

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
<p style="text-align: center;"><b>Title</b></p>	<p><b>Classroom Extension and Internal Modification for St Agnes Primary School (Thorverton Road, Cricklewood, London NW2 1RG): Award of Contract (Contract Ref 701830)</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Cath Shaw (Deputy Chief Executive at London Borough of Barnet)</p>
<p style="text-align: center;"><b>Ward</b></p>	<p>Childs Hill</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Philip Sherman (PM) London Borough of Barnet, 2 Bristol Avenue, London, NW9 4EW 07599545201 / philip.sherman@capita.co.uk</p>

<h3>Summary</h3>
<p>To award the contract for the extension at St Agnes primary school to Carmelcrest. A competitive tender exercise has been undertaken with Carmelcrest being the successful bidder.</p>

<h3>Decision</h3>
<p>1. Authorisation to award a contract to <b>Carmelcrest</b> for <b>£638,902.97</b> for a period of 6 months (construction period).</p>

**1. WHY THIS REPORT IS NEEDED**

1.1 This report is needed to authorise the appointment of Carmelcrest to undertake the school extension at St Agnes primary school and also in accordance with the Council’s procurement rules.

**2. REASONS FOR DECISION**

2.1 The school has a requirement for urgent expansion due to the number of student places exceeding the building capacity and also a requirement to increase Form of Entry from 1.5 to 2 to accommodate all students in line with BB103 requirements.

**3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 None

**4. POST DECISION IMPLEMENTATION**

4.1 Upon approval of the DPR, Carmelcrest will be appointed as Principal Contractor.

**5. IMPLICATIONS OF DECISION**

**5.1 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.1.1 Funding has been approved by the Council and authority to proceed has been granted. There are no foreseeable issues with additional project funding in order to complete the project within the allocated Council budget. Carmelcrest’s tendered cost is reasonable and represents value for money. There are no resourcing concerns in order to complete the construction within allocated time (6 months).

5.1.2 The tender was conducted as works ITQ which was hosted on the Council’s Procurement sourcing portal. CSG (Customer and Support Group) Building Services managed the stringent tender process in conjunction with Barnet Contract Procedure Rules. CSG Building Services oversaw the tender on behalf of the Council and undertook the process with due diligence and in accordance to the requirements.

5.1.3 In line with the Invitation to Quote (ITQ), a post tender clarification was required which led to disqualification of bidder C. Carmelcrest represents the Most Economically Advantageous Tender (MEAT) following the procurement exercise.

5.1.4 The outcome of the evaluation is identified in the table below:

			Carmelcrest		Bidder B		Bidder C	
			Mod Score	%	Mod Score	%	Mod Score	%
			No.	Overall Weighting				
Method Statements	1	12.00%	4	9.6%	1	2.4%	3	7.2%
	2	9.00%	4	7.2%	1	1.8%	3	5.4%
	3	2.25%	4	1.8%	1	0.5%	2	0.9%
	4	2.25%	4	1.8%	1	0.5%	2	0.9%
	5	2.25%	4	1.8%	1	0.5%	2	0.9%
	6	2.25%	4	1.8%	1	0.5%	1	0.5%
	Total	30.0%	24	24.0%	6	6.0%	13	15.8%
Price	(£)		£638,902.97		£877,263.00		£419,021.92	
	Price (%)	70.0%	45.9%		33.4%		70.0%	
Overall Score			69.9%		39.4%		85.8%	

## **5.2 Legal and Constitutional References**

- 5.2.1 HB Public Law has been directly involved within the tender process and provided necessary legal advice, guidance and documentation. As part of the tender pack, HB Public Law commented on the Council's standard Invitation to Tender (ITQ) and drafted the Articles of Agreement (AoA) and these will form the contract between the Council and Carmelcrest.
- 5.2.2 Legal are satisfied that a competitive procurement exercise has been carried out in accordance with The Public Contracts Regulations 2015 and the Council's Constitution, including the Contract Procedure Rules.
- 5.2.3 Under the Council's Constitution, Contract Procedure Rules, Table 1 the relevant acceptance process and documentation for a procurement with a value of £500,000.00 and above which has been authorised by a Theme Committee Decision or Procurement Forward Plan is, if within Budget, a Full Delegated Powers Report (Chief Officer in Consultation with Theme Committee Chairman).
- 5.2.4 Further Legal support will be provided to ensure that the contract is properly completed and sealed, as required.

## **5.3 Risk Management**

- 5.3.1 A risk assessment form has been drafted incorporating all potential project risks.

## **5.4 Equalities and Diversity**

- 5.4.1 The Council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the Borough.

## **5.5 Consultation and Engagement**

- 5.5.1 Consultation has and will continue to be undertaken with key project stakeholders to ensure that the St Agnes primary school reflects the needs of St Agnes primary school and the Council.

## **6. BACKGROUND PAPERS**

- 6.1 Policy and Resources Committee 5 December 2017 Agenda item 11 Annual Procurement Forward Plan 2018/19 Appendix 1 Procurement activity by service area for 2018/2019  
<https://barnetintranet.moderngov.co.uk/documents/s43785/Annual%20Procurement%20Forward%20Plan%20APFP%2020182019.pdf>
- 6.2 Policy and Resources Committee 13 February 2018 Agenda item 9 Annual Procurement Forward Plan Supplement 2018/19 Appendix 1 Annual Procurement Forward Plan Supplement  
<https://barnetintranet.moderngov.co.uk/documents/s44913/Annual%20Procurement%20Forward%20Plan%20APFP%20Supplement%2020182019.pdf>

## **7. DECISION TAKER'S STATEMENT**

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*
- 7.2 *I confirm that I have consulted with the Theme Committee Chairman as required by the Council's Constitution and Contract Procedure Rules.*

**Chief Officer: Cath Shaw**

**Designation: Deputy Chief Executive at London Borough of Barnet**

**Signed:** 

**Dated: 19.8.19**