

LONDON BOROUGH OF BRENT

Meeting of the Executive
17 January 2005

Report from Director of Education, Arts & Libraries

For action

Wards affected:
Preston

**Report Title: AUTHORITY TO INVITE TENDERS FOR THE
NEW-BUILD EARLY YEARS CENTRE AT
PRESTON PARK PRIMARY SCHOOL**

Forward Plan Ref: EAL-04/05-0068

1.0 Summary

- 1.1 This report requests approval to invite tenders in respect of the above named works contract as required by Council Contract Standing Orders 89 and 90 and to evaluate tenders.

2.0 Recommendations

- 2.1 The Executive to give approval to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.4, 3.5 and 3.6 of this report.
- 2.2 The Executive to give approval to officers to invite tenders and evaluate them in accordance with the approved evaluation criteria, as referred to in paragraph 2.1 above.

3.0 Detail

- 3.1 Due to the dilapidated state of temporary accommodation which currently houses the nursery and reception classes and the preponderance of asbestos within the buildings, a scheme has been developed to replace the current accommodation at Preston Park

Primary School with 21st Century provision (an Early Years Centre consisting of a Nursery and 3 reception classrooms) which will enhance the teaching and learning and aid the raising of standards within the school. Members agreed to the financing of the scheme in May 2004 as part of the Education, Arts & Libraries Capital Programme.

- 3.2 Education Arts & Libraries' Asset Management Service appointed Cube Design Limited, following a design and fee competition which involved LEA Officers and Governors of the school. Cube Design have been contracted to provide Royal Institute of British Architects Stages A to L, which include: architectural work, the technical input, preparation of the tender documentation and assistance with the tender process and evaluation, and cost analysis for the design and development of an Early Years Building at Preston Park Primary School. Cube Design will administer the building contract once it is awarded.
- 3.3 The Borough Solicitor has verified that ownership of the site upon which the proposed Early Years Building at Preston Park Primary School is to be built is vested in the Mayor and Burgesses of the London Borough of Brent. Provided all relevant statutory regulations, Member and funding body approvals have been obtained, the contract to proceed with works may commence.
- 3.4 Subject to all necessary approvals being obtained, and, in line with the Council's Standing Orders, advertisements are to be placed in the trade press and a local paper as soon as possible to seek initial expressions of interest. Those organisations that respond to the advert will be sent the Council's Pre- Qualification Questionnaire which addresses issues such as Business Probity, Economic and Financial Standing, and Health & Safety considerations. Organisations which meet the Council's required standards will be invited to tender for this contract. The tendering instructions will advise tenderers that their tenders will be evaluated in accordance with the evaluation criteria set out in this report, and shall state that the recommendation to award the contract will be made on the basis of the most economically advantageous offer to the Council. The proposed evaluation criteria are:
 - Price/Cost
 - Quality
 - Approach to Service Delivery and Timescales
 - Track record in similar type of work
 - References
 - Current capacity
- 3.5 Following the tender evaluation process (which shall be supported by Cube Design as outlined in paragraph 3.2), Cube Design will produce a detailed tender report which shall enable the evaluation panel of Brent

Officers to make a recommendation to the Executive as to whom to award the works contract.

- 3.6 In accordance with Contract Standing Orders 89 and 90, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response	
(i)	The nature of the service.	Building work to produce an Early Years Building consisting of a Nursery and three reception classrooms.	
(ii)	The estimated value.	£1.45 million inclusive of fees.	
(iii)	The contract term.	28 weeks from demolition to new build. July 2005 to April 2006.	
(iv)	The tender procedure to be adopted.	A two stage restricted procedure.	
(v)	The procurement timetable.		Indicative dates are:
		Adverts	18 th January
		Expressions of interest returned	8 th Feb
		Shortlist drawn up in accordance with the Council's approved criteria.	15 th Feb
		Invite to tender.	22Feb
		Deadline for tender submissions.	22March
		Panel evaluation and shortlist for interview.	5 th April
		Interviews and contract decision.	12 th April
		Report recommending Contract award circulated internally for comment.	May 2005
		Executive approval.	Late May 2005
		Contract start date.	July 2005
		Completion date.	April 2006

(vi)	The evaluation criteria and process.	The completed pre- qualification questionnaires, which shall be in the Council's standard format (as outlined in the Council's Procurement and Contract Management Guidelines), will be used to evaluate and shortlist those contractors who meet the Council's standards in relation to financial standing, technical capacity and technical expertise. The panel will evaluate the tenders against the criteria set out in paragraph 3.4 above.
(vii)	Any business risks associated with entering the contract.	No specific risks other than has been outlined in this report. Financial Services and Legal Services have been consulted concerning this contract.
(viii)	The Council's Best Value duties.	The competitive tendering process will assist the Council in achieving Best Value.
(ix)	Any staffing implications, including TUPE and pensions.	See section paragraph 7.0 below.
(x)	The relevant financial, legal and other considerations.	See paragraph 4.0 and 5.0 below.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that works contracts exceeding £1million (High Value Contracts) shall be referred to the Executive for approval to invite tenders.
- 4.2 The estimated value of this works contract is £1.45 million inclusive of fees.
- 4.3 It is anticipated that the cost of this contract will be funded from the Education, Arts & Libraries Capital Programme.

5.0 Legal Implications

- 5.1 The estimated value of this contract is below the threshold of the European Procurement Regulations for Works contracts. The proposed Works contract is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.

- 5.2 Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 5.3 The form of contract for this project will be one of the Joint Contracts Tribunal family of contracts and will incorporate Brent's standard amendments.

6.0 Diversity Implications

- 6.1 The accommodation currently available for children in the Nursery and reception classes is in very poor condition. The school draws its school population from a diverse community with 41% from Asian backgrounds and 25% from African-Caribbean backgrounds.
- 6.2 The proposed building will benefit the diverse community as mentioned above and will provide a 21st century accommodation for those children and will be compliant with the access requirements of the Disability Discrimination Act 1995.

7.0 Staffing Implications

- 7.1 There are no staffing implications for Council staff nor for Preston Park Primary School staff arising from the invitation to tender this works contract, nor for the evaluation process enabling subsequent recommendation for the award of works contract.
- 7.2 The staff and pupils will remain in the present accommodation during the construction of the new building; they will then be decanted into the new building and their present accommodation demolished.

Background Papers

- i) EAL Asset Management Services Preston Park files

Contact Officers

Any person wishing to inspect the above papers should contact:

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