

**Report of the Head of Projects and Programmes Asset Management and Regeneration**

**Report to Director of Children and Families**

**Date: 1st March 2019**

**Subject: Tender Acceptance Report – Learning Places Bulge Expansion of Greenside Primary School**

**Capital Scheme Number: 32450/PAR/000**



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Pudsey	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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

**Summary of main issues**

- 1 In March 2016 the council's Executive Board agreed the permanent expansion of Greenside Primary School from a Published Admission Number (PAN) of 45 pupils per year group to 60 pupils per year group, with effect from September 2017.
- 2 Following the March 2016 Executive Board decision, formal designs were drawn up and submitted as part of the planning application process to enable the expansion to be physically built and delivered.
- 3 Since the original proposal and the decision to permanently expand the school, the projected demand for school places in the area has shifted, linked to changes in parental preference patterns, and pupil movement out of the area. In addition, the complexity of the build solution, associated costs and planning

difficulties resulted in a decision to consult on lowering the PAN to 45 and to not proceed with the build solution.

- 4 The school will therefore admit up to 60 children into Reception class for academic years 2017/18, 2018/19 and 2019/20. There will be a requirement for some temporary accommodation to ensure sufficient space and ensure the school continues to effectively deliver teaching and learning.
- 5 Leeds City Council Executive Board at their 13th February 2019 meeting determined a PAN for Greenside of 45 for entry from September 2020 - a reduction from the admission of 60 in 2017, 2018 and 2019.
- 6 The project is to be delivered by colleagues in City Development on behalf of Children and Families in conjunction with Kier Construction Northern. Kier were selected as the Construction Partner via a Direct Selection Call-Off using the YORbuild framework to undertake the design and construction for the original school expansion scheme that is no longer to progress. Norfolk Property Services (NPS) have provided technical advisor and cost manager services for this project.
- 7 The current total scheme costs remain within the Design and Cost Report signed by the Director of Children's Services on 10th July 2017 which granted approval to spend a total of £574k to cover for the provision of enabling works required to support the expansion of Greenside Primary School.
- 8 The purpose of this report is to request authority to accept the tender from Kier Construction Northern for the sum of £426,595.54 to provide the bulge accommodation. This budget will be used for the purchase and installation of temporary accommodation (two classrooms), groundworks for the temporary accommodation (provision of foundations, drainage and tarmac) fencing and associated works required to provide the accommodation for seven years.

## **Recommendations**

The Director of Children and Families is requested to:

- Approve the request to award the contract for the sum of £426,595.54 to Kier Construction Northern for the purchase and installation of temporary accommodation.
- Authorise the signature of all contractual documentation with Kier Construction Northern in relation to the tender acceptance.
- Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision.
- Note that the whole scheme will be completed in June 2019.

## **1.0 Purpose of this Report**

1.1 The purpose of this report is to request authority

- To accept the tender from Kier Construction Northern for the sum of £426,595.54. This budget will be used for the purchase and installation of temporary accommodation as part of Children and Families Learning Places Programme.
- To enter into contract with Kier Construction Northern totalling £426,595.54.

## **2.0 Background information**

- 2.1 Leeds has an extremely dynamic and growing economy which makes the city a very attractive proposition for families and businesses to move to. As a result, the city's population is growing rapidly, at a faster rate than many of our neighbours and this is reflected in the increasing demand for school places.
- 2.2 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. Under the Education and Inspections Act 2006, these changes constitute prescribed alterations, and each requires a statutory process to confirm the change and make it permanent.
- 2.3 The Council's response to the demographic growth pressures on school provision in the city are managed via Children and Families Learning Places Programme. Since 2009 the programme has created 12,000 additional primary school places across all year groups in order that the Council fulfils its statutory duty to ensure sufficiency of school places. The schemes in the programme are working with a range of partners, including schools of varying governance models, to ensure enough places are created to meet demand.
- 2.4 To manage the additional pupils on roll at Greenside between 2017 and 2019, it is necessary to provide temporary bulge accommodation.
- 2.5 The proposal for the bulge accommodation for the school forms part of the on-going work to address capacity and sufficiency across all of Children's Services, which includes provision for primary and secondary school places, early years, as well as specialist provision. These proposals form part of the Council's Learning Places Programme that embeds the 'one council' approach that has achieved shared ownership of proposed solutions.

## **3.0 Main Issues**

### **3.1 Design Proposals and Full Scheme Description**

- 3.1.1 The proposed work to provide bulge accommodation consists of the following components:

- The purchase and installation of temporary accommodation (two classrooms).
- The provision of groundworks (foundations, drainage and tarmac), fencing and associated works required to provide the accommodation for seven years.

3.2 To support the scheme NPS have been commissioned to provide, technical advice, cost management and whilst in construction will act as the NEC Project Manager and NEC Site Supervisor.

#### **4.0 Programme**

4.1 Formal acceptance of the tender is required at the earliest opportunity to ensure the contracted works can complete in June 2019 with the programme requiring 11 weeks.

4.2 The installation of the temporary classrooms is on the school field within an area with a large number of significant trees. There have been a number of planning conditions to discharge with regard to ensuring the health of the trees during construction. The arboriculture method statement has been agreed with planners but there is an additional condition to discharge with regard to the Leeds Planning Authority inspecting the onsite tree protection. Kier are currently revising their plan to take account of this condition. For this reason the contract award date and start date are to be confirmed.

#### **4.3 Programme**

Milestone	Current
Planning submission	24 <sup>th</sup> September 2018
Planning decision	9 <sup>th</sup> January 2019
Contract Award	TBC
Main works commence	TBC
Main works complete	Anticipated June 2019

#### **5.0 Corporate Consideration**

##### **5.1 Consultation and Engagement**

5.1.1 The proposal to expand the school was subject to statutory process issued on 14 December 2015 including public consultation. The expansion of the school was subsequently approved by the Executive Board on 9th March 2016.

5.1.2 The proposed permanent expansion scheme was subject to consultation with key stakeholders including Children’s and Families officers, Ward Members and the Executive member for Children and Families. Consultation also

involved school staff and governors, the local residents and other colleagues within the Council.

- 5.1.3 Consultation on the decision not to progress with the proposed expansion was undertaken with the key stakeholders listed in 5.1.2.
- 5.1.4 Pre-planning application meetings have been held with officers from Planning, Highways and Building Control prior to the formal submission of the planning application of the permanent expansion. Ward Members have been briefed at each RIBA stage.
- 5.1.5 Prior to submission of the Planning Application for the main scheme, a public consultation event took place.
- 5.1.6 Throughout the design process we have consulted with the school and the governing body to ensure that the final product meets expectations and that any changes proposed do not materially affect the operation and success of the school. The school governing body have also formally given their support for the scheme.
- 5.1.7 In accordance with the Learning Places Programme Delegation from Executive Board in September 2014, this scheme has been considered and supported via email as this falls outside the monthly meeting cycle for the School Places Programme Board meeting. Approval by the Director of Resources and Housing and the Director of City Development was received on 25<sup>th</sup> February 2019 and 27<sup>th</sup> February 2019.

## **6.0 Equality & Diversity / Cohesion & Integration**

- 6.1 The recommendations within this report do not have any direct nor specific impact on any of the groups falling under equality legislation and the need to eliminate discrimination and promote equality. A screening document has been prepared (**Appendix A Equality, Diversity, Cohesion & Integration Assessment**) and an independent impact assessment is not required for the approvals requested.

## **7.0 Council Policies & Best Council Plan**

- 7.1 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 the accessibility of local and desirable school places and thus reduce the risk of non-attendance.
- 7.2 Contract Procurement Rules (CPRs) apply to this process and this Report confirms that the relevant CPRs have been adhered to.
- 7.3 This proposal contributes to the city's aspiration to be the best council, the best city in which to grow up and a child friendly city. The delivery of pupil

places through the Learning Places Programme is one of the baseline entitlements of a child friendly city. By creating good quality local school places we can support the priority aim of improving educational attainment and closing achievement gaps. In turn, by providing young people with the skills they need for life, this proposal provides underlying support for the council's ambition to produce a strong economy by compassionate means. A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsession to improve behaviour, attendance and attainment.

## **8.0 Resource & Value for Money**

- 8.1 Kier Construction Northern were procured off the YORBuild 2 framework using direct selection at RIBA Stage 0. Working in partnership with the Council, they have developed a full design and cost for the Greenside bulge accommodation.
- 8.2 YORbuild2 recommends that for direct selection Value For Money is demonstrated in accordance with their best practice document "Open Book Development of Tender Price". Colleagues in NPS have supported this process to ensure compliance with YORbuilds recommendations.
- 8.3 NPS have examined the priced tender bid received from Kier Construction Ltd. It is the view of NPS that there were no anomalies detected in the submission and was it found to be arithmetically correct. NPS therefore recommended the submission for acceptance.

## **9.0 Full Scheme Estimate**

- 9.1 The tender submission provided by Kier Construction Northern of £426,595.54 remains within the £2.5m reported to Executive Board on 9th March 2016 and remains within the Design and Cost Report signed by the Director of Children's Services on 10th July 2017 which granted approval to spend a total of £574k to cover the provision of enabling works required to support the expansion of Greenside Primary School.

## **10.0 Prior Approvals**

- 10.1 A planning application for Greenside Primary School aforementioned works was submitted on 24<sup>th</sup> September 2018 and planning permission was subsequently granted on 09<sup>th</sup> January 2019.
- 10.2 The Design and Cost Report signed by the Director of Children's Services on 10<sup>th</sup> July 2017 granted approval to spend a total of £574k for the provision of enabling works required to support the expansion of Greenside Primary School. The DCR report is attached at Appendix B.
- 10.3 The overall budget for the scheme is £ 438,095.54 (which includes client contingency and ICT costs that do not form part of the tender award).

## **11.0 Legal Implications, Access to Information & Call-in**

- 11.1 The Project has been detailed on the future list of 'Key Decisions' and has not been subject to any 'call-in' requests.
- 11.2 The approval of this report constitutes a 'Significant Operational Decision' and as such will not be subject to 'Call-In'.
- 11.3 The tender has been procured in accordance with the City Council's contract procedure rules.

## **12.0 Risk Management**

- 12.1 Risk has been managed through application of 'best practice' project management tools and techniques via the City Council 'PM Lite' risk methodology. Experienced project management resource from the Projects and Programmes Asset Management and Regeneration team is tasked with ensuring the project remains within the predetermined risk tolerances.
- 12.2 A risk log has been developed for the scheme by Leeds City Council and the contractor to ensure all the risks for the project have been identified together with the relevant owner of the risk. The risk register has been used to inform the client contingency for the project. The council's project risk log will be maintained and updated throughout the project and escalation of any risks that sit outside of the agreed tolerances will be managed via the Head of Projects and Programmes Asset Management and Regeneration.
- 12.3 The Council's project risk log has been maintained and updated throughout the project and escalation of any risks that sit outside the agreed tolerances will be managed via the Head of Projects and Programmes Asset Management and Regeneration.
- 12.4 A client held contingency commensurate with the value of the project has been included within the approval figure to address any risks that might occur during construction.

## **13.0 Conclusions**

- 13.1 An evaluation of the tender submission by NPS Leeds Ltd has determined that *'a transparent package of subcontractor quotations were provided as backup to Kiers price and preliminary rates and were priced in accordance with the Yorbuild2 framework'*.
- 13.2 NPS Leeds Ltd have concluded that *'Having examined the priced tender bid received from Kier Construction Ltd, our opinion would be that there were no anomalies detected and was found to be arithmetically correct, and is therefore recommended for acceptance'*.

## **14.0 Recommendations**

14.1 The Director of Children and Families is requested to:

- Approve the request to award the contract for the sum of £426,595.54 to Kier Construction Northern for the purchase and installation of temporary accommodation.
- Authorise the signature of all contractual documentation with Kier Construction Northern in relation to the tender acceptance.
- Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision.
- Note that the whole scheme will be completed in June 2019.

## **15.0 Background documents<sup>1</sup>**

15.1 None

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<sup>1</sup> 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.