

	<b>Decision of Cabinet Member for Regeneration, Planning and Property</b>
	<b>Report from the Corporate Director, Neighbourhoods &amp; Regeneration</b>
	<b>Lead Cabinet Member for Regeneration, Planning and Property – Cllr Teo Benea</b>
<b>Authority to Award a Design and Build Contract for the Woodfield SEND Expansion</b>	

<b>Wards Affected:</b>	Welsh Harp
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: Information relating to the financial or business affairs of any particular person (including the authority holding that information).
<b>List of Appendices:</b>	Appendix 1 – List of Bidders Appendix 2 – Evaluation Grid
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Name: Jas Yembra Job Title: Senior Capital Project Manager Email: <a href="mailto:jas.yembra@brent.gov.uk">jas.yembra@brent.gov.uk</a>

## 1.0 Executive Summary

- 1.1. This report concerns the contract award for the expansion of the Woodfield School and requests authority to award a contract as required by Contract Standing Order 88.
- 1.2. This report summarises the process undertaken in tendering a contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded in accordance with paragraph 13 of Part 3 of the Constitution.

## 2.0 Recommendation(s)

That the Cabinet Member for Regeneration, Planning and Property, having consulted with the Leader and in accordance with paragraph 13 of Part 3 of the Constitution:

- 2.1 Approves the award for the two stage Design and Build Contract to Elite Systems GB in the sum of £5,289,194.

### **3.0 Detail**

#### **3.1 Contribution to Borough Plan Priorities & Strategic Context**

- 3.1.1 In January 2022, Cabinet approved the SEND Capital Programme Business Case which detailed how the Council intends on increasing SEND provision within the borough to meet the growing need as well as reducing the pressure on the High Needs Block of the DSG.
- 3.1.2 This project delivers on Strategic Priority 4 The Best Start in Life from the Council's Borough Plan 2023 – 2027 through the investment in additional SEND places. This project also meets objectives within with the Council's School Place Planning Strategy 2024 – 2028 and SEND Strategy 2021 – 2025.

#### **3.2 Background**

- 3.2.1 In January 2022, Cabinet approved the SEND Capital Programme Business Case which detailed how the Council intends on increasing SEND provision within the borough to meet the growing need as well as reducing the pressure on the High Needs Block of the DSG. The programme aims to deliver 427 places with capital improvement projects to enhance accessibility at mainstream schools. The cost of the approved programme is £44.19m and this will be funded by Basic Need, High Needs Capital Grant and the Special Provision Fund.
- 3.2.2 One of the identified work streams within the SEND Capital Programme is expansion of existing SEND Schools. Within this work stream, an expansion to create 40 places at Woodfield School was included. However, the project will be providing accommodation for 80 pupils which includes the 40 place expansion, reprovision of 20 places to provide space for the new building as well as incorporation of a previous temporary expansion from 2019 that has turned permanent.
- 3.2.3 The council requires the provision of a design and build contractor for the Woodfield School SEND expansion project. Council officers have undertaken a procurement exercise and identified a contractor providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for the two-stage design and build contract (the "Contract").
- 3.2.4 The contract is a two-stage Design and Build Contract. The first stage is the JCT Pre-construction services Agreement (PCSA) followed by the construction under the JCT Design and Build contract. For the first stage, the contractor will work with the Council to upgrade the scheme design, develop the existing design to RIBA Stage 4, submit a planning application and update and finalise the fixed price contract sum. Subject to satisfactory completion of the first stage,

the second stage will be triggered by the Council by entering the main construction contract with the contractor.

### **The Tender Process**

- 3.2.5 The Contract will be called off from the Crown Commercial Service (CCS) Offsite Construction Solutions Framework Agreement (RM6184) (the “Framework”), using the form of award and standard call off terms and conditions prescribed under the Framework with minor amendments.
- 3.2.6 A further competition exercise was carried out using the Framework in accordance with its rules. In compliance with the Framework further competition guidance, the evaluation of tenders was based on the evaluation criteria detailed in Appendix 1.

### **The Evaluation Process**

- 3.2.7 The tender evaluation was carried out by a panel of officers from Property and Assets and the Council’s Cost Consultant, Arcadis LLP.
- 3.2.8 All tenders had to be submitted electronically no later than 28/07/2025. Tenders were opened on 28/07/2025 and six valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.2.9 The panel met on 04 September 2025 and each submission was marked by the whole panel against the award criteria.
- 3.2.10 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Contractor A was the highest scoring tenderer. Officers therefore recommend the award of the contract to Contractor A, namely Elite Systems GB.
- 3.2.11 Subject to the award of the contract, it is expected the contract will commence on 27<sup>th</sup> October 2025.
- 3.2.12 The contract sum of £5,289,194 includes the £3,874,872 for the Contract Sum Analysis as a budget estimate and £1,414,322 for the PCSA.

## **4.0 Stakeholder and ward member consultation and engagement**

- 4.1 The Lead Member for Regeneration, Planning and Property has been consulted on the SEND Capital Programme progress and this specific project.
- 4.2 Ward Members will be kept up to date with project progress such as planning application submissions and works starting on site.
- 4.3 The school has been a key stakeholder during the project’s design and progress and will continue to be as this contract progresses.

## **5.0 Financial Considerations**

- 5.1 Paragraph 13 of Part 3 of the Council's Constitution states that the Cabinet Member for Regeneration, Planning and Property having consulted with the Leader has delegated authority to approve the award of contracts for works valued over £5 million but under £10 million. The value of the Contract is £5,289,194.
- 5.2 A representative of Brent Financial Services assessed the contractor under the Council's financial viability criteria; the contractor achieved a financial viability score of 81%
- 5.3 The cost of the Contract will be funded from the capital programme budget of £47.35m approved by Cabinet in January 2022, of this budget £11.18m was approved for the SEND expansion workstream. At the time of writing this report, £3.17m, has been spent leaving £8.01m.

## **6.0 Legal Considerations**

- 6.1 The procurement was carried out through the Crown Commercial Service (CCS) Offsite Construction Solutions Framework Agreement (RM6184) which was procured under the Public Contracts Regulations 2015 (the "PCR 2015"). The PCR 2015 allow the use of framework agreement and prescribe the rules and controls for the use of frameworks.
- 6.2 The award of the Contract is also subject to the Council's own Contract Standing Orders ('CSO') in respect of High Value Contracts and Financial Regulations. The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a framework agreement established by another contracting authority, where call off under the framework agreement is approved by the relevant Chief Officer and provided that the Corporate Director, Governance has advised that participation in the framework is legally permissible. The Corporate Director, Governance confirmed that participation in the Framework is legally permissible. The Director, Property & Assets approved the commencement of the mini competition under the framework and confirmed there is sufficient budgetary provision for the Contract as required by CSO 86(e)(ii).
- 6.3 As mentioned above, the award of the Contract is subject to the Council's own Standing Orders in respect of High Value Contracts and in accordance with paragraph 13 of Part 3 of the Council's Constitution, the Cabinet Member for Regeneration, Planning and Property, having consulted with the Leader, has delegated power to award the Contract.
- 6.4 As the procurement of the design and build contractor is from a framework, there is no requirement for the Council to observe a 10-day standstill period under the PCR 2015.

## **7.0 Equity, Diversity & Inclusion (EDI) Considerations**

- 7.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,
- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.4 This report is a precursor for a new asset that will have positive EDI implications as the new building will provide a purpose-built space for pupils with special needs. Additionally, the Lead Member is referred to the EDI implications described in the School Place Planning Strategy 2024 – 2028. Officers do not consider there is any change in the EDI implications from the time of this report.

## **8.0 Climate Change and Environmental Considerations**

- 8.1 The proposed new building will be built to current building regulations and incorporate proposals to the building’s fabric to reduce heat loss and consequently reduce energy consumption and carbon emissions. The project will install air source heat pumps which will further reduce carbon emissions during building operation compared to a heating system powered by gas.

## **9.0 Human Resources/Property Considerations (if appropriate)**

- 9.1 This is a works contract and there are no implications for Council staff arising from the procurement of this contract.

## **10.0 Communication Considerations**

- 10.1 Along with updating Ward Councillors, the contractor will keep residents updated on construction progress throughout the contract to manage the impact of the project.

- 10.2 The Contractor will also seek to engage with the school community and provide educational and learning opportunities related to construction.

**Related documents:**

SEND Capital Programme Cabinet report, January 2022

**Report sign off:**

**Jehan Weerasinghe**

Corporate Director of Neighbourhoods and  
Regeneration