

**REPORT FROM: HOUSING HEALTH AND ENGINEERING SERVICES
MANAGER**

TO: POLICY AND RESOURCES COMMITTEE

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**WAIVING OF STANDING ORDERS FOR EXTRA PUBLIC REALM WORKS
AROUND BARNOLDSWICK TOWN SQUARE**

PURPOSE OF REPORT

To report the waiving Standing Orders in accordance with Pendle's Contract Procedure Rules CPR5 - 5.2(c) to allow an extension of the existing contract to deliver further public realm works of a similar nature up to a value of £200,000.

RECOMMENDATIONS

The Committee is asked to:

Note an extension to the existing contract with O'Callaghan Ltd for Barnoldswick Town Square Public Realm Works for further public realm works up to a value of £200,000 in accordance with exemption CPR5 – 5.2(c)

REASON FOR RECOMMENDATION

To enable the further works to be undertaken in a timely manner whilst the Contractor is already established on site which would ensure less inconvenience for the businesses and users of the town centre and will avoid additional costs associated with a further tendering exercise and establishment of a new site compound.

ISSUE

Contractual Matters

1. The Barnoldswick Town Square Public Realm Improvement scheme is currently being delivered by Contractor O'Callaghan Ltd.
2. The current contract value is £171,748.86

3. On 10th November 2020, Lancashire County Council confirmed a funding contribution of £200,000 match fund the works.
4. For continuity of works, reasons of economy and to reduce inconvenience to the businesses and users of Barnoldswick town centre it is proposed that the existing contract be extended to include further similar works up to a value of £200,000 (including fees).
5. The Contractor has indicated that he is prepared to undertake further works at the tendered rates.
6. To extend the existing contract the Chief Executive Officer and Corporate Director have agreed an exemption to the Council's Contract Procedure Rules under CPR5 - 5.2(c) that additional works are required that which, through unforeseen circumstances were not included in the original contract and which are either strictly necessary for the completion of the Contract or, for technical or economic reasons, cannot be carried out separately without great inconvenience/additional costs.

Further Proposed Works

7. It is proposed to use the match funding predominantly to replace existing stone and concrete flagged footway materials in close proximity to the Town Square with new flame textured stone flags.
8. The existing stone flags are very dangerous in wet conditions; whereas the new flame textured flags still provide grip underfoot in the wet.
9. The replacement flags will also greatly visually enhance the area and ensure consistency of materials and longevity due to the specification being used.
10. The proposed footways to be reflagged are:
 - Outside 43-49 Albert Road
 - Outside Majestic Buildings
 - Gable of 7 Majestic Buildings (up to the Library car park entrance)
 - Gables of 2 Ellis Street and 1 Frank Street
 - Outside 2-14 Frank Street
 - Outside 1-9 Albert Road
 - Gables of 18 Newtown and 24 Frank Street
 - Outside 2-30 Newtown
 - Outside 3-17 Newtown
11. These areas are currently being costed up based on the tendered rates in the existing contract.

Conditions of LCC's Funding

12. The conditions of funding will be agreed with Lancashire County Council.

IMPLICATIONS

Policy: None directly arising from this report

Financial: The cost of the works proposed in this report will be contained entirely within the funding allocation provided by Lancashire County Council and will, broadly, match the expenditure incurred by Pendle on the Scheme.

Legal: None directly arising from this report

Risk Management: None directly arising from this report

Health and Safety: None directly arising from this report

Sustainability: None directly arising from this report.

Community Safety: None directly arising from this report

Equality and Diversity: None directly arising from this report

APPENDICES

None

LIST OF BACKGROUND PAPERS

None