

EXECUTIVE MEMBER DECISION FORM

DECISION TO BE TAKEN BY: CLLR ELIZABETH GREY

KEY DECISION: YES

PORTFOLIO AREA: ENVIRONMENT & CLIMATE CHANGE

PORTFOLIOS AFFECTED: ENVIRONMENT & CLIMATE CHANGE, COMMUNITY SERVICES

WARDS AFFECTED: SEACOMBE WARD

SUBJECT: Acceptance of Tender and Award of Contract - Northbank West, Birkenhead

1.0 RECOMMENDATION:

1.1 The Cabinet Member for Environment & Climate Change is requested to:

Accept the tender for Northbank West, Birkenhead submitted by Eric Wright Civil Engineering Ltd to Wirral Council on 6th April 2020;

Approve the award of contract to Eric Wright Civil Engineering Ltd, in the sum of £572,373.35, subject to contract.

2.0 REASONS FOR THE DECISION

2.1 The tender from Eric Wright Civil Engineering Ltd represents the most economically advantageous tender received, is fully compliant, and is within allocated budgetary provision.

3.0 STATEMENT OF COMPLIANCE

3.1 The recommendations are made further to legal advice from the Deputy Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4.0 DECLARATION OF INTEREST

4.1 There are no known conflicts of interest.

Signed:

Cllr Liz Grey

Executive Member: Cllr Elizabeth Grey

Date: 20 July 2020

Also present:

Signed:

S. Fox

Chief Officer: Simon Fox

Date: 20 July 2020

Date of Senior Policy Team Meeting(s):

A list of background papers on this issue is held with:

Contact Officer: Mark Redman

Date: 2nd July 2020

Date of Publication:

Date of Expiry of Call-In Period:



CABINET MEMBER DECISION

20 JULY 2020

REPORT TITLE	Acceptance of Tender and Award of Contract - Northbank West, Birkenhead
REPORT OF	Simon Fox, Interim Assistant Director - Highways & Infrastructure, Neighbourhood Services

Councillor Elizabeth Grey, Cabinet Member for Environment & Climate Change, said:

Cllr Liz Grey, Cabinet Member for Environment and Climate Change at Wirral Council, said: "Sustainable and active travel is something that the Council will need to continuously build into our major projects and I am pleased that another major scheme is focusing on making cycling and walking more accessible for residents.

"Considering the environment is now a significant factor in highways projects, whether that be how processes can be done to minimise our impact or how we can provide an infrastructure more suitable for the future.

"Our preferred contractor has pledged, through their social value offer, to invest £320,000 in the borough by using local companies, helping the economic growth of Wirral but also dramatically reducing the carbon footprint of this project. Reducing carbon outputs is a significant objective in our Climate Emergency response and it is great to see this being put at the heart of this project."

REPORT SUMMARY

This report recommends acceptance of a tender from Eric Wright Civil Engineering and award of a contract for the construction of a series of high quality public realm and landscaping improvements to the A5139 Dock Road between East Float Apartments and Duke Street, providing increased accessibility for pedestrians and cyclists to the Wirral Waters West Float development and increased attractiveness of the area for businesses and other investors in the area.

Grant funded by ESIF (European Structural and Investments Funds), this scheme primarily involves works to construct 590m of shared cycleway-footway with associated soft and hard landscaping using high-quality public realm materials, boundary fencing and street furniture, new street lighting columns and utility service corridors incorporating digital futureproofing infrastructure. These improvements will extend the works completed in 2019 along the adjacent Northbank East Dock Road frontage between Tower Road and East Float Apartments, as far as Duke Street and link directly into current STEP (Sustainable

Transport Enhancement Programme) cycling infrastructure proposals and recently completed STEP improvements that will connect between Liscard and Birkenhead.

This work supports the Wirral Council Plan 2020-25, underpinning the main drivers of sustainable regeneration and addressing the climate emergency through the promotion of green and healthy living.

<https://democracy.wirral.gov.uk/documents/s50062011/Appendix%201%20Wirral%20Council%20Plan%202025.pdf>

The work will take place within the Seacombe Ward.

The recommendation requested is a key decision.

RECOMMENDATION/S

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

- 1) Accept the tender for Northbank West, Birkenhead submitted by Eric Wright Civil Engineering Ltd to Wirral Council on 6th April 2020;
- 2) Approve the award of contract to Eric Wright Civil Engineering Ltd, in the sum of £572,373.35, subject to contract.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The tender from Eric Wright Civil Engineering Ltd represents the most economically advantageous tender received, is fully compliant, and is within allocated budgetary provision.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Tenders for the construction works were invited on 9th March 2020 from eight suppliers, selected from the appropriate categories within Constructionline and following a selective questionnaire (SQ) process. Tender return date was 6th April 2020.

Seven tenders were received by the due date and have been evaluated, with moderation of the process by the Council's Procurement service, as follows:

Tenderer	Price (60%)	Quality (25%)	Social Value (15%)	Total Score
Eric Wright Ltd	£572,373.35	78.50	80	95.36
Tenderer 2	£643,306.12	84.00	72.6	89.27
Tenderer 3	£669,921.75	49.35	41.7	72.21
Tenderer 4	£810,707.71	75.00	20.4	67.74
Tenderer 5	£746,598.61	70.00	0	66.83
Tenderer 6	£726,872.09	56.50	0	64.06
Tenderer 7	£922,843.53	76.50	0	59.98

- 2.2 Consequently the tender from Eric Wright Civil Engineering Ltd is the most economically advantageous and is recommended for acceptance.

3.0 BACKGROUND INFORMATION

- 3.1 The scheme, which forms a key element of the sustainable transport infrastructure to support the regeneration of the Wirral Waters area, consists of a series of high quality public realm and landscaping improvements to the A5139 Dock Road between East Float Apartments and Duke Street, providing increased accessibility for pedestrians and cyclists to the Wirral Waters West Float development and increased attractiveness of the area for businesses and other investors in the area.

- 3.2 The Northbank West, Birkenhead project was awarded £550,000 of European

Structural and Investments Funds (ESIF). The total scheme budget is £640,000 with the remaining budget being a £90,000 contribution from Peel Land and Property.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The recommended tender of £572,373 was received from Eric Wright Civil Engineering Ltd. The tender sum can be met with the current budget available.
- 4.2 Prior to tendering, an undertaking was received from Peel Land and Property to contribute £90,000 to the overall project budget.
- 4.3 Based on the recommended tender received from Eric Wright Civil Engineering Ltd, the current overall scheme budget provides contingency of 4.31% (approximately £24,669) of works costs. For a project of this complexity and size a contingency of 15% would be more appropriate, thus a further £61,157 is proposed to be secured for risk and contingency purposes within the overall project budget.
- 4.4 Utilisation of any available surplus funding within the current Highways and Capital programme will be investigated and Peel Land and Property will be approached with a view to securing this additional risk and contingency amount.

Estimated Project Costs

Tender total	£572,373
Contract Risk allowance (4.31%)	£24,699
Council client costs (7.5%)	£42,928
Total project cost estimate	<u>£640,000</u>

Budget allocated (Highways Capital Programme)

European Structural Investment Fund (ESIF)	£550,000
Peel Land and Property	£90,000
Total available budget	<u>£640,000</u>

5.0 LEGAL IMPLICATIONS

- 5.1 As part of the grant funding agreement the Council has provided a Deed of Covenant (DoC) to the Ministry of Housing, Communities & Local Govt (MHCLG) in relation to Northbank West. The Council will be bound to the Secretary of State through the Deed of Covenant that the property will remain for the approved use for 15 years from the completion of the scheme.
- 5.2 The Deed of Covenant places restrictions on the disposal of the land, that it remains of the approved use and that any future proprietors will keep it for the approved use.

- 5.3 The land is within the adopted highway on a key strategic sustainable transport corridor and there are no proposals to change this use.
- 5.4 Cheshire West and Chester Council (CWAC), the accountable body for the management of ESIF grant funding, may terminate the Agreement and require the Council to repay all or part of the grant if Wirral Council breaches the conditions of the grant e.g. by not keeping proper records or using it to defray non Eligible Expenditure. The grant may also be reduced if WBC or CWAC fail to achieve its prescribed targets.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no additional resource implications. The contract will be managed utilising existing resources, supported by consultants, Vectos Consulting Ltd and Ian Parkinson Inc, under a pre-existing contract arrangement with the primary project stakeholder - Peel Ports.

7.0 RELEVANT RISKS

- 7.1 As with any major civil engineering construction project, construction risks will exist, such as unidentified ground conditions or obstructions and inclement weather, although in this case, since much of the work would take place during the summer months, these risks should be minimal. Risks that are realised will potentially have time and cost effects. However, a project risk register will be maintained in accordance with good project management practice and time and cost will be actively monitored and managed within the budget and contingency identified in section 4 above.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Planning Consent has been granted for a defined length of footway / cycleway to satisfy the related ESIF Grant conditions, with public engagement via the planning process. The scheme extents directly front land under the sole ownership and purview of Peel Ports, the primary joint stakeholder engaged in the delivery of the works.
- 8.2 Project Governance structure is in place and Budget monitoring / planned spend is captured via monthly Dashboard reports to Board.
- 8.3 Post contract award, the Project Manager and Contractor will engage with stakeholders and the public affected by the works and provide information and updates on progress as appropriate.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 The potential impact of the proposal has been reviewed with regard to equality and the impact review is attached.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The project delivers significant improvements to the local streetscene and the infrastructure provided promotes sustainable transport alternatives such as walking and cycling in a key economic growth and regeneration location for Wirral Council. The successful supplier has pledged in its social value offer to reduce CO2 emissions (one of the five primary greenhouse gases) from its activities (other than by transport) by 10 Tonnes, and to spend £320,000 in the local supply chain, which will significantly reduce the carbon footprint from construction activities that would normally be associated with a comparable contract. This project will therefore deliver qualitative improvements to the environment and help minimise emissions contributing to climate change thereby contributing to the Council's objective to reduce carbon outputs in line with the Climate Emergency declaration and associated strategies.

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APPENDICES

None

BACKGROUND PAPERS

- Commercially sensitive (exempt) Tender documentation
- Grant Funding Agreement

SUBJECT HISTORY (last 3 years)

Council Meeting	Date