

Record of operational decision

| Decision title: | To award a contract to Speller Metcalfe Malvern Ltd and approve the expenditure of the construction budget for the programme of capital improvements to Brookfield Special School, Herefordshire | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|----------------------|--|--|------------------|--|------------|-----------------|--|------------|--|--|-------------------|---------------------|--|--------------|------------|----------------|---------|----------------------------|----------|-------------|----------|--------------|-------------------|
| Date of decision: | 17/06/2024 | | | | | | | | | | | | | | | | | | | | | | | | |
| Decision maker: | Corporate Director, Education, Skills and Learning, Children and Young People | | | | | | | | | | | | | | | | | | | | | | | | |
| Authority for delegated decision: | <p>Original Cabinet decision Decision - Brookfield Special School Capital Improvement Programme (herefordshire.gov.uk)</p> <p>On the 21st July 2022 cabinet approved the Brookfield Special School Capital Improvement Programme – re-profile of spend. Decision - Brookfield Special School Capital Improvement Programme – re-profile of spend (herefordshire.gov.uk)</p> <p>-</p> <p>b) Authority is delegated for procurement and award of contracts for the lifecycle of the project, informed by methodology advised by the council's Commercial Services, to the Corporate Director Children and Young People;</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Ward: | Countywide | | | | | | | | | | | | | | | | | | | | | | | | |
| Consultation: | <p>Consultation has been carried out as part of the Brookfield Special School Capital Improvement Programme and the re-profile of spend cabinet decision on 21st July 2022. Decision - Brookfield Special School Capital Improvement Programme – re-profile of spend (herefordshire.gov.uk)</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Decision made: | <p>a) To appoint and award a contract to Speller Metcalfe Malvern Ltd for the construction of new sports hall, stand-alone two class teaching block and internal alterations at Brookfield School, Hereford, following a successful tender on the council's procurement portal for the contract value of £4,566,783.00.</p> <p>b)</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th colspan="3" style="text-align: center;">FUNDING BUDGET (Max)</th> </tr> </thead> <tbody> <tr> <td style="width: 60%;">DFE Contribution</td> <td style="width: 5%;"></td> <td style="width: 35%; text-align: right;">£4,054,236</td> </tr> <tr> <td>HC Contribution</td> <td></td> <td style="text-align: right;">£1,767,000</td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;">£5,821,236</td> </tr> </tbody> </table> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th colspan="2" style="text-align: center;">BREAKDOWN OF BUDGET</th> </tr> </thead> <tbody> <tr> <td style="width: 60%;">Construction</td> <td style="width: 40%; text-align: right;">£4,566,783</td> </tr> <tr> <td>Enabling works</td> <td style="text-align: right;">£95,000</td> </tr> <tr> <td>All other project expenses</td> <td style="text-align: right;">£698,230</td> </tr> <tr> <td>Contingency</td> <td style="text-align: right;">£461,223</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">£5,821,236</td> </tr> </tbody> </table> <p>Responsibility for monitoring the programme to be carried out by the Capital Senior Project Manager within the spend budget.</p> | FUNDING BUDGET (Max) | | | DFE Contribution | | £4,054,236 | HC Contribution | | £1,767,000 | | | £5,821,236 | BREAKDOWN OF BUDGET | | Construction | £4,566,783 | Enabling works | £95,000 | All other project expenses | £698,230 | Contingency | £461,223 | Total | £5,821,236 |
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| Total | £5,821,236 | | | | | | | | | | | | | | | | | | | | | | | | |
| Reasons for decision: | 1) To allow the council to appoint and enter into a construction contract with Speller Metcalfe Malvern Ltd following a successful tender via the council's procurement portal. | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>2) To ensure that there is high quality sustainable special educational accommodation for children and young people with social emotional and mental health (SEMH) special needs in Herefordshire.</p> <p>3) The Brookfield improvement project seeks to achieve; better school buildings compliance with DfE building bulletin 104 for special educational needs settings, more robust fire evacuation buildings compliance, the release of a council owned split site facility at Symonds Street, the capacity to deliver the full statutory curriculum at Brookfield, and improved accommodation for girls with SEMH needs. This will ensure that there is high quality sustainable educational accommodation for children and young people with SEMH special needs in Herefordshire.</p> |
| Equality Considerations | <p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to –</p> <p>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</p> <p>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.</p> <p>Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> |
| Highlight any associated risks/finance/legal/equality considerations: | <p>If the project does not go ahead, the £4.05m awarded from DfE would be withdrawn and there would be a loss of grant to fund these works.</p> <p>By not appointing the contractor to carry out the programme of improvements works, this may impede significant improvement to the delivery of education to SEND pupils who are offered a place at the school.</p> <p>There is a risk that the tight budget controls may not be realised but this is mitigated by the project being managed through the Council’s Corporate PMO processes.</p> |
| Details of any alternative options considered and rejected: | <p>Not to appoint. - This is not recommended as Speller Metcalfe Malvern Ltd have been selected through a competitive tendering process.</p> |
| Details of any declarations of interest made: | <p>None.</p> |

Signed..... Date: 17/06/2024
Hilary Hall