

**11 NOVEMBER 2019**

<b>REPORT TITLE</b>	<b>ACCEPTANCE OF TENDER AND AWARD OF CONTRACT – DESIGN, SUPPLY &amp; INSTALL REPLACEMENT AIDS TO NAVIGATION, NEW BRIGHTON</b>
<b>REPORT OF</b>	<b>MARK SMITH, INTERIM DIRECTOR HIGHWAYS &amp; STREETSCENE</b>

## **REPORT SUMMARY**

Aids to Navigation are markers placed in the vicinity of coastal structures which alert users of the water space to the hazards presented by the coastal structure. All of Wirral's Aids to Navigation are in the form of steel towers with access platforms and a combination of day marks and/or lighting arrangements. It is a requirement under the Merchant Shipping Act to mark hazards to navigation.

This report recommends acceptance of a tender from Southbay Civil Engineering Ltd and award of a contract for the provision of services to complete the design, supply and install three replacement Aids to Navigation (AtN) at New Brighton, Wirral.

The fundamental purpose of the contract is to develop an existing design proposal, for approval by Wirral Council. Once approved offsite fabrication of AtN platforms will commence followed by installation of replacement AtNs in the Mersey Estuary at New Brighton. Platforms will be installed and demolition of existing, life expired AtN structures will be undertaken.

This contract supports the delivery of the Wirral Plan Pledges under the Business theme of 'Assets and buildings are fit for purpose' and Environment theme of 'Wirral's neighbourhoods are safe'.

This report is a Key Decision and relates to the provision of Aids to Navigation in New Brighton ward.

## **RECOMMENDATIONS**

The Cabinet Member for Environment and Climate Change is requested to:

- (1) Accept the tender for the design, supply and installation of three replacement Aids to Navigation at New Brighton, submitted by Southbay Civil Engineering Ltd on 31<sup>st</sup> May 2019; and
- (2) Approve the award of the contract to Southbay Civil Engineering Ltd, with a value of £728,949.99.

## SUPPORTING INFORMATION

### 1.0 REASON FOR RECOMMENDATIONS

- 1.1 Only one compliant tender was received. The tender from Southbay Civil Engineering Ltd is compliant, is within the allocated budgetary provision and meets all quality and social value criteria. By virtue of being the only compliant tender received it also represents the most economically advantageous tender.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 Wirral has a statutory requirement under the Merchant Shipping Act 1995 to mark hazards to navigation caused by coastal defences using Aids to Navigation. The three AtNs at New Brighton have been in situ since installation in the mid-1980s. Testing and inspection has identified a residual life of the structures to be less than 5 years.
- 2.2 In 2018 a procurement exercise was run to install replacement AtNs based on a Wirral Council design. One, non-compliant tender was received with a value of £1.8m.
- 2.3 The approach adopted in this contract allows the contractor to develop an alternative design, in agreement with Wirral Council, that provides a more cost effective solution.

### 3.0 BACKGROUND INFORMATION

- 3.1 Tenders to provide services for the design, supply and installation of replacement AtNs at New Brighton were invited via The Chest on 26 April 2019. A single tender was received from one supplier by the extended due date of 31 May 2019. A late, non-compliant tender was received on 3 June 2019. The compliant bid was evaluated by a panel of officers in the Flood and Coastal Risk Management team of Highway Assets. The result was as follows:

Tenderer	Price	Quality	Social Value	Total Score
Southbay Civil Engineering Ltd	£728,949.99	65%	10%	100
Tenderer 2 (late)	£930,970.98	Non-compliant	Non-compliant	Non-compliant

The contract is now at the stage of being awarded to the winning bidder and is awarded based on the Most Economic Advantageous Tender (MEAT) through the evaluation and weighted scores as detailed below:

#### Evaluation, Award Criteria and Weighting

(Price 25% Quality/Method statements 75%)

CRITERIA	WEIGHTING
Price	25%
Social Value	10%
Quality Submission	65%
<b>TOTAL</b>	<b>100%</b>

3.2 Consequently the tender from **Southbay Civil Engineering Ltd** is the most economically advantageous and is recommended for acceptance.

3.3 The fundamental purpose of the contract is to develop an existing design proposal, for approval by Wirral Council. Once approved offsite fabrication of AtN platforms will commence followed by installation of replacement AtNs in the Mersey Estuary at New Brighton. Platforms will be installed and demolition of existing, life expired AtN structures will be undertaken.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 The capital budget for project to replace the three life-expired AtNs at New Brighton is £800,000. The most economically advantageous tender from Southbay Civil Engineering Ltd of £728,949.99 is within the approved capital budget.

#### **5.0 LEGAL IMPLICATIONS**

5.1 The marking of hazards to navigation is required under the Merchant Shipping Act 1995 and subject to inspection and enforcement by both the local Harbour Authority (Peel Ports Mersey) and Trinity House Lighthouse Services (THLS).

5.2 The arrangements for marking hazards though Aids to Navigation are set out by THLS. The works proposed through this contract to replace existing AtNs has been subject to consultation and approval from THLS.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are no additional resource implications for Wirral Council. The contract value includes for the provision of consultancy services, nominated by Wirral Council, to agree the proposed design by Southbay Civil Engineering Services Ltd and to provide the contract management and supervision services during the construction phase.

#### **7.0 RELEVANT RISKS**

7.1 Failure to replace the life-expired Aids to Navigation at New Brighton will lead to an increased risk of failure of the AtNs structures in the short term. Collapse or failure of the AtNs will lead to a risk to life of water space users as no AtNs will be present to warn users of the presence of breakwaters that are submerged at high water periods.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 Trinity House Lighthouse Services and Peel Ports Mersey were previously consulted on the proposals to replace the life-expired AtNs. Approval was provided by both the lighthouse and harbour authority respectively, however the approval will be confirmed following agreement of the revised design through a final consultation.

8.2 Consultation has taken place with the Marine Management Organisation in order to confirm the exemption under the Marine and Coastal Access Act to undertake works to Aids to Navigation following approval from the local Harbour Authority.

8.3 The construction phase of the contract is subject to a Habitat Regulations Assessment due to the location within and adjacent to:

- Mersey Narrows and North Wirral Foreshore Special Protection Area
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Dee Estuary Special Area of Conservation
- North Wirral Foreshore Site of Special Scientific Interest
- Mersey Narrows Site of Special Scientific Interest

Statutory consultation with Natural England is required in order to receive assent to undertake the works.

## 9.0 EQUALITY IMPLICATIONS

9.1 There are no implications resulting from this Contract.

## 10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The existing, life-expired AtNs were designed to a lower standard when originally installed in the 1980s and as such are occasionally obscured by wave action during storm events. The design for the replacement AtNs is in line with Trinity House Lighthouse Service's requirements which ensures the navigational features of the AtNs are located above extreme water levels including an allowance for sea level rise.

10.2 This decision results in no significant measurable change in carbon emissions.

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## APPENDICES

None

## BACKGROUND PAPERS

None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	