

Ward Affected:

Newport Pagnell South

CABINET PROCUREMENT COMMITTEE**2 APRIL 2013****AWARD OF CONTRACT FOR REPLACEMENT OF HEATING SYSTEM AND DOMESTIC SERVICES AT CEDARS PRIMARY SCHOOL, NEWPORT PAGNELL**

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Executive Summary

This report requests permission to award the tender for the capital works to replace and upgrade the heating system and domestic services at Cedars Primary School.

The contract is exclusively for the works specified in the tender documents, namely to replace and upgrade the heating system and domestic services.

The scheme has been procured via a mini competition process using the Lot 3 of the Milton Keynes Council Construction Framework.

1 Recommendation

- 1.1 That the contract for the Replacement of the Heating System and Domestic Services at Cedars Primary School be awarded to the highest ranked contractor named in the Annex.

2 Context

- 2.1 The contracted works will address identified capital maintenance issues at Cedars Primary School and improve the condition of the existing school building.

3 Background**3.1 Decision to Proceed to Tender**

- 3.1.1 This project was approved by Cabinet on 28 November 2012. Approval to obtain tenders was given by Procurement Committee on 8 January 2013.

3.2 Consultation

- 3.2.1 The specification and evaluation criteria for this contract were developed following consultation with the following key stakeholders:

The Headteacher, Office Manager/Bursar and Caretaker.

- 3.2.2 The school was offered the opportunity to take part in the tender evaluation exercise, but on this occasion declined.

3.3 Market engagement and lessons learnt

3.3.1 This contract was tendered via a Mini Competition procedure using Lot 3 of the Milton Keynes Council Construction Framework. This Framework was tendered on 10 February 2011 and let on 1 June 2011.

3.3.2 Lessons learnt from previous projects of a similar nature have been built into the new Mini Competition exercise.

3.4 Tender Evaluation

3.4.1 The contract was advertised on the Council's E-Tendering system to the four Lot 3 partners of the Milton Keynes Council Construction Framework on 11 February 2013 and their submissions were received on 08 March 2013.

3.4.2 The submissions were evaluated by a suitably qualified and experienced officer and a Chartered Building Surveyor.

3.4.3 The Most Economically Advantageous Tender evaluation of the submissions resulted in the following results (note the actual names of contractors, their pricing and a breakdown of the quality is contained in the pink paper).

Higher=Good	Quality score	Price score	Total score	Ranking
Company A*	Non-compliant tender			
Company B**	0	41.21	41.21	3
Company C	26.90	60.00	86.90	1
Company D	26.80	20.40	47.20	2

*Company A submitted a non-compliant tender in that the costs supplied were budget costs, not fixed prices.

**Company B did not include MEAT evaluation responses with their submission. Their responses were not subsequently requested, as Company B could not achieve a higher score than Company C, even if they scored a maximum Quality score of 40.

3.4.4 The evaluation criteria were weighted to ensure that essential quality aspects of the submission were scored accordingly, and minimum scores set.

3.4.5 The successful contractor demonstrated a good understanding of the upgrade and replacement of a heating system and domestic services in an occupied school.

3.5 Contract Management

- 3.5.1 The lead Client Officer for this contract is the Project Leader (Minor Works), a member of the Capital Development team within Children and Families.
- 3.5.2 The Terms and Conditions as agreed under the Milton Keynes Council Construction Framework will be used for this contract.
- 3.5.3 The contract will be the New Engineering and Construction Contract 3 Option A: Priced Contract with Activity Schedule, which will be administered by a Chartered Building Surveyor (Project Manager).
- 3.5.4 The project will be delivered using the methodology contained within the Capital Projects Manual, which has been approved by both the School Planning and Build Programme Board and Internal Audit and aligns with The MK Approach, the Council's guide to managing projects.
- 3.5.5 Issues that cannot be resolved by, or are not within the remit of the Project Manager and Client Officer, will be escalated to the Children and Families' Capital Maintenance Programme Board and subsequently, if required, to the Head of Capital and Infrastructure (Capital Projects Director).

4 **Implications**

4.1 Policy

- 4.1.1 The award of this contract contributes to the delivery of the following strategic aims:
- Living in MK
 - Cleaner, greener, safe, healthier MK
- 4.1.2 The procurement of this contract has complied with Milton Keynes Council's Contract Procedure Rules and Financial Regulations and applicable European procurement regulations.

4.2 Resources and Risk

- 4.2.1 Capital funding of £320,000 (4/C/00606) has been approved in the Children and Families' Capital Programme. The funding source is the 2013-14 capital maintenance allocation. This budget includes all fees, surveys and works.
- 4.2.2 The price of the highest ranking tender is within budget.
- 4.2.3 Any underspend at the end of the project will be returned to the Children and Families' Capital Programme budget.

4.2.4 A detailed Risk Register for the Children and Families' Capital Maintenance Programme has been compiled and will be maintained throughout the lifecycles of the individual projects within the Capital Maintenance Programme, from pre-start through to post-completion. All stakeholders contribute to this register to ensure that it is comprehensive (end users, client officers, project managers, constructors). The Risk Register contains all risk and mitigating actions/strategies. It is formally reviewed and updated by the Capital Maintenance Programme Board on a monthly basis.

4.2.5

Y	Capital	N	Revenue	Y	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

4.3.1 The capital project will support the Council's Carbon and Energy Management policy and will use sustainable sources/methods where possible. The recommended contractor is compliant with the relevant environmental legislation.

4.4 Legal

4.4.1 The Contract and its procurement are compliant with the Council's Constitution and United Kingdom and European legislation.

4.5 Other Implications

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers:

Confidential Annexes

Annex - Evaluation Criteria and Scores