

Record of operational decision

Decision title:	Award a contract to Godwin Powell Ltd for the provision of Professional Consultancy Services to manage delivery of Herefordshire Council's schools accessibility programme of works up to 31 March 2027.
Date of decision:	21 January 2025
Decision maker:	Corporate Director Childrens and Young People
Authority for delegated decision:	<p>The authority for the specified officer to take this decision as set out in the cabinet report, Local Authority School Buildings Maintenance Works, approved February 2023.</p> <p>The Corporate Director, Children and Young People be authorised to take all operational decisions relating to the award of contracts for the above programmes of work.</p> <p>https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=9341</p> <p>Further capital funding for the Schools Accessibility Works Programme was added by Council in February 2024 and the Corporate Director, Childrens and Young People was authorised to take all operational decisions relating to the award of contracts by the subsequent cabinet member decision in August 2024.</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=10249</p>
Ward:	Countywide
Consultation:	<p>The Cabinet Member for children & families has been consulted and is supportive of the programme of works.</p> <p>The Cabinet member for commissioning, procurement and assets has been consulted and is supportive of the programme of works.</p> <p>Political groups were consulted on the original decision to draw down the capital funding for the programme.</p>
Decision made:	<p>Sub Delegation to Service Director to take all operational decisions relating to the award of contracts for the schools accessibility programme.</p> <p>Award a consultancy agreement contract to Godwin Powell Ltd following a competitive procurement exercise in accordance with the Council's procurement rules and procedures. For the provision of Professional Consultancy Services to manage delivery of Herefordshire Council's schools accessibility programme of approximately two years for works to complete up to 31 March 2027, to include a defects liability period up to 31 March 2028.</p> <p>The contract has been agreed on a percentage fee basis, based on the proposed programme provided in the tender opportunity estimated at up to £905,815 of works. The percentage fee rate is 8.15% of the prime cost of the works. The supplier has also agreed to join the Priority Supplier Programme, offering a discount of 1.5% to each invoice if paid within the agreed time, resulting in a potential final rate of 8.03%.</p> <p>Responsibility for monitoring the programme to be carried out by the Capital Senior Project Manager within the spend budget.</p>

Reasons for decision:	<p>Appointment of a consultant is required to assist with the delivery of the Schools accessibility programme of works to adapt schools so that they can meet the physical needs of identified learners, with special educational needs, to attend school. The appointment of the multi-disciplinary services is to support Herefordshire Council with the technical expertise required to deliver the programme.</p> <p>The council has a duty to ensure that any child with special needs attending a mainstream school can be reasonably accommodated. To create more suitable placements for pupils with special needs within the local community.</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> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <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. Our providers will be made aware of their contractual requirements in regards to equality legislation. Any building works carried out within schools will be compliant with the Equality Act 2010 and support improved accessibility.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>There is a risk that final project costs are significantly above or below the forecast once tender returns are received. To mitigate this, the finance of all projects will be monitored closely by the Accessibility Project Board which meets monthly to review the programme and reprioritise resource where necessary.</p>
Details of any alternative options considered and rejected:	<p>Not to appoint. This is not recommended. Godwin Powell Ltd have been selected through a competitive tendering process. By not appointing would mean the Council would lack the technical support necessary to successfully deliver the schools accessibility programme.</p>
Details of any declarations of interest made:	<p>None.</p>

Signed: Tina Russell Date: 21 January 2025