



Report of the Head of Projects and Programmes

Report to the Director of Children and Families

Date: 12th August 2019

Subject: Tender Acceptance Report – Beeston Hill St Luke’s C of E Primary School



Are specific electoral wards affected? If yes, name(s) of ward(s): Beeston And Holbeck	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<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
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

- The Design and Cost report for the proposed permanent expansion of Beeston Hill St Luke’s C of E Primary School from a 1.5FE to 2FE including an 8 place Resource Provision for Children with Autism, for £4,295,000 was approved by Executive Board on 24th July 2019.
- The purpose of this report is to request authority to accept the tender submitted via the Leeds Local Education Partnership for the Learning Places Programme scheme at Beeston Hill St Luke’s C of E Primary School for the sum of £3,116,114 inclusive of all professional design fees incurred by the appointed contractor, development costs and surveys incurred by the contractor. Release of the funding for the construction costs will be subject to valuations completed and validated by NPS Ltd. (Leeds).
- Authorise the requirement to enter into a contractual agreement with Leeds D&B One Ltd to deliver the development at Beeston Hill St Luke’s C of E 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 £3,116,114

2. Best Council Plan Implications

- 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.
- This contributes to the 2019/2020 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 2018-23. , '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'. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

3. Resource Implications

- The overall scheme budget is £4,295,000 which includes all associated costs for the construction works, professional fees, survey costs, loose furniture & equipment to support the expansion to 2FE and the setting up of SEN provision, supporting costs and a client held contingency commensurate to the scale and complexity of the project.
- The cost will be met through capital scheme number 32737/BEE/000 as part of the Learning Places Programme.

Recommendations

The Director of Children and Families is requested to:

- Authorise acceptance of the tender submitted via the Leeds Local Education Partnership in the sum of £3,116,114 inclusive of all professional design fees incurred by the appointed contractor, development costs and surveys incurred by the contractor. Release of funding for the construction costs will be subject to valuations completed and validated by NPS Ltd. (Leeds).
- Authorise the requirement to enter into a contractual agreement with Leeds D&B One Ltd to deliver the development at Beeston Hill St Luke's C of E 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 £3,116,114
- 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 as a signatory of all other contract related documentation that is required to deliver the project.

1. Purpose of this report

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

- Seek acceptance of the tender submitted by the Leeds Local Education Partnership (LLEP) in the sum of £3,116,114 for the aforementioned works.
- To seek authority to enter into contract with the Leeds D&B One Ltd, at a contract value of £3,116,114 for the construction programme at Beeston Hill St Luke's C of E Primary School.

2. Background information

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. This proposal has been brought forward to meet the projected demand for primary school places within Beeston and Holbeck, current demographic data suggests that there is a need for additional primary places within the vicinity of Beeston Hill St Luke's C of E 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.
3. A report to Executive Board on 13 December 2017 included the outcome of consultation on the proposal to expand primary provision at Beeston Hill St Luke's CE Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2018 (although additional accommodation is not required until September 2020). The consultation also proposed the addition of an 8 place Resource Provision for children with Autism. Executive Board approved the recommendation to publish a Statutory Notice. A report was submitted for final determination and subsequently approved at the Executive Board meeting on 21 March 2018.
4. In order to deliver the required accommodation in time for commencement of the 2020 academic year a project was instigated utilising the LLEP, as procurement vehicle, and NPS Ltd. (Leeds), as architectural lead. Following a tender exercise, instigated and managed by the LLEP, Henry Boots Construction Ltd will be appointed as the principal contractor for the project.
5. 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. Main issues

3.1 Design Proposals and Full Scheme Description

The works at Beeston Hill St Luke's C of E Primary School, necessary to facilitate the proposed expansion, consists of the following essential components:

- Construction of a two storey standalone building consisting of four classrooms on the first floor along with pupils toilets and an 8 place SEN resource provision, small hall and staff PPA room on the ground floor
- Remodelling of the existing kitchen to generate efficiencies for delivery of 2FE meal through-put.
- Remodelling of two classrooms space within the existing school building to ensure they are the sufficient size to accommodate 30 pupils.
- Remodelling existing courtyard to provide additional space to the main hall
- Remodelling of the existing behavioural support room and pupils toilets to create additional toilet facilities in line with the design guidance.
- Reallocating an existing teaching space and group room in to a specialist arts space and behavioural support.
- Extension of the car park in line with requirements stipulated by Highways Development Control. Inclusion of dedicated SEN drop-off provision and mandatory electronic vehicle charging points at the appropriate ratio.
- Reconfiguration of outdoor play spaces to the meet the requirements for the additional pupil numbers in-line with Sport England guidance.

3.2 The tender value of the works is £3,116,114, with the full scheme cost being £4,295,000 which is inclusive of all other additional fees/services and inclusive of an Authority held contingency sum.

3.3 The construction elements of the project at Beeston Hill St Luke's C of E Primary School has been subject to market testing. These returns have been analysed by NPS Leeds on behalf of the Authority, from both a technical and financial perspective and in the opinion of NPS Quantity Surveyor is acceptable.

3.4 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 applied to this process has been adhered to. The exclusive supplier arrangements, detailed under CPR 3.1.5, have been invoked in this instance. Construction contracts developed through the SPA are delivered by Leeds D & B one Ltd with Henry Boot Construction Ltd as subcontractor.

3.5 Following confirmation and acceptance of final contractor's costs this tender acceptance report seeks approval to accept the tender in respect of the proposed works at Beeston Hill St Luke's C of E Primary School and award the contract in accordance with Leeds City Council procurement rules. This will take the form of a JCT 2016 contract between LCC and Leeds D & B One Ltd. 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.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 A report to Executive Board on 13 December 2017 included the outcome of consultation on the proposal to expand primary provision at Beeston Hill St Luke's CE Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2018 (although additional accommodation is not required until September 2020) The consultation also proposed the addition of an 8 place Resource Provision for children with Autism. 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 21st March 2018 Executive Board report appertaining to the expansion of Beeston Hill St Luke's C of E 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, Parks and Countryside, and LCC Highways.
- 4.1.4 A pre-planning consultation session was held at Beeston Hill St Luke's C of E Primary School on the 22nd November 2018, prior to the planning application being submitted. This session was open to the general public, parents, carers, local ward members and any other interested parties. Comments taken from these events have been addressed, where possible, within the proposals and construction phase plan. Planning approval was granted on 20th June 2019.
- 4.1.5 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 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 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 2019/2020 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.
- 4.3.3 The following considerations have been applied to this scheme to support the climate emergency declaration:
- A sustainable approach to the design, construction and production of all new facilities provided, shall deliver a cost-effective and resource-efficient facility that:
 - Optimises passive design measures, including fabric first principles
 - Minimises the use of all resources
 - Reducing the demand for energy and water use during the Works Period and in use
 - Minimises construction waste and CO2 emissions during the Works period
 - Allows opportunities for recycling during the Works Period
 - The contractor for the proposed development will need to demonstrate a robust Waste Management Plan, be registered with The Considerate Constructors Scheme, of which, the main consideration of the scheme falls into three categories: The general public, the workforce and the environment. Contractors will also need to be sympathetic to the Leeds Talent and Skills Plan by seeking to employ local trades where possible thus reducing the impact of extended travel.
 - Planning was approved on the 20th June 2019 which requires the following conditions are met :
 - The School's 'Travel Plan' will be considered and a package of measures will be identified in order to mitigate the potential impact on the highway as a result of the development. Leeds City Council's 'Influencing Travel Behaviour Team' will support these measures and seek to ensure safe routes to and from school by promoting walking, cycling and scooting. Progress on these matters will be monitored and support offered where appropriate.
 - To protect and enhance the visual amenity approved plans will need to include a programme of replacement tree planting at a 3:1 ratio.

- In the interests of promoting sustainable travel opportunities electrical vehicle charging points will be provided as part of the scheme
- The project team will continue to work with the sustainable Energy and Air Quality team to identify and deliver any further efficiencies.

4.4 Resources, procurement and value for money

- 4.4.1 The contractor has been appointed via the Strategic Partnering Agreement (SPA) between the LLEP and Leeds City Council. The associated procurement rules applied to this process has been adhered to. The exclusive supplier arrangements, detailed under CPR 3.1.5, have been invoked in this instance.
- 4.4.2 The construction elements of the project at Beeston Hill St Luke's C of E Primary School has been subject to market testing. These returns have been analysed by NPS Leeds on behalf of the Authority, from both a technical and financial perspective and have confirmed that the tendered figure from Leeds D & B One Ltd is, in the opinion of NPS' Quantity Surveyor, acceptable.
- 4.4.3 NPS Leeds will provide the necessary technical advisory services to assure that the construction works carried out by Henry Boot Construction Ltd is aligned with the requirements of the brief, meets the standards set in the output specification and is delivered within the parameters of the programme.

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

- 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 Leeds 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's '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 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.

5. Conclusions

- 5.1 The tender submission provided by Leeds Local Education Partnership (LLEP) of £3,116,114 has been evaluated by NPS Leeds as acceptable and falls in line with the budget affordability set out in the DCR approval.
- 5.2 The recommendation therefore is to accept the tender sum of £3,116,114 and proceed with contract award to enable start on site as planned and ensure the overall programme meets the scheduled delivery of additional school places for September 2020.

6. Recommendations

- 6.1 The Director of Children and Families is requested to:
- Authorise acceptance of the tender submitted via the Leeds Local Education Partnership (LLEP) in the sum of £3,116,114.00 inclusive of all professional design fees incurred by the appointed contractor, development costs and surveys incurred by the contractor. Release of funding for the construction costs will be subject to valuations completed and validated by NPS Ltd. (Leeds).
 - Authorise the requirement to enter into a contractual agreement with Leeds D&B One Ltd to deliver the development at Beeston Hill St Luke's C of E 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 £3,116,114
 - 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 as a signatory of all other contract related documentation that is required to deliver the project.

7. 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.