

## **Bideford Library/Art Centre Project (“Project”) – Approval requested to award a construction contract**

Report of the Head of Communities

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council’s Constitution) before taking effect.

**Recommendation:** That the Cabinet:

- (a) notes that the Council has completed a competitive tender procedure to award a contract to undertake works (“construction contract”) to the Bideford Arts Centre building;
- (b) notes that an RIBA Stage 4 design was completed by NPS South West which informed the basis of the Council undertaking the tender procedure;
- (c) approves the total Project cost of £1,696,052.70 made up of the construction contract value of £1,431,571.70, and NPS South West’s fees of £264,481;
- (d) notes that the construction contract value falls within the Capital Programme budget previously agreed for this Project, and to approve virements in the sum of £100,000 from the Estates maintenance programme, and £16,052 from the Library Management Programme to cover the total Project cost;
- (e) approves the award of the construction contract to Pearce Construction (Barnstaple) Limited in the value of £1,431,571.70.

### **1. Summary**

This report seeks to update Cabinet on the progress of plans to create a multiple occupancy at Bideford Arts Centre building accommodating both Learn Devon and Libraries Unlimited Services, and to obtain approval to enter into a construction contract with Pearce Construction (Barnstaple) Limited. The proposed construction contract start date is 6 June 2022 to complete in March 2023.

### **2. Background/Introduction**

This Project was originally part of the Libraries Modernisation Programme and sufficient funding is held within the Capital Programme budget.

Following a detailed feasibility and designed stage and a successful Planning Application, approval is now requested to award the construction contract to Pearce Construction (Barnstaple) Limited as recommended within the NPS Group Tender Report dated 25<sup>th</sup> February 2022.

### **3. Proposal**

There is a requirement in Bideford to relocate the Library from its existing location in the town into the Bideford Arts Centre building. The Bideford Arts Centre building is

currently used and managed solely by Learn Devon, whilst the current Library building in Bideford constrains the physical delivery of a modern Library Service.

The Library Service in Bideford currently operates out of the Town Hall building, owned by Torrington District Council, with the Learn Devon Service being delivered from an under-utilised Bideford Arts Centre building owned by Devon County Council. The proposal is to create a multiple occupancy Bideford Arts Centre building accommodating both Learn Devon and Libraries Unlimited Services.

Apart from the need and desire to update and improve the building, a passenger lift is required to be installed along with other interventions to make the facility fully accessible to all and to create an exciting and stimulating place where the advantages of a joint service can thrive to benefit Bideford and its wider community.

#### **4. Options/Alternatives**

Many options and locations have previously been considered in Bideford for the relocation of the Library Service, without success. Maintaining the status quo is not an option as the existing Library building constrains the physical delivery of a modern Library Service with the current Bideford Arts Centre building in need of repair and modernisation and currently under-utilised. An investment in the Council's owned Bideford Arts Centre building will prove to be of significant benefit to Bideford and its wider community.

#### **5. Consultations**

Consultation on the outline planning application was carried out in accordance with the statutory planning requirements (statutory consultees, members of the public and other stakeholders). Favourable decision notices from Torrington District Council confirming Listed Building Approval and Full Planning Application Approval, with no onerous conditions, have been obtained.

#### **6. Financial Considerations**

The proposed value of the construction contract is £1,431,571.70 which includes £68,750 of Defined Provisional Sums and £70,000 of contingency (Undefined Provisional Sums).

This construction contract value is exclusive of NPS' fees of £181,802 and Interior Design costs/fees of £82,679 which when added to the construction contract sum, generates a total project cost of £1,696,052.70.

The current approved capital budget for this project is £1,580,000.

A DCC Estates contribution of £100,000 has been secured, in recognition of a backlog of Bideford Art Centre maintenance work and this together with the remaining gap in funding of £16,052 being met from the existing Library Management Programme, results in no additional funding being requested.

## **7. Legal Considerations**

The award of the construction contract to the successful bidder Pearce Construction (Barnstaple) Limited has been undertaken following a competitive tender procedure compliant with the Public Contract Regulations 2015.

## **8. Environmental Impact Considerations (Including Climate Change)**

Remodelling and adapting existing buildings has obvious benefits in terms of reducing embodied energy compared to a new building constructed from the ground up. However, existing buildings such as the Bideford Arts Centre are not inherently well performing in terms of conserving heat and energy.

There are limitations to what building fabric improvements can be made without destroying or concealing the architectural features, details, and material which make the building what it is. The proposal is to limit fabric improvements to refurbishment of existing window frames and replace the single glazing panes with double glazed units without affecting the appearance of the frames. As there are large areas of glazing this should help reduce heat loss and wasted energy.

The proposal will also see an overhaul of electrical and mechanical services systems to be energy efficient to reduce water, fuel, and power usage consumption as far as possible.

## **9. Equality Considerations**

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

Following approval to progress the scheme, an Impact Assessment will be undertaken alongside development of detailed internal designs to ensure equality considerations are integrated in the Project design. This will assess the social/equality, environmental and economic impacts of the Project in line with the Council's process.

## **10. Risk Management Considerations**

One of the key criteria for the Council in the tender process was fixed-price lump sum tenders which demonstrate value for money. Whilst building costs continue to rise in an ever-changing construction market, risks have been managed and mitigated throughout this process.

As part of the tender process, Pearce Construction Limited, provided a schedule of clarifications, which will be transferred to a post-contract risk register, but it has been reported that the potential for cost increase arising out of these items is considered low and would be funded from the general contingency, contained within the construction contract.

Full Project Risk Management will continue throughout the next stage and life cycle of this Project.

## **11. Public Health Impact**

The Project would result in significant public health benefits by providing enhanced space for community learning and better access to public health materials.

Being in a town centre location the building would support community interaction and active travel.

## **12. Conclusions/Reasons for Recommendations**

It is recommended that Cabinet accept this report and approves the awarding of the construction contract to Pearce Construction (Barnstaple) Limited.

Simon Kitchen  
Head of Communities

Electoral Divisions: Bideford East

Cabinet Member for Public Health, Communities and Equality: Councillor Roger Croad

### **Local Government Act 1972: List of Background Papers**

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Background Paper	Date	File Reference
Nil		

Bideford Library/Art Centre Project – Approval requested to award a construction contract - Final