

Report of the Head of Projects and Programmes

Report to the Head of Service Learning Systems

Date: 8th August 2019

**Subject: Tender Acceptance Report – Greenside Primary School
Kitchen Expansion**



Are specific electoral wards affected? If yes, name(s) of ward(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

In March 2016, the Council’s Executive Board agreed to 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. At the time, an initial prefeasibility budget of £2.5m, based on a number of high level assumptions, was provided to give an early indication of cost.

In February 2018, as part of the Learning Places Programme update, Executive Board approved an increase in capital spending from £2.5m to £4.2m, which reflected the cost of the requirements of the scheme based on actual surveys undertaken and further investigative work carried out. Executive Board members approved the increase in budget but it was subject to the completion of a robust feasibility study.

The main reason for the disparity in cost between the original high level estimate and the revised estimate of £4.2m was because the initial estimate was based on the assumption that it was possible to build additional classrooms in the roof void. This assumption was based on the fact that the school had, in the past, carried out building works in this area and it was assumed that this would still be possible. Changes in building regulation, since then, made this solution impracticable.

The feasibility study carried out identified a number of factors including reducing need for primary school places in Pudsey caused by changes in parental preference patterns as well as 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 with effect from September 2020, a reduction from the original proposed admission of 60.

In February 2019, Leeds City Council Executive Board determined a PAN for Greenside of 45 for entry from September 2020. It was approved that the school would continue to admit up to 60 children into Reception class for academic years 2017/18, 2018/19 and 2019/20. The scope of the scheme was revised to address the requirements created as part of the temporary increase in PAN.

A Tender Acceptance Report approved by the Director of Children and Families in March 2019, under reference D48465 was used to enter into a contract with Kier Construction Limited for the sum of £426,595.54. The contract covered 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. This followed the DCR approved in July 2017 under reference D44603.

The second DCR approved in June 2019 (under reference D49759) covered the total cost of the scheme. The works covered under this Tender Acceptance Report covers the expansion of the kitchen, the construction of a secure bin enclosure and fence.

The total scheme cost of all the works is estimated to be £1.03m which remains within the £4.2m reported to Executive Board in February 2018. The remaining budget has been rescinded and recycled back into the Learning Places Programme Budget.

On the 17th July 2019, the Council issued its Invitation to Tender via YorTender to eight contractors on the YorBuild 2 who have been preapproved to carry out works of this nature. A total of five responses were received on Thursday 4th July 2019.

Following a joint review undertaken by colleagues in NPS and City Development on behalf of Children and Families, RH Fullwood & Co Ltd has been selected as the winning contractor on the basis of providing a compliant lowest cost tender. RH Fullwood & Co Ltd has submitted a proposal that meets the requirements set out in the Invitation to Tender documents published by Leeds City Council and developed in partnership with NPS.

The design for the scheme has been developed by Norfolk Property Services (NPS Leeds). Therefore the criteria used to evaluate returned bids was based on a price only evaluation and RH Fullwood & Co scored 100% with their price of £312,335.08.

The Council intends to award the contract by Friday 30th August 2019. All unsuccessful organisations will be informed of the decision via YorTender subject to approval of this report.

The purpose of this report is to request authority to accept the tender from RH Fullwood & Co for the sum of £312,335.08 and to enter into contract with them.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

The scheme will be delivered under the City Council's Learning Places Programme and is required to fulfil the local authority's statutory responsibility which is 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 risks associated with non-attendance.

Education and skills are essential parts of our economic prosperity. This scheme contributes to the city's Inclusive Growth Strategy which forms part of the Best Council Plan specifically the focus on the key element of 'continuing to improve educational attainment across the city whilst closing the achievement gap for disadvantaged learners'.

The Leeds 2018-23 Children and Young People's Plan for set out Leeds City Council's vision for children and young people, 'Leeds to be the best city in the UK and the best city for children and young people to grow up in. We want Leeds to be a child friendly city'. This scheme contributes to this vision.

It also supports the five outcomes set out in the plan, all children and young people, are safe from harm, do well at all levels of learning and have skills for life, enjoy healthy lifestyles, have fun growing up, are active citizens who feel they have a voice and influence. The Learning Places Programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

Furthermore out of the eleven priorities, this scheme directly contributes to, 'Support families to give children the best start in life', 'improve achievement and attainment for all' and 'improve at a faster rate educational progress for children and young people vulnerable to poor learning outcomes'.

3. Resource Implications

The overall budget for all the works in this scheme including for surveys and commissioned services is £1,03m which will be met through capital scheme number 32450/GRE/000.

A Project Manager from City Development has been allocated and is responsible for the successful delivery of this scheme.

NPS has been commissioned to provide lead designer and technical advisor services.

Recommendations

The Head of Service Learning Systems is requested to:

- a) Approve the request to award the contract for the sum of £312,335.08 to RH Fullwood & Co Ltd to expand the existing kitchen which will enable the school to prepare meals on site as opposed to having them delivered, build a new bin enclosure which will mean that bins will be situated a safe distance away from the school and to increase the height of the existing fence.
- b) Authorise the signature of all contractual documentation with RH Fullwood & Co in relation to the tender acceptance.
- c) Note that the whole scheme will be completed by Friday 21st December.

1. Purpose of this report

1.1. The purpose of this report is to request authority to:

- To accept the tender from RH Fullwood & Co Ltd for the sum of £ £312,335.08. This budget will be used to expand the existing kitchen so that it is suitable for a 2FE school.
- This follows works done as part of phase 1 which included the installation of temporary accommodation (provision of foundations, drainage and tarmac) fencing and associated works required to provide the accommodation for seven years.
- To enter into the contract with RH Fullwood & Co Ltd totalling £312,335.08.

2. 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 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 creation of new school 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.
- 2.4. Since 2009, Leeds City Council has created over 11,500 primary school places in response to demand created by a continuous rise in the birth rate across the city since the early 2000's. Birth rates now appear to have plateaued at around 10,000 per annum and therefore the need for additional primary school places has receded due to the capacity added in over the past decade.
- 2.5. Since the last update to Executive Board, the Learning Places Programme has successfully delivered 1,600 primary places across 10 schools at a programme wide investment of £38.6m. A further 4 primary school expansions totalling an investment of £18.75m are on programme to deliver in 2019.
- 2.6. As a consequence of the increasing birth rate in Pudsey and surrounding areas, it is necessary to temporarily expand for a period of seven years, the provision at Greenside Primary School from a 1.5 Form Entry with 315 pupil places to a 2 Form Entry with 420 pupil places. This new scheme will be completed under the City Council's Learning Places Programme which aims to ensure its statutory duties are met with respect to ensuring a school places for every child within the city.
- 2.7. The expansion of places was approved by Executive Board on 9th March 2016 following public consultation and the publication of statutory notices for the expansion in December 2015. This proposal is for an increase in school places to serve the area and not replace any existing schools or places within the community.
- 2.8. Due to the phasing required to deliver this scheme, approval was sought under two Design and Cost Reports (DCR), the total of both DCRs remain within the scheme budget of £4.2m approved by members of the Executive Board at their meeting in February 2018.
- 2.9. The first DCR was approved in July 2017 for the sum of £574K (capital of £434K and revenue of £140K) by the Director of Children and Families under reference D44603.
- 2.10. The second DCR, covering the costs of the requirements created as part of the bulge works, was approved in June 2019 by the Director of Children and Families under reference D49759.

3. Main issues

3.1. Design Proposals and Full Scheme Description

3.1.1. 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 is near completion and will be available in time for the start of the new academic year September 2019. This formed phase 1 of the works and was awarded to Kier Construction Limited.

3.1.2. The proposed works for phase 2 consists of the following:

- Works necessary to expand the existing kitchen which will enable the school to prepare meals on site as opposed to having them delivered.
- Screening the existing extension behind a wooden screen so the visual impact of the required air handling unit and duct, that are necessary as part of the expansion works, is minimised.
- Installation of external vents where there are currently high level windows, this will maintain good air flow which will reduce smell and moisture in the kitchen.
- A new enclosed bin store which will house the bins a safe distance away from the school.
- New fence around the perimeter of the playground which will reduce the number of games related equipment going onto the nearby road. This was a key requirement of the school's senior management team and governing body who expressed significant concerns about the increased risks to health and safety due to the higher number of pupils.

3.2. Project Timetable

3.2.1. Planning permission was granted on Thursday 1st August, it was originally planned for Thursday 11th July. Approval was delayed due to a number of objections raised around noise, odour and positioning of the ventilation system as well as the proposed fencing both in terms of its design and impact on the amount of playground area.

3.2.2. The planning decision imposes a number of conditions to mitigate against the objections raised. These have been reviewed by colleagues in NPS and they confirm that these can be discharged successfully,

3.2.3. Due to the delay in obtaining planning approval it is no longer possible to meet the original project timetable and therefore in consultation with the school's newly appointed headteacher, it is now proposed that works will begin on site Monday 23rd September 2019 as opposed to Monday 5th August 2019. Handover of the site will take place Friday 20th December 2019 instead of Monday 28th October 2019.

3.2.4. The above proposed revised timetable is supported by the governing body who feel that the delay in commencing work will reduce pressure on the school at a time when there will be another increase in pupil numbers as part of the temporary bulge cohort. At the same time, the school will also begin to use the newly installed temporary accommodation and will be undergoing a process of familiarisation with the new ways of working.

3.2.5. Delaying commencement of the kitchen expansion works does mean that the school will continue to have meals delivered, as it does currently, but that this will be over a longer period of time than originally anticipated.

4. Corporate considerations

4.1. Consultation and engagement

- 4.1.1. The proposal to expand the school was subject to a statutory process issued in December 2015 and included public consultation. The expansion of the school was subsequently approved by Executive Board in March 2016.
- 4.1.2. The expansion scheme has been subject to consultation with key stakeholders including colleagues in Childrens and Families, 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. Throughout the design process, the school and governing body has and will continue to be consulted on the proposals to ensure that the final product meets expectations and that any changes proposed does not materially affect the operation and success of the school. The school's governing body has supportive of the proposals.
- 4.1.4. Planning approval for this phase of the works was granted on Thursday 1st August 2019.
- 4.1.5. The Project Manager will continue to brief elected members at key stages throughout the project development life cycle.

4.2. Equality and diversity / cohesion and integration

- 4.2.1. The recommendations contained in 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 for this scheme (attached at Appendix A) and the outcome of the screening is that an independent impact assessment is not required for the proposals set out in this report.

4.3. Council policies and the Best Council Plan

- 4.3.1. The scheme will be delivered under the City Council's Learning Places Programme and is required to fulfil the local authority's statutory responsibility which is 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 risks associated with non-attendance.
- 4.3.2. Education and skills are essential parts of our economic prosperity. This scheme contributes to the city's Inclusive Growth Strategy which forms part of the Best Council Plan specifically the focus on the key element of 'continuing to improve educational attainment across the city whilst closing the achievement gap for disadvantaged learners'.
- 4.3.3. The Leeds 2018-23 Children and Young People's Plan for sets out Leeds City Council's vision for children and young people, 'Leeds to be the best city in the UK and the best city for children and young people to grow up in. We want Leeds to be a child friendly city'. This scheme contributes to this vision.
- 4.3.4. It also supports the five outcomes set out in the plan, all children and young people, are safe from harm, do well at all levels of learning and have skills for life, enjoy healthy lifestyles, have fun growing up, are active citizens who feel they have a voice and influence. The Learning Places Programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.
- 4.3.5. Furthermore out of the eleven priorities, this scheme directly contributes to, 'support families to give children the best start in life', 'improve achievement and attainment for all' and 'improve at a faster rate educational progress for children and young people vulnerable to poor learning outcomes'.

4.3.6. Contract Procedure Rules (CPRs) apply to this process and this report confirms that the relevant CPRs have been adhered to.

Climate Emergency

4.3.7. In accordance with the principles of sustainable transport, an updated School Travel Plan demonstrating measures to encourage alternative modes of transport other than single occupancy of vehicles has been developed. This includes timescales for when those measures shall be put in place.

4.3.8. The plan also includes procedures for monitoring the uptake of alternative modes of travel and evidence of compliance will be provided to the local planning authority.

4.3.9. To ensure the protection of trees in close vicinity of the construction area, a method statement was submitted and approved in writing by the local planning authority. The method statement included details of the existing condition of the land, method of construction, protection of trees, pruning works to trees and other measures to mitigate the impact on affected trees. The statement also included details of the means of restoring the land on completion of the development.

4.3.10. The contractor is contractually obliged to provide a Site Waste Management Plan (SWMP) which includes a pre-demolition audit of the existing site to determine the feasibility of recovery of material from demolition or refurbishment for the purpose of reuse and / or recycling.

4.3.11 In addition, the contractor will aim for at least 75% by weight or 65% by volume of non-hazardous construction waste generated by the project to be diverted from landfill and either:

- Reused on other sites
- Salvaged / reclaimed for reuse
- Returned to the supplier via a 'take back' scheme
- Recovered from site by an approved waste management contractor and recycled

4.3.13 All new lighting to be installed will be LED as opposed to traditional incandescent and halogen lightbulbs.

4.4. Resources, procurement and value for money

4.4.1 The contractor has been appointed through use of the YORbuild 2 framework via a competitive process. The YORbuild2 framework is an approved framework and the proposed procurement process is in line with CPR 3.1.5 (CPRs 3.1.4 and 3.1.6 does not apply as there is no ISP, or existing provider able to undertake this work).

4.4.2 Tenders received have been evaluated on a price only basis with the lowest compliant tender being selected. Works and site drawings contained in the tender documents have been fully designed by NPS; all tenderers have priced the same information therefore a price only evaluation allows direct comparison.

4.4.4 Colleagues in NPS have carried out an evaluation of the tender received and confirm that the tendered figure from RH Fullwood and Co Limited is in the opinion of NPS' Senior Quantity Surveyor acceptable. Furthermore it is noted that the pricing is consistent throughout with no serious anomalies or detectable adverse characteristics.

4.4.4 NPS' recommendation is that the tender of RH Fullwood & Co Ltd in the sum of £312,335.08 be accepted.

4.4.5 NPS has been commissioned to provide lead designer and technical advisor services. The scope of service is for NPS to provide City Development with design services and technical

advice through the feasibility, design & procurement process. The scope of the service is also to provide the necessary technical advisory services to assure that the construction works carried out by RH Fullwood & Co offers value for money, is aligned with the requirements of the brief, meets the standards set in the Output Specification and is deliverable within the parameters of the programme.

- 4.4.6 The pre tender estimate developed by NPS was £360,108.10 and the average tender return was £331,066.61 with the successful tender bid submitted by RH Fullwood & Co Ltd being £312,335.08. The overall scheme budget will be reduced to reflect the lower cost.

4.5. Legal implications, access to information, and call-in

- 4.5.1 The project has been detailed on the future list of key decisions and has not been subject to any 'call in' requests.
- 4.5.2 The approval of this report constitutes a 'Significant Operational Decision' and as such will not be subject to 'call in'.
- 4.5.3 The tender has been procured in accordance with the City Council's contract procedure rules.

4.6. Risk management

- 4.6.1 Risk has been managed through application of 'best practice' project management tools and techniques via the City Council 'PM Lite' risk methodology. Project management resource from City Development is tasked with ensuring the project remains within the predetermined risk tolerances.
- 4.6.2 A joint risk log will be developed with the appointed contractor to ensure all construction related risks for the project are identified together with the relevant owner of the risk. The council's project risk log will continue to 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 Programme, City Development.
- 4.6.3 One of the key risks to this project is asbestos. A survey has been carried out which has identified the presence of asbestos in those areas where works are planned. The recommendations in the survey is to remove asbestos if it directly impacts on the proposed works.
- 4.6.4 It is currently not anticipated that the presence of asbestos will have a direct impact on the proposed works.
- 4.6.5 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.

5 Conclusions

- 5.1 The tender price submitted by RH Fullwood and Co Ltd is lower than the pre-tender estimate developed by NPS and ensures that the project remains within the funding envelope approved by Executive Board.
- 5.2 Evaluation carried out by colleagues in City Development supported by NPS who also carried out their own review identified RH Fullwood and Co Ltd as the preferred bidder.
- 5.3 All unsuccessful organisations will be informed of the decision via YorTender subject to approval of this report.

6 Recommendations

6.1 The Head of Service Learning Systems is requested to:

- Approve the request to award the contract for the sum of £312,335.08 to RH Fullwood & Co Ltd to expand the existing kitchen which will enable the school to prepare meals on site as opposed to having them delivered, build a new bin enclosure which will mean that bins will be situated a safe distance away from the school and to increase the height of the existing fence.
- Authorise the signature of all contractual documentation with RH Fullwood & Co in relation to the tender acceptance.
- Note that the whole scheme will be completed by Friday 21st December.

7 Background documents¹

- 7.1 Outcome of Statutory Notice on Proposals to Expand Primary Provision in Pudsey / Swinnow
- 7.2 Design and Cost Report Greenside Primary School Expansion (D44603)
- 7.3 Greenside Primary School Expansion – Learning Places Programme
- 7.4 Tender Acceptance Report – Learning Places Bulge Expansion of Greenside Primary School (D48465)
- 7.5 Design and Cost Report Greenside Primary School Kitchen Improvements – Learning Places Programme (D49759)

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.