

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

TO: POLICY AND RESOURCES COMMITTEE

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**WAIVING OF STANDING ORDERS FOR SPECIALIST GROUND TREATMENT
ON LOMESHAYE PHASE 1 ACCESS ROAD**

PURPOSE OF REPORT

To report to waiving of Standing Orders for an exemption in accordance with Pendle's Contract Procedure Rules CPR5 - 5.2(b)&(c) to enter into a new contract for the provision of specialist ground treatment and to allow an extension of the existing haul road contract.

RECOMMENDATIONS

The Committee is asked to:

- (1) To note an exemption to enter into a new contract with Vibro Menard Ltd for specialist ground treatment along the line of the proposed new access road in accordance with exemption CPR5 – 5.2(b)&(c).
- (2) To note an exemption to extend the existing contract with Marchbridge Builders Ltd for the construction of Lomeshaye Phase 1 Haul Road in accordance with exemption CPR5 – 5.2(b) and (c).

REASONS FOR RECOMMENDATIONS

- (1) To enable the appointment of Vibro Menard Ltd to undertake the specialist ground improvement under the new access road as soon as possible.
- (2) To enable works to be undertaken to facilitate the specialist ground improvement under the new access road as soon as possible.

ISSUE

Ground Improvement Contract

1. The poor and complex ground conditions on site have led to an extremely difficult task in designing a stable access road to serve the new Lomeshaye Phase 1 Extension development.
2. The existing land is unstable and therefore it is crucial that a sound engineering solution is adopted for the new access road construction.
3. The initial design basis for the road was to dig down to a firm glacial till layer and then build back up in engineered fill for the road construction.
4. From initial site investigations the firm glacial till layer was identified to be typically no deeper than 3-4m from existing ground levels.
5. It was extremely important that further detailed site investigations were undertaken. These identified that the firm glacial till layer was very deep in some areas (up to 15m in some locations).
6. An option to construct the permanent road closer to the river has been looked at where the firm glacial till was shallower but that option now looks to be economically unsound and also would require a new planning application.
7. A haul road had to be constructed along the original road line to ensure that the development of the employment land is not delayed and to comply with strict funding deadlines.
8. A specialist ground improvement Contractor, Vibro Menard Ltd, has been consulted in respect of a ground improvement solution along the approved road line. The construction method is called vibro-compaction and involves the installation of a grid of densely-compacted stone columns down to the firm glacial till along the line of the road.
9. The initial appraisal of this option is favourable and will enable construction of the access road to adoptable standards along the approved road line.
10. The complexities of the road design have led to a significant delay in the road design solution which has shortened the construction window for the road. Having to tender this specialist process would significantly increase the construction period of the road.
11. Appointing Vibro Menard will enable the new access road to be constructed in a much shorter timeframe and in accordance with the critical funding time constraints.
12. The Chief Executive Officer and Corporate Director have agreed an exemption to the Council's Contract Procedure Rules under CPR5 - 5.2(b)&(c) - b) that time limits required for tendering cannot be met for reasons of extreme urgency and which (in EU cases) were unforeseen and unattributable to the Council; and (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 to enter into a new contract with Vibro Menard for the ground improvement works.
13. The cost for the works is likely to be in the region of £150k

Contractor Support for Ground Improvement

14. To undertake the ground improvement a working platform of compacted stone is required for the vibro-compaction machinery. This means that the haul road width will have to be widened to that of the access road (from 5m to 10m)
15. These works have to be done by a third party.
16. It would be sensible to extend the existing Haul Road contract with Marchbridge Builders Ltd to widen the road and to construct the working platform as required.
17. Having to tender this element of works would be uneconomical and would lead to time delays and which would cause problems with the tight funding deadlines.
18. The Haul Road contract value is approx £108,000
19. The new works would be undertaken at the recently tendered bill rates and would be in the region of £100k
20. The Chief Executive and Corporate Director have agreed an exemption to the Council's Contract Procedure Rules under CPR5 - 5.2(b) and (c) - b) that time limits required for tendering cannot be met for reasons of extreme urgency and which (in EU cases) were unforeseen and unattributable to the Council; and (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 to extend the existing contract with Marchbridge Builders Ltd.

Conclusions

21. Agreement of these exemptions will allow the works to progress without any delay thus enabling funding spend targets to be met. The time saved on the tendering process is critical.
22. The proposed works are part of the new access road construction not additional costs.

IMPLICATIONS

Policy: None directly arising from this report

Financial: The works will be funded from the Lomeshaye Phase 1 Extension funding.

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

