in a demobilisation, as the 'early works' programme was due to segue straight into the main construction contract, for an unknown period. Resulting in costs of demobilising and remobilising the construction site, placing a risk of losing key resources and staff and further jeopardise delivery of the programme. The outcome of which could generate the requirement for additional accommodation temporary accommodation and works to be funded for a September 2019 start. As such it is recommended that in this instance the decisions within this report are exempted from 'call-in' in order to meet the critical path programme dates and reduce the risk of additional expenditure on temporary measures.

- 3.2.4. A planning application for the proposed works was submitted on the 12th November 2018 and is scheduled for determination on the 8th February 2019. Prior to submission briefings were held with Ward Members and a number of public pre-planning drop-in sessions, held at Moor Allerton Hall Primary School, were convened.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1. A report to Executive Board on 19th September 2018 detailed the outcome of consultation on the proposal to increase from 420 to 630 pupils, with effect from September 2019. Noting that the formal expansion had been preceded by two consecutive years of 'bulge' cohorts at Moor Allerton Hall Primary School. This recommendation was put forward following a full formal consultation led by the Sufficiency & Participation Team. Further details of this process are provided within the 19th September 2018 Executive Board report appertaining to the expansion of Moor Allerton Hall Primary School.
- 4.1.2. The proposed permanent expansion scheme has been subject to consultation with key stakeholders including Childrens & Families officers, Ward Members and the Executive Member for Children and Families. Consultation has also involved school staff and governors, the local residents and other colleagues within the Council.
- 4.1.3. Pre-planning consultation has been held with representatives from the Planning Department, Urban Design, Landscape, Sport England, Parks & Countryside and Highways. A package of supporting 'off-site' Highways works have been identified as part of the planning permission in response to the required expansion, implementation of this will be subject to a separate and future report for the 2019 Learning Places Expansion programme.
- 4.1.4. A formal pre-planning 'drop-in' sessions were held at Moor Allerton Hall Primary School on the 23rd and 25th October 2018, prior to the planning application being submitted. Three sessions were held covering early morning drop-off, afternoon collection and an evening. These were open to the general public, parents, carers and any other interested parties. Comments taken from these events have been addressed, where possible, within the proposals and construction phase plan.
- 4.1.5. Specific consultation was convened with the owners of 'The Lodge', a residential property located within the school grounds, on the 23rd October 2018 and 20th December 2018. With the former taking place prior to the submission of the planning application. Representation from the design and construction team were present on both occasions in order to provide specific and detailed responses.

4.1.6. Childrens & Families will continue to brief elected members at key stages throughout the project development.

4.2. **Equality and Diversity / Cohesion and Integration**

4.2.1. The recommendations with this report do not have any direct nor specific impact upon any of the groups falling under the remit of the equality legislation and the need to eliminate discrimination and promote equality. A screening document has been prepared to this effect and an independent impact assessment is not required for the approvals requested. The screening document has been sent to the Equality Team to be approved, publishing and held on-file. A copy is included with this report as 'Appendix A'.

4.3. **Council Policies and the Best Council Plan**

4.3.1. This scheme is due to be delivered under the City Council's Learning Places Programme and is required to fulfil the Local Authority's statutory responsibility to provide sufficient school places. In providing places close to where the children live the proposals will improve accessibility of local and desirable school places, and thus reduce any risks of non-attendance.

4.3.2. This contributes to the 2016/17 Best Council Plan outcomes for everyone in Leeds to 'Do well at all levels of learning and have the skills they need for life'; 'Be safe and feel safe' and 'Enjoy happy, healthy, active lives'. It also supports the vision in the supporting Children and Young People's Plan 2015-19 to build a child-friendly city with a focus on ensuring all children and young people are safe from harm; do well at all levels of learning and have the skills for life; enjoy healthy lifestyles; have fun growing up; are active citizens who feel they have a voice and influence. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

4.4. **Resource and Value for Money**

4.4.1. The estimated scheme cost is £5,653,729.02; this includes £4,730,797 for main construction works (this is the contract and tender submission value inclusive of £355,503.43 of previously approved 'Early Works' costs), professional fees and survey costs of £509,285, £30,000 for loose furniture & equipment, £55,500 for supporting costs. A client held contingency has also been allowed for within the scheme cost which is commensurate to the scale and complexity of the proposed works detailed herein. Note; the construction cost includes £358,694.00 of 'on-site' Highways upgrades to facilitate the conversion of the PFI service road into a drop-off loop serving both Moor Allerton Hall and Allerton Grange School. This solution has been developed in conjunction with Planning and Highways in response to evidenced congestion and road safety issues in the locality and represents a significant 'abnormal' added to the scheme during design development.

4.4.2. A value engineering exercise is underway, a number of cost saving measures have been identified along with high level costings which will result in a commensurate reduction in the contract sum figure and overall cost of the project. This process is on-going and its completion and acceptance is conditional to signing of the construction contract. The design team are currently reviewing these proposals with a view to assessing impact, revising designs and providing detailed costs.

4.4.3. The package of 'off-site' Highways works will be subject to a separate, programme-wide design and cost report covering the 2019 Learning Places Programme. Due to

programme complexity and co-dependencies the extensive 'on-site' highways works, adoption of the PFI service road and formation of a parent drop-off loop system, is to be undertaken by Geo Houlton & Sons Limited as part of the construction programme.

- 4.4.4. During the consultation process concerns were raised by a number of interested parties, including local ward members, regarding the legacy road safety concerns associated with the locality of Moor Allerton Hall Primary School, the close proximity of a number of primary and secondary schools in relation to Moor Allerton Hall Primary School and the perceived correlating exacerbation of highways infrastructure and road safety concerns caused by expanding Moor Allerton Hall Primary School by a total of 210 pupils. Resolution of this requirement has been a mandated key deliverable for the project, as such the design team have been liaising directly with Leeds City Council Highways Department and Planning from the outset of the project to identify appropriate solutions to the problems evidenced by the road safety accident statistics. The proposal detailed herein constitutes the 'on-site' highways works undertaken by Geo Houlton & Sons Limited and allows for the removal of the PFI service road to Allerton Grange School from the associated PFI contract, upgrading this to form a parent / pupil drop-off to support both Moor Allerton Hall Primary School and Allerton Grange School, introduce a new vehicle access route in Moor Allerton Hall Primary School and the adoption of this road by Highways. These works are then supported by a further package of 'off-site' works to promote safe travel to school (noting that the 'off-site' works will be part of a wider programme design cost report to cover all schemes in the 2019 Learning Places Programme). This has resulted in a significant 'abnormal' cost of £358,694.00 for the construction work and £35,000 in PFI variation fees to the project in the way of mitigation measures which have been added to the construction contract value.
- 4.4.5. The cost will be met through capital scheme number 32737/MAL/000 as part of the Learning Places Programme.
- 4.4.6. NPS have advised that the tender return reflects the value of the scheme and recommends the tender is accepted subject to standard practice of ensuring an acceptable Construction Phase Health & Safety Plan being provided.
- 4.4.7. Completion of the works detailed herein is essential to provide the critical accommodation for the expansion at Moor Allerton Hall Primary School for the next academic year and achieve an occupation date of 1st September 2019, wherein the remodelling element must be completed to accommodate the 2019/20 intake of pupils. This element represents the critical path and the essential accommodation needed. The newly constructed two storey block will be available 28th October 2019, upon handover and occupation of this block the temporary modular accommodation on-site, installed in summer 2016 as part of the 'bulge' cohort programme, will be vacated and removed from site for use elsewhere as part of a separate project. The space previously occupied by the 2016 modular building will be reinstated as the necessary playground space needed to facilitate the expansion to three form entry,

4.4.8. Capital Funding & Cash Flow

Previous total Authority to Spend on this scheme	TOTAL	TO MARCH				
	£000's	2019 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 On £000's
LAND (1)	0.0					
CONSTRUCTION (3)	355.5		355.5			
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	0.0					
TOTALS	355.5	0.0	355.5	0.0	0.0	0.0
Authority to Spend required for this Approval						
Authority to Spend required for this Approval	TOTAL	TO MARCH				
	£000's	2019 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 On £000's
LAND (1)	0.0					
CONSTRUCTION (3)	4375.5		4375.5			
FURN & EQPT (5)	30.0		30.0			
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	893.0		893.0			
TOTALS	5298.5	0.0	5298.5	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)						
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH				
	£000's	2017 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 On £000's
Basic Need Grant	5654.0		5654.0			
	0.0					
Total Funding	5654.0	0.0	5654.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0

Parent Scheme Number: 32737/000/000

Title: Basic Need Expansions 2019/20

4.4.9. Revenue Effects

- 4.4.10. Any additional revenue consequences that may arise as a result of the project will be managed within the respective school budgets.

4.5. Legal Implications, Access to Information and Call-In

- 4.5.1. Members of Executive Board should note that under the Council's Constitution a decision may be declared as being 'Exempt from Call-in' if it is considered that any delay would seriously prejudice the Council's or the public interest. The development programme for the works detailed within this report identifies a start on-site date of 4th March 2019, following a programme of 'early works' scheduled for January and February 2019, in order to ensure the key accommodation required for September 2019 is in place without the need for procurement and purchase of additional temporary accommodation. These dates constitute the critical path for the programme and are essential to ensure that impact to both Moor Allerton Hall Primary School and Allerton Grange School is minimised. This is achieved by providing the required accommodation for the date stipulated to facilitate Moor Allerton Hall Primary School's expansion and to complete the works to adopt Allerton Grange School's service road at the earliest convenience. With the delay to the latter being an extended reduction in the High School's ability to manage pupil drop-off and collection via the service road that runs up through the Allerton Fields to the High School

- 4.5.2. Further risks include the need to enter into contract to place orders for critical materials, delays to which will result in increased cost due to market factors and a failure to have the required products for the correct time in the construction process, thus resulted in a prolongation of the construction programme. These delays could prejudice the Council's ability to achieve the optimum financial proposal for the works as well as failing to meet the critical path programme dates. In addition they will result in the need for additional temporary accommodation to cover the delay period at a currently unknown additional cost.
- 4.5.3. As a consequence of the statutory approval Executive Board report being called-in by members and subject to a scrutiny board all work on the project ceased between 27th September 2018 and 10th October 2018 the overall programme for delivery of the Moor Allerton Hall expansion project has been delayed by approximately four weeks, factoring in re-mobilisation periods for the delivery team. This has placed excessive pressure on the programme resulting in a significant reduction in the period between final cost submission and the required Executive Board approval date of 13th February 2019. Consequently the final tender submission was delayed resulting in the final completed packaged being issued on 30th January 2019. The scheme was not fully developed, costed and market tested prior to the 30th January 2019, as such there was no opportunity to seek a decision earlier so as to have been eligible for 'Call-In'.
- 4.5.4. In the event 'call-in' is invoked and the scheme taken to Scrutiny Board further pressure and risk will be placed on the construction programme and target completion dates for key phases. As these are aligned to school shut-down periods, which are set in advance, delays encountered here will result in a delay of weeks until the next period of school shut down. This will result in a cost increase to the Authority due to the need to prolong the construction contract period and increases the risk of a requirement for the procurement of temporary decant accommodation necessary to ensure sufficient teaching space is available for September 2019.
- 4.5.5. The Council will need to enter into of a deed of variation with Environments for Learning Leeds PFI One Limited (E4L) who is the PFI Contractor in respect of the BSF1 Schools PFI. This is to exclude the existing service road across Allerton Fields from the PFI site for Allerton Grange School in order that such access road can be remodelled as part of the development at Moor Allerton Hall Primary School. The form of deed of variation has already been agreed. There is a cost risk associated with the entering into of the deed as the Council will pay E4L's legal costs in respect of the deed. This risk has been mitigated by agreeing a cap on legal costs and fees. The Council's PFI contract management team will submit an Authority Notice of Change under the PFI contract once the deed of variation is entered into to withdraw and services provided by E4L in respect of the service road and deal with any other service consequences under the PFI.
- 4.5.6. There are no other legal implications or access information issues arising from this report.

4.6. **Risk Management**

- 4.6.1. Risk is to be managed through the application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' methodology. Experienced project management resource has been allocated from within City Development's Projects & Programmes Team. Contractual support is being provided by Procurement & Commercial Service. NPS will be providing technical support.

- 4.6.2. An Authority held contingency, commensurate with a project of this value, has been included within the approval figure to address any risks that occur during construction. This is to be used at the Authority's discretion and is not accessible by any other party.
- 4.6.3. Further support on risk is to be provided by the independent technical advisors assigned to the project and will be extended to any necessary value engineering requirements. NPS Ltd. (Leeds) have been appointed to undertake this function for the wider project.
- 4.6.4. A risk log has been developed for the scheme and will be updated and maintained throughout the project by the assigned project officer. Escalation of risk will be via the City Development's Head of Projects & Programmes, Asset Management & Re-generation.

5.0 Conclusions

- 5.1. In order to provide the necessary accommodation to implement the formal expansion of Moor Allerton Hall Primary School, up to three forms of entry per year, it is necessary to undertake the project detailed herein.
- 5.2. The delivery of the works at Moor Allerton Hall Primary School will be managed by City Development's Projects & Programme's Team on behalf of Childrens & Families in conjunction with the joint venture partners (NPS), the Leeds Local Education Partner (LLEP), the school and other key stakeholders.
 - 5.2.1. The estimated scheme cost is £5,653,729.02; this includes £4,730,797 for main construction works (this is the contract and tender submission value inclusive of £355,503.43 of previously approved 'Early Works' costs), professional fees and survey costs of £509,285, £30,000 for loose furniture & equipment, £55,500 for supporting costs. A client held contingency has also been allowed for within the scheme cost which is commensurate to the scale and complexity of the proposed works detailed herein. Note; the construction cost includes £358,694.00 of 'on-site' Highways upgrades to facilitate the conversion of the PFI service road into a drop-off loop serving both Moor Allerton Hall and Allerton Grange School. This solution has been developed in conjunction with Planning and Highways in response to evidenced congestion and road safety issues in the locality and represents a significant 'abnormal' added to the scheme during design development.
 - 5.2.2. Delivery of the critical path construction programme is predicated on acceptance of this report being exempt from 'call-in'. This will allow the construction contract to be signed in the February 2019 to allow a seamless transition from the completion of the 'Early Works' programme on the 1st March 2019 to the commencement of the construction contract on the 4th March 2019. This ensures the programme continues in-line with the critical path programme dates, and thus mitigates the risk generated by further time delay.
 - 5.2.3. The requirement to provide additional accommodation at Moor Allerton Hall Primary School for the commencement of the 2019/20 academic year has been developed through continued consultation with the appropriate stakeholders.

6.0 Recommendations

6.1. Executive Board is requested to:

- 6.1.1. Approve the expenditure of £5,653,729.02 from capital scheme number 32737/MAL/000 for the construction work and associated fees for the expansion of Moor Allerton Hall Primary School necessary for occupation from September 2019.
- 6.1.2. Authorise acceptance of the tender submitted via the Leeds Local Education Partnership in the sum of £4,730,797 inclusive of all professional design fees incurred by the appointed contractor, development costs and surveys incurred by the contractor. Noting that this figure includes the previously approved sum of £355,503.43 for the completion of the necessary 'Early Works' packages. Release of funding for the construction costs will be subject to valuations completed and validated by NPS Ltd. (Leeds).
- 6.1.3. Authorise the requirement to enter into a contractual agreement with Leeds D&B One Co. to deliver the development at Moor Allerton Hall Primary School. This will take the form of a JCT 2016 head contract between the authority and Leeds D&B One Ltd for the sum of £4,730,797.
- 6.1.4. Approve the entering into of a deed of variation with Environments for Learning Leeds PFI One Limited to exclude the existing service road across Allerton Fields from the PFI site for Allerton Grange School in order that such access road can be remodelled as part of the development at Moor Allerton Hall Primary School.
- 6.1.5. Exempt the resolutions arising from this report from the 'Call-In' process, on the grounds of urgency, as detailed within section 4.5 of this report.
- 6.1.6. Note that the estimated scheme cost of £5,653,729.02 includes; £4,730,797 for construction works (this is the contract / tender submission value inclusive of £355,503.43 of previously approved 'Early Works' costs), professional fees and survey costs of £509,285, £30,000 for loose furniture & equipment, £55,500 for supporting costs and a client held contingency commensurate to the scale and complexity of the project. The construction cost includes £358,694.00 of 'on-site' Highways upgrades to facilitate the conversion of the PFI service road into a drop-off loop serving both Moor Allerton Hall and Allerton Grange School. This solution has been developed in conjunction with Planning and Highways in response to evidenced congestion and road safety issues in the locality and represents a significant and critical 'abnormal' added to the scheme during design development.
- 6.1.7. Note that the officer responsible for implementation is the Head of Service Learning Systems and the Head of Projects and Programmes, Asset Management & Regeneration and authorise them to enter into all other agreements required to deliver this project.

7.0 Background Documents¹

7.1. None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.