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| Decision Maker: | Cabinet Member for Finance, Assets and Investments |
| Date: | 15 October 2024 |
| Classification: | Part 1 (Part Restricted – Appendix A – Part 2) |
| Key Decision: | Yes |
| Title of Report: | Appointment of main contractor for Blenheim School Autism Resource Base |
| Executive Director: | Joe Chesterton, Executive Director – Finance and Resources |
| Report Author: | Mark Murphy, Head of Property and Estate Management |

1. Executive Summary

- 1.1 The Council has undertaken a tender exercise in accordance with Public Contract Regulations 2015 for the Construction of an Autism Resource Base at Blenheim Primary School.

2. Recommendation.

- 2.1 **Appoint AW Hardy and Co Limited to undertake the construction of an Autism Resource Base at Blenheim Primary School subject to Standstill Period and submission of satisfactory provision of compliance documentation.**

3. Background

- 3.1 The Council has developed a proposal for the construction of a 12 place Autism Resource Base to be sited within the existing Blenheim Primary School and received Conditional Planning Permission for the development on 22 May 2024 (Ref 24/00501/BC3).
- 3.2 The project was not included on the Council's 2024/25 Annual Procurement Plan as the project had been developed subsequent to the Plan being adopted. Approval was given under the Council's Key Decision process (Date of Decision – 24 June 2024) to take the project forward to tender and to add it to the 2024/25 Annual Procurement Plan.
- 3.2 The project will see the development of an ARB (Autism Resource Base) at Blenheim Primary School. The ARB will provide a 12-place standalone building for provision of education for the School's ASD (Autistic Spectrum Disorder) pupils, within the wider school grounds. The new building will provide 2 no. classrooms of minimum size 30 sqm, plus ancillary and supportive spaces.

- 3.3 The tender opportunity was advertised through Find a Tender and Contracts Finder and the procurement process was conducted electronically via the Council's electronic Tender Facility ProContract and in accordance with the Public Contracts Regulations 2015 via Open Procedure.
- 3.4 Five tenders were received and were evaluated on the basis of the most economically advantageous Tender (MEAT) in accordance with the evaluation and scoring methodology detailed below:
- 70% Price: including financial evaluation of the commercial offer.
 - 30% Technical – bidders were required to answer 1 pass/fail question in regard to the Programme and 4 technical questions with scaled weightings; 3 of these questions included a minimum score threshold of 2.
- 3.5 Consensus scores were agreed on technical evaluation, resulting in the following overall scores below:

| Contractor ID | Tender Price | Tender Price Score | Technical Score | Total Tender Score |
|-------------------------|--------------|--------------------|-----------------|--------------------|
| AW Hardy and Co Limited | Appendix A | 70.00 | 24.00 | 94.00 |
| Contractor 2 | Appendix A | 66.64 | 15.30 | 81.94 |
| Contractor 3 | Appendix A | 65.64 | 12.00 | 77.64 |
| Contractor 4* | Appendix A | 0.00 | 21.30 | 21.30 |
| Contractor 5* | Appendix A | 0.00 | 0.00 | 0.00 |

*These contractors submitted project programmes requiring an earlier start date than that which was published and would not have enabled the Council to complete its compliance, standstill and decision making requirements. As such their programme would have to have commenced later potentially resulting in not being able to complete by the required date in 2025.

- 3.6 Contractors have provided a fixed price cost based upon the information included within the tender package. The school have indicated they wish to contribute to specific parts of the SEND provision i.e. canopy and sensory room decoration. This is estimated to be an additional £30k.
- 3.8 In relation to Social Value the successful contractor is a Southend based company who have said they will recruit additional local labour to deliver the project. They will establish some work shadowing/work experience opportunities for school age pupils, recent leavers and NEETS to provide construction experience. They have offered 1 x volunteer day to benefit a local initiative in minor repairs, site clearance. They have offered 1 day of interview training/coaching for a local school, college or job centre. They have offered School Visits for STEM (Science, Tech, Eng & Math) Development to deliver school presentations on Construction Sites and Safety Awareness for pupils to get an insight into life and process of construction. They commit to using Essex based subcontractors and supply chains where possible and practical. They commit to planting additional trees along the proposed site to improve the local habitat.

4. Reasons for Decision

- 4.1 To put in place a main contractor to deliver the construction of a new Autism Resource Base at Blenheim Primary School.
- 4.2 A decision is required as a matter of urgency to ensure that works can start promptly and that grant conditions and deadlines are met. A programme delay to enable a report to Cabinet would significantly delay the start, and therefore completion, of the works risking the Council's ability to draw down the external grant funding and the completion of the building in time for the 2025/26 school year.

5. Other Options

- 5.1 The Council considered other procurement route options including use of an existing Framework but this was discounted as it would reduce competition and limit opportunities for local supplier engagement.
- 5.2 A Restricted (Two Stage) tender process was considered but it was considered that this would not result in best value being achieved due to limiting engagement in the competitive stage.

6. Financial Implications

- 6.1 The works will be funded through the DFE Grant-funded High Needs Provision Programme. The Most Economically Advantageous tender has been submitted by AW Hardy and Co Limited.

7. Legal Implications

- 7.1 The Council is required to ensure compliance with the Public Contracts Regulations 2015 and Health and Safety Legislation as well as existing and emerging obligations through the Building Safety Act.

8. Other Implications

- 8.1 There are no further implications arising as a result of this report.

9. Appendices

- 9.1 Appendix A – Financial Return Details.

10. Report Authorisation

| This report has been approved for publication by: | | |
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| | Name: | Date: |
| S151 Officer | Joe Chesterton | 15/10/2024 |
| Monitoring Officer | Susan Zeiss | 11/10/2024 |
| Executive Director(s) | Joe Chesterton | 15/10/2024 |
| Relevant Cabinet Member(s) | Cllr Paul Collins | 15/10/2024 |