

## **Report to Mr Edwards, Director of Property and Assets**

**June 2021**

### **Award of Contract for Delivery of Phase One Works – Change of Status of The Forest School, Horsham**

**Report by Education Capital Programme Manager**

**Electoral Division: Horsham East**

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#### **Summary**

The Forest School, Horsham, is currently a single-sex boys' school. In October 2020, following a public consultation, the proposal to alter The Forest School to become a co-educational school from September 2021 entry was confirmed ([Decision Reference ES08\(20/21\)](#) refers).

In March 2021 the Cabinet Member for Education and Skills approved the capital funds required to undertake a first phase of works necessary to enable the school to accommodate girls from September 2021; the new facilities will provide increased opportunities for both boys and girls. This report seeks approval to award the contract for the phase one works.

#### **Recommendation**

- (1) That the Director of Property and Assets approves the award of contract for the Phase One works at The Forest School, Horsham, for the sum of £841,336, to CBG Contractors.
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#### **Proposal**

##### **1 Background and context**

- 1.1 Single sex boys' schools reduce the number of pupil places available for girls in the locality, impacting on the County Council's ability to place girls in schools close to their homes and increasing the demand for home to school transport.
- 1.2 Following consultation, in October 2020 the proposal to change Forest to become a co-educational school from September 2021 was confirmed. This will increase the number of pupils who can obtain a school place close to home.
- 1.3 Capital works are required to support this change to co-educational provision and ensure appropriate and suitable facilities for girls from September 2021

and to provide capital improvement to the school's facilities. In March 2021 the Cabinet Member approved the allocation of £1m to fund the phase 1 works and authorised the commencement of a procurement process to design and cost the new accommodation. As part of the decision authority was delegated to the Director of Property and Assets to enter into a construction contract with the successful provider ([decision ES18\(20/21\)](#) refers). This decision was in addition to £0.150m previously approved by the Director of Property and Assets for design fees for the project.

- 1.4 In May 2021 a change request to add £0.3m to the budget was approved, in accordance with the Capital Programme governance process, to enable the remodelling of science teaching spaces to be included in the Phase One works, to be delivered following the completion of the changing rooms and WCs (see table at paragraph 6.3). The Cabinet Member has been made aware of this increase in budget.
- 1.5 The Phase One project to provide suitable changing rooms and WCs and a separate pedestrian access for Year 7 pupils has been procured as a design & build below the Public Contract Regulations (PCR) threshold restricted 2 stage tender and a Contract Notice was published to [contracts finder](#) on 10<sup>th</sup> March 2021.
- 1.6 The value of this procurement is below the PCR threshold for works of £4,733,252. Bidders were required to complete the standard selection Questionnaire (SSQ) and Health and Safety Questionnaire, which are both scored on a Pass/Fail basis. The County Council's Multi-Disciplinary Consultant (MDC) is providing Project Management and technical services.

## **2 Proposal details**

- 2.1 The Director of Property and Assets is asked to approve the award of contract for the Phase One works at The Forest School, Horsham, for the sum of £841,336, to CBG Contractors.
- 2.2 The County Council's Multi-Disciplinary Consultant (MDC), Faithful+Gould, have been appointed to provide contract administration; health and safety advice and services in relation to ICT and furniture and equipment for the full delivery of the project.
- 2.3 Further phases of work are required as the number of girls attending Forest increase. Future phases are likely to include a Year 7 covered external area, works to the staff car park and a performing arts space for dance. This will be subject to further capital governance arrangements which are to be brought forward for consideration during 2021.
- 2.4 Construction work is anticipated to commence on site for the Phase One works in July 2021 and complete in September 2021.

## **3 Commercial case**

- 3.1 The design and tendering exercise has been managed by the MDC and the Category Lead for Place.

- 3.2 The remodelled and refurbished accommodation will be utilised by the School to support the change to Co-Educational provision and the County Council will put in place mechanisms to monitor that the project is achieving the required benefits.

#### **4 Other options considered (and reasons for not proposing)**

- 4.1 There is an option to do nothing but this will not provide appropriate facilities for girls meaning that girls cannot be accommodated at Forest.
- 4.2 The options were taken to the Commercial Panel, part of the County Council's internal governance process, on 1<sup>st</sup> February 2021 who endorsed the recommended Procurement Strategy.

#### **5 Consultation, engagement and advice**

- 5.1 The project has been designed and agreed in full consultation and agreement with the school.
- 5.2 Only the Year 7 pathway is subject to planning consent and this has been submitted for consideration. The outcome is expected in July 2021.
- 5.3 The details of the proposal have been shared with the local Member representing the Horsham East Division.
- 5.4 The Commercial Panel has been consulted on this proposal.

#### **6 Finance**

##### Revenue consequences

- 6.1 The project will not increase the floor area of the school and will therefore have no direct impact on the revenue funding of the school.
- 6.2 Since funding for the day-to-day operations of schools comes from the ring-fenced Dedicated Schools Grant (DSG), the implications of the change to school organisation for the Council's on-going revenue budget is cost neutral. The amount of funding that a school receives to meet its day-to-day running costs is largely driven by the number of pupils on roll in the autumn census each year. No changes to staffing are proposed by the County Council and The Forest School will organise its staffing based upon the number of pupils on roll.
- 6.3 The table below shows the total budget for design and construction including all professional fees and contingencies approved in the Capital Programme. This totals £1.45m. The total cost of the scheme, excluding the science remodelling, but including all works, fees, ICT, FF&E and contingencies is £1.02m.

	<b>2021/22 £m</b>
Approved Capital Budget (including design fees)	1.15
Approved Change Request for science remodelling (school contribution)	0.30

<b>Total Approved Budget</b>	<b>1.45</b>
Total costs including construction, professional fees, contingencies, ICT and FF&E (excluding science), detailed below in table 6.4	1.02
<b>Remaining budget</b>	<b>0.43</b>

6.4 The below table depicts the project costs:

	£m
Construction Cost	0.841
Professional Fees	0.080
Statutory Fees	0.005
ICT and FFE	0.010
Contingency (10%)	0.084
<b>Total Cost</b>	<b>1.020</b>

This £1.020m is funded out of Basic Need, the total Capital Approved budget for this element of the work (excluding the science remodelling) is £1.150m. The budget therefore exceeds the amount requested by £0.130m, on top of this there is a Construction Contingency of £0.084m.

6.5 The tenders have been evaluated based on most economically advantageous tender (MEAT) criteria as set out in the tender documentation, with the preferred contractor identified through the quality and cost combination to ensure that the project can be met within the parameters of the site, school and design and allocated budget.

## 7 Risk implications and mitigations

<b>Risk</b>	<b>Mitigating Action</b>
Contractor's ability to deliver this project on time and to budget	The MDC Project Manager is working closely with the contractor and school to drive forward a programme to enable delivery. There are some issues in the construction industry relating to inflation of materials. A client contingency of £0.084m has been included and the tender is below the overall budget.
Planning permission is refused	Pre-planning consultation has been undertaken with Planners and statutory consultees to minimise the risk of issues arising. Planning relates to the Year 7 pathway only.

## 8 Policy alignment and compliance

8.1 Legal Implications

The procurement has been completed in compliance with the Council's Standing Orders and in line with the principles of the Public Contracts Regulations 2015 (although a below threshold procurement).

#### 8.2 Equality Duty and Human Rights Assessment

Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it. This proposal will ensure suitable places and equality of opportunity for both boys and girls.

#### 8.3 Climate Change

The County Council's Design Guides have been adhered to in relation to the design of the remodelled accommodation. The Design Guides have recently been updated to ensure school building designs are in line with the County Council's Climate Change Strategy.

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**Background papers** - None