

Report to Andrew Edwards, Director of Property and Assets

August 2021

Award of Contract for Installation of Modular Teaching Unit at Oak Grove College, Worthing

Report by Leigh Hunnikin, Education Capital Programme Manager

Electoral Division: Northbrook Division

Summary

Oak Grove College in Worthing caters for wide range of Special Education Needs, for children aged between 11 and 19. Following a review of current numbers on roll, projected needs and the existing accommodation at Oak Grove College in Worthing it was identified that 4 additional classrooms were required to enable an increase in planned places from 256 in September 2020 to 271 in September 2021

In March 2021 the Cabinet Member for Education and Skills approved the capital funds required to provide these four additional classrooms, toilets and group spaces at Oak Grove College from September 2021([decision ES17\(20/21\)](#) refers). This report seeks approval to award the contract for the construction works.

Recommendation

- (1) That the Director of Property and Assets approves the award of contract for the provision of four additional classrooms and associated accommodation at Oak Grove College in Worthing, for the sum of £839,863, to Portakabin.
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Proposal

1 Background and context

- 1.1 Increasing provision for children and young people with Special Educational Needs and Disabilities (SEND) through the creation of additional places in County Council Special Schools will assist with the aim of enabling children to attend school locally. Creating these additional places also helps avoid the potential costs associated with placing children in Independent and Non-Maintained Special Schools (INMSS) that lead to increasing overspends in the Dedicated Schools Grant (DSG) High Needs Block. Ensuring that children with SEND can be educated locally also meets a key objective of the County Council's [SEND and Inclusion Strategy 2019 - 2024](#).

- 1.2 Following recent increases in numbers on roll and assessments for places required for September 2021, the need for urgent additional capacity at Oak Grove College has been identified.
- 1.3 Capital works are required to support this proposal and ensure appropriate and suitable facilities for the additional pupils from September 2021.
- 1.4 In March 2021 the Cabinet Member approved the allocation of £2.25m to fund the proposed 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 ES17\(20/21\)](#) refers). This decision was in addition to £0.060m previously approved by the Director of Property and Assets for design fees for the project.
- 1.5 The project to provide four additional classrooms, WCs, hygiene facility and group space has been procured as a design & build via the NHS SBS Modular Buildings Framework and is below the Public Contract Regulations (PCR) threshold.
- 1.6 The value of this procurement is below the PCR threshold for works of £4,733,252. Bidders were selected from established frameworks who have already passed necessary selection questionnaires.. 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 the contract for the provision of four additional modular classrooms and associated accommodation at Oak Grove College, Worthing, for the sum of £839,863 to Portakabin.
- 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 for the full delivery of the project.
- 2.3 Construction work is anticipated to be completed in August 2021 for occupation at the start of the 2021/22 academic year.

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 additional accommodation will be utilised by the School to support the placement of additional pupils 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 the additional places required to meet the most urgent need for specialist places.

4.2 The options were taken to the Commercial Panel, part of the County Council's internal governance process, on 1st February 2021 who endorsed the recommended Procurement Strategy to procure via an established framework.

5 Consultation, engagement and advice

5.1 The project has been designed and agreed in full consultation and agreement with the school.

5.2 The project is subject to planning consent and this has been received.

5.3 The details of the proposal have been shared with the local Member representing the Northbrook Division.

5.4 The Commercial Panel, part of the County Council's internal governance process for assessing procurement proposals has been consulted on this project.

5.5 Access to enable delivery of the new modular accommodation will need to be via the neighbouring property Bright Star, a County Council Children's Residential Home, and close consultation and liaison is ongoing to minimise disruption during the construction process.

6 Finance

Revenue consequences

6.1 The project will increase the floor area of the school and will therefore have an impact on the revenue funding of the school with the school's revenue budget increased to reflect the additional pupils to be accommodated.

6.2 The provision of additional places at Oak Grove College will offer a cost saving as, without the additional places, these pupils would have to be placed in the Independent and Non-Maintained Sector (INMS)

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 £2.310m. The total cost of the scheme, with the award of the £839,863 construction contract, and including all fees, ICT, FF&E and contingencies is £1.139m.

	2021/22 £m
Approved Capital Budget (including design fees)	2.310
Total costs including construction, professional fees, contingencies, ICT and Furniture, Fittings & Equipment (FFE)	1.139
Remaining budget	1.171

6.4 The below table depicts the project costs:

	£m
Construction Cost	839,863
Professional Fees	140,000
Statutory Fees	4500
ICT and FFE	70,000
Contingency (10%)	84,000
Total Cost	1,138,363

This £1.139m required to deliver the project is funded out of the SEND Capital Budget, the total Capital Approved budget for this work is £2.310. The budget therefore exceeds the amount requested by £1.171m. Unspent funds will be returned to the SEND capital budget.

- 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

Risk	Mitigating Action
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.

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). Contract terms that comply with the Council's Standing Orders will be used and will be reviewed by Legal Services.

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 school places for those with protected characteristics

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