

Exempt or confidential report

The following paragraph of [Part 4b Section 10 of the constitution](#) applies in respect of information given in **Appendix 1** of this report and it is therefore exempt from publication. Members and officers are advised not to disclose the contents of this report:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information)

Decision of the Chief Executive and Chief Officer

Date: 2 July 2019

Wards: Stanford Primary School is located in Longthornton ward

Subject: Stanford Primary School ASD provision – contract award for construction works

Lead officer: Rachael Wardell - Director of Children, Schools and Families

Lead member: Cllr Eleanor Stringer – Cabinet Member for Education

Contact Officer: Tom Procter – Head of Contracts and School Organisation

Recommendations:

- A. The council award the contract for construction works within the allocated budget to enable ASD provision at Stanford Primary School as outlined in the confidential appendix 1.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Stanford Primary School is to provide Additionally Resourced Provision (ARP) for children with ASD (Autistic Spectrum Disorder) and adaptations are required to provide suitable accommodation. As a key decision above £500,000 the purpose of this report is for the Chief Executive and Director of Corporate Services to approve the contract award following a competitive tender process, in compliance with the council's contract standing orders.

2 DETAILS

- 2.1 Stanford Primary School became an Academy School within the PACE Trust in October 2018 to a capacity of 210 pupils plus nursery, with the surplus accommodation from its previous capacity planned to be utilised to provide an 'Additional Resource Provision' (ARP) for children with ASD (Autistic Spectrum Disorder).
- 2.2 There has been a significant increase in demand for specialist placements for children with ASD and the council has a strategy to provide more state school specialist places to meet this need, especially as otherwise there would be an obligation to meet the cost at more expensive placements out of the borough/in

independent school provision. As a result the council agreed a number of projects in its 2019/23 capital programme including the Stanford ASD base

2.3 Over time (three years), the provision will grow to accommodate up to 24 children. In 2019/2020, up to 12 children will be admitted in two classes, with an additional class of 6 in each of the following two years.

2.4 The capital scheme is to remodel existing facilities to create the necessary environment.

2.5 The PACE Trust has followed the statutory process and the Secretary of State has agreed the establishment of the ARP. PACE Academy Trust is experienced in establishing and running an additional base, through the provision at one of its other schools within the trust.

The Procurement process

2.6 The council undertook a restricted tender process, with the contract advertised on the London Tenders Portal to complete a Standard Selection Questionnaire (SQ) on the basis of quality to select five firms to the ITT stage, and then appointment is made on the basis of price, based on itemised pricing schedules.

2.7 On compliance questions, contractors were scored on a number of questions as follows:

- Company's experience and approach to working on school sites, especially SEN related.
- Company's H&S management approach
- Managing the Clients financial risk, and to managing contract cost variations.
- Environmental management
- Accurate contract programming.
- Quality on site
- Value Engineering
- Environmental management policy

2.8 This enabled a short list of five suitably experienced construction companies to be selected to be invited to tender on the basis of compliance and price.

2.9 The tender documents were issued to five companies on 25 May 2019 for return on 17 June 2019.

2.10 The confidential appendix details the tender returns to enable appointment within the council's allocated budget.

3 ALTERNATIVE OPTIONS

3.1 The tender process followed was considered the best means to receive good value for money prices, in enabling the council to access contractors that are most suitable for this value of work.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.4 The ARP was subject to a statutory consultation process as required by Academy schools.

5 TIMETABLE

- 5.1 The works will commence during the school summer holiday period to enable a first phase to be completed in September and completion in October 2019.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

Finance

- 6.1 The scheme is within the approved capital estimates
- 6.2 The capital budget implications are contained in the confidential appendix.
- 6.3 With regard to revenue funding for school placements, if this scheme does not proceed the council would still have a statutory obligation to provide a school place for the children and, without sufficient specialist school places, it would need to be Independent special school provision. This scheme was approved as a 'spend to save' against the Dedicated Schools Grant (DSG).
- 6.4 The council's General Fund needs to meet the cost of home to transport for children. Officers have demonstrated that this cost is considerably less expensive when transporting to a LB Merton state funded special school compared to an independent or out borough school. This project will therefore reduce the impact on home to school transport costs from additional SEN children, compared to what it would be otherwise.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 This report details a procurement that appears to be compliant with the advertising and tendering requirements of the Public Contracts Regulations 2015.
- 7.2 Provided that the award is made in manner that is compliant with valid award criteria and that the relevant notifications are made to the relevant parties including the unsuccessful tenderers and contract award notice the award should meet all lawful requirements for procurement.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Additional specialist school places at Stanford Primary School will contribute to the Authority providing sufficient access to school places for children with special educational needs (SEN).

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no specific crime and disorder implications

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1 All capital schemes have a financial risk but the scheme is recommended to be awarded with a contingency.
- 10.2 Health and safety is being considered carefully to ensure there will be a clear separation between pupils, teachers and parents and construction works, especially in the context of a working school.
- 10.3 The project is being managed under project management methodology and a risk log is held and reviewed at project board meetings.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

11.1 Appendix 1 (exempt)

12. LINKED DOCUMENTS

12.1 None

13 BACKGROUND PAPERS

13.1 None