

# MINSTER COLLEGE BUILDING SCHOOLS FOR THE FUTURE ONE SCHOOL PATHFINDER – AWARD OF CONTRACT

PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

11 SEPTEMBER 2008

---

## Wards Affected

Leominster South  
Leominster North  
Golden Cross with Weobley  
Hampton Court  
Upton

## Purpose

To receive and approve the recommendation of the Building Schools for the Future Project Board to award the design and build contract for the above scheme to Stepnell Limited.

## Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising of one or more wards.

It was included in the Forward Plan

## Recommendation

**THAT the recommendation of the Building Schools for the Future (BSF) Project Board, to award the design and build contract, for the Minster College Building Schools for the Future One School Pathfinder scheme, to Stepnell Limited, is approved.**

## Reasons

The award of the contract will allow the authority to deliver The Minster BSF One School Pathfinder design and build project.

## Considerations

### Tender Evaluation:

1. To deliver this Building Schools for the Future, One School Pathfinder project, the local authority opted to procure the new building through a two stage selective tendering process. The authority adopted the National Joint Consultative Committee for Building (NJCC) Code of Procedure for Design and Build Contracts and the NJCC code of Procedure for Two Stage Selective Tendering.
2. Tenders were submitted by three contractors on 18th April 2008. They were Stepnell Ltd., Morgan Ashurst plc and Mansell Construction Services Ltd. Morgan Ashurst plc

---

Further information on the subject of this report is available from Rob Reid, Schools Planning & Access Manager  
on Tel: (01432) 260920

returned a compliant and a non-compliant bid.

3. All of the Bids were disseminated to stakeholders for comment, evaluation and information including the Project Board, the Evaluation Team, the Project Team, Minster College students and staff. Membership of these groups is listed at the end of this paper.
4. A Presentation Day was held on the 6th May 2008 to give all three contractors an opportunity to present their submissions to the School Governors and the Local Authority. All three contractors took advantage to this opportunity.
5. On 8th May 2008 the Evaluation Team met to discuss and evaluate the submissions and to agree on the recommendation for the Preferred Bidder for the Minster College BSF OSP. The evaluation criteria are shown at Appendix 1. The evaluation reports are shown at Appendix 2.
6. Using notes and comments received from a wide range of sources, particularly those who had attended the Presentation Day, the Evaluation Team were aware that no one Submission contained the definitive solution to the required new school.
7. Through the Two Stage Design and Build process the second stage design period was used to correct and perfect the most advantageous submission to provide the right development for the Minster College.
8. Of the three bids, the Morgan Ashurst bids, both compliant and non-compliant were rejected, firstly because of cost and secondly due to insufficient educational design in terms of room associations, circulation suitability and lack of suitable landscape proposals.
9. Of the other two bids, Stepnell was within budget, but scored lower on their educational suitability whilst Mansell's bid was over budget but scored higher on their educational suitability.
10. The Evaluation Team put forward a proposal to the Project Board that Stepnell Limited be appointed as the preferred contractor. This was because the Stepnell bid had outscored Mansell on the Evaluation Matrix and because the second design stage offered the opportunity to improve the design of the Stepnell submission.
11. This proposal was accepted by the Project Board at its meeting on 16<sup>th</sup> May, with the proviso that Stepnell Ltd would improve their design and room layout to the requisite educational standard, without exceeding the overall budget for the project, within the second design stage, to the satisfaction of the Headteacher and the Project Manager. If it should become apparent that such improvement within budget was not going to be possible, then the Project Manager was to submit a proposal to the Project Board that negotiations should revert to Mansell and that Stepnell be removed as the Preferred Bidder.
12. The Project Board therefore agreed that Mansell Construction Services Ltd. should be retained as the Reserve Bidder should it not prove possible for Stepnell to meet the required educational standard and cost constraints. Negotiations with Mansell Construction would then begin in order to improve the few educational suitability issues that would be required on their design and to negotiate to reduce the cost to within the Authority's budget.
13. On 27<sup>th</sup> June 2008, the Cabinet Members for Children's Services and Educational Improvement & ICT took a key decision to appoint Stepnell Ltd as the preferred contractor so that the Local Authority could enter into contractual negotiations with the company and seek the required improvement to the educational suitability of their design during the second design stage.

14. Stepnell Ltd has revised its design to the satisfaction of the Headteacher and Project Manager. On 1<sup>st</sup> July 2008, the revised design was submitted to the Commission for Architecture and the Built Environment (CABE). CABE is a consultee on design. The design has achieved a CABE score of 29.3. This is very close to the required score of 30, so CABE is content that the design is going in the right direction and that any weaknesses can be resolved without altering the fundamentals of the design. CABE's comments have been passed to Stepnell Ltd.
15. The school will be built to a high sustainable standard. It will meet the British Research Establishment Environmental Assessment Method (BREEAM) "Very Good" rating. It will incorporate a sedum roof, a wind turbine and a sophisticated building management system to ensure energy efficiency.
16. Sport England is a statutory consultee and has registered with the local authority that it has no objections to the design.
17. The Building Schools for the Future Project Board has considered the revised design and the comments of the Headteacher, Project Manager, CABE and Sport England.
18. The Project Board recommendation to Cabinet is that Stepnell Ltd be awarded the design and build contract for the Minster College Building Schools for the Future One School Pathfinder.
19. A planning application has been submitted and will be considered by the Planning Committee on 28<sup>th</sup> September 2008. Site set-up is anticipated for October 2008, with work to start on site in November 2008. The scheme is due for completion in December 2010.

## **Legal Implications**

By adopting the National Joint Consultative Committee for Building (NJCC) Code of Procedure for Design and Build Contracts and the NJCC code of Procedure for Two Stage Selective Tendering, the authority's procurement procedure has been robust and fully compliant with legal requirements.

## **Financial Implications**

The confirmed funding for this scheme, through the Department for Children Schools and Families Building Schools for the Future programme, is £20,642,037.

The price tendered by Stepnell Limited is within the above DCSF funding limit available to the local authority.

The revised design has not resulted in any change to the tendered price and the Headteacher is now satisfied that the revised design's educational suitability is more than sufficient.

## **Risk Management**

The Project Board receives regular risk assessment reports. The latest is attached as Appendix 3 with actions to mitigate risk.

## **Alternative Options**

It is in the Council's discretion not to proceed with the scheme. However, this would leave the College in very poor accommodation, with high maintenance and running costs and in a poor position to improve performance. Given the recent discussion over pupil numbers and school capacity, a smaller school could be built. This would require some redesign work and delay the scheme, risking further inflation on building costs. The Whitecross High School

experience does provide evidence that new buildings do attract more students. The additional housing allocated under the current UDP to 2025 should also be borne in mind.

At this stage there are no reasons to make any changes to the project.

## Consultees

Minster College students  
Minster College staff  
Minster College governors

### Project Board

Sonia Rees	-	Director of Resources
Sharon Menghini	-	Director of Children's Services
Malcolm MacAskill	-	Head of Asset Management and Property Services
Richard North	-	Headteacher – The Minster College

### Evaluation Team

Richard East	-	Project Manager
Richard North	-	Headteacher – The Minster College
Wendy Boulter	-	General Inspector Secondary
Josie Smith	-	Accountant (Capital and VAT Services)
Tony Featherstone	-	Parks, Countryside and Leisure Development Manager

### Other Officers

Andrew Banks	-	Principal Planning Officer
Colin Birks	-	Property Services Manager
Bryan Williams	-	Lead Surveyor
Catherine Taylor	-	Architect
Karen Knight	-	Manager of Accommodation and Forward Planning
Rob Reid	-	School Planning and Access Manager
Zita Holmes	-	Technical Project Manager – IT Services

### School:

Brigadier Peter Jones	-	School Governor
Felicity Norman	-	School Governor
Bob Miles	-	School Governor
Dave Finch	-	School Governor
Richard North	-	Headteacher – The Minster College to 31 <sup>st</sup> August 2008

### Authority:

Malcolm MacAskill	-	Head of Asset Management and Property Services
Colin Birks	-	Property Services Manager
Mark Tansley	-	Northern Team Leader – Planning Services
Andrew Banks	-	Principal Planning Officer
Bryan Williams	-	Lead Surveyor
Josie Smith	-	Accountant (Capital and VAT Services)
Wendy Boulter	-	General Inspector Secondary
Tony Featherstone	-	Parks, Countryside and Leisure Development Manager
Rob Reid	-	School Planning and Access Manager
Catherine Taylor	-	Architect
Richard East	-	Project Manager

NB: Broader community consultation will take place during the design and planning application stages. In the meantime, Minster College has also hosted a display of the project in its foyer and invited parents, Leominster Town Council and the wider community to view the display.

## Appendices

Appendix 1 – Tender Evaluation Criteria

Appendix 2 – Tender Evaluation Reports

Appendix 3 – Project Board Risk Assessment Report

**Background Papers**

Cabinet Report – 27<sup>th</sup> March

Lead Cabinet Members decision notice – 27<sup>th</sup> June 2008