

**Report to CABINET**

# **Ackers Farm Retaining Wall Reconstruction – Tender Acceptance Report**

**Portfolio Holder:** Councillor A Shah – Cabinet Member for  
Neighbourhood Services

**Officer Contact:** Executive Director – Economy, Skills and  
Neighbourhoods

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## **Reason for Decision**

To seek approval for the award of a Civil Engineering contract in excess of £400,000 to the Contractor of choice for the Ackers Farm Retaining Wall Reconstruction scheme following the tender selection process.

## **Executive Summary**

The project involves the procurement, tender evaluation and acceptance for the Ackers Farm Retaining Wall Reconstruction scheme. The works include the demolition of an existing dilapidated masonry structure that supports the A670 Standedge Road, Diggle and the reconstruction of this structure wall using a combination of ground stabilisation techniques, ground anchors, in-situ concrete and masonry cladding.

## **Recommendation**

It is recommended that Members agree:

To award the contract for the Ackers Farm Retaining Wall Reconstruction scheme to the preferred bidder, following the tender and selection process.

**Ackers Farm Retaining Wall Reconstruction – Tender Acceptance Report****1 Background**

- 1.1 The existing masonry retaining wall adjacent to the A670 Standedge Road and an adopted single track road leading to Acker Hall Farm partially collapsed on Saturday, 18 October 2014. The reasons for the collapse were determined to be because of substandard construction materials, poor structural condition and unfavorable ground conditions.
- 1.2 Subsequent inspections revealed that the retaining structures on either side of the collapse location were also in poor condition and further structural failures were likely if traffic loadings from the single track road were not eliminated.
- 1.3 At this time, the A670 Standedge Road was unaffected by the collapse. However, it was determined that any further structural failures could damage the aforementioned adopted public highway including underground services and could potentially close this road for a considerable length of time.
- 1.4 The adopted single track road to Acker Hall Farm is the only means of vehicular access to this property which needs to be maintained at all times due to the nature of the business conducted there which includes, but is not limited to, an animal welfare / shelter facility. In addition, the private land to the rear of the structure is considered to be unusable due to the risk of further collapse.
- 1.5 Immediately following the collapse, monitoring targets were placed on and around the structure and regular measurements were taken. Between October 2014 and August 2015, further movements between 1mm and 5mm were detected and in September 2015 the detected movements exceeded 6mm which strongly suggested that the structure was in danger of further collapse.
- 1.6 In an effort to prevent further structural failure, a temporary access road to Acker Hall Farm was constructed in April 2016. This eliminated the imposed vehicular loads.
- 1.7 Further monitoring showed that structural creep continued, resulting in a recorded change of 10mm following the construction of the temporary access road until approximately March 2017 when movement in the structure appears to have ceased.
- 1.8 The retaining wall remains in a precarious condition and requires reconstruction in order to repair the existing damage and prevent additional future structural failures.

## 2 **Current Position**

- 2.1 Unity Partnership has made the necessary arrangements to circulate the tender acceptance report for review and comment.
- 2.2 The Contract for Ackers Farm Retaining Wall Reconstruction has been tendered using a mini competition under the Low Value Construction and Highways Framework – Lot 15 – Bridges, Structures & Drainage with the support and involvement of Oldham Council's Procurement Team.
- 2.4 The value of the Contract exceeds £400,000 and therefore Cabinet approval is required to award the Contract for the proposed works.
- 2.5 The agreed procurement route has been followed and the tender assessment has been completed.
- 2.6 In accordance with the Council's Contract Procedure Rules, the evaluation of the tender submission has sought to identify the submission offering best value, based upon a combination of economy, efficiency and effectiveness. The weightings applied to the tender submissions have been:
- Technical Assessment – 50%
  - Contract Price – 50%

The tender evaluation was undertaken by Darren Judge (Sourcing & Contracts Consultant) and Unity Partnership in collaboration with WSP Ltd Project Team.

## 3 **Options/Alternatives**

- 3.1 Option 1 – Agree to appoint the Contractor of choice and enable a purchase order for the works value to be raised for the works associated with the Ackers Farm Retaining Wall Reconstruction.
- 3.2 Option 2 – Do not agree to appoint the Contractor of choice, to undertake the works associated with the Ackers Farm Retaining Wall Reconstruction scheme. This option leaves the retaining wall in a precarious condition with existing damage and does not address additional future structural failures.

## 4 **Preferred Option**

- 4.1 Option 1 is the preferred option.

## 5 **Consultation**

- 5.1 Members of the Capital Investment Programme Board (CIPB) have been consulted on the approval to spend on the Ackers Farm Retaining Wall Reconstruction scheme and of budget changes to the scheme.
- 5.2 As we approach the scheme starting on site, we will communicate with the Cabinet Member for Neighbourhood Services and Ward Members to inform them of this. We will also ensure early liaison with Communications and advance of scheme delivery to communicate road closures and potential disruption.

5.3 The statutory processes will be followed in terms of informing the emergency services of the scheme start date through the Temporary Traffic Regulation Order (TTRO).

## 6 **Financial Implications**

### Capital Implications

6.1 This report seeks approval to award the contract for works in respect of the Ackers Farm Retaining Wall Reconstruction scheme to the Contractor of choice.

6.2 There is sufficient budget to carry out these works using code M0790, A670 Standedge Road, Diggle (Ackers Farm) and from additional budget identified from within the Transport Capital Programme.

6.3 The contracted works are expected to start on site in August 2018 and be completed by December 2018.

### Revenue Implications

6.4 There are no revenue implications.

(Cath Conlon / Sadrul Alam).

## 7 **Legal Services Comments**

7.1 The Council has followed Rule 4.1 of its own Contract Procedure Rules and conducted a mini competition under Lot 15 of the Low Value Construction and Highways Framework Agreement and selected the Contractor of choice as the most economically advantageous tenderer. (Elizabeth Cunningham Doyle).

## 8 **Co-operative Agenda**

8.1 The Transport Capital Programme represents a co-operative approach in terms of working together to achieve maximum value from the investment and ensuring that the resource is aligned with corporate priorities.

## 9 **Human Resources Comments**

9.1 None.

## 10 **Risk Assessments**

10.1 None (M Stenson).

## 11 **IT Implications**

11.1 None.

## 12 **Property Implications**

12.1 None.

### 13 **Procurement Implications**

- 13.1 These works have been procured via the Low Value Construction & Highways Services Framework administered through Lot 15 for Bridges, Structures & Drainage. A Mini Competition process was undertaken with all suppliers on this Lot via The Chest procurement portal.
- 13.2 Under the Framework remit, the ongoing due diligence and Company monitoring is being managed and undertaken by the Constructionline initiative. The Contractor of choice is registered with Constructionline and maintains an active account.
- 13.3 The outcome of the evaluation process was that the Contractor of choice submitted a tender offering in line with the budget requirements and demonstrated a clear understanding of the tasks and timescales needed to be completed in delivering the scheme. (Darren Judge).

### 14 **Environmental and Health & Safety Implications**

- 14.1 Environmental – The Contractor of choice should have highlighted in their tender submission how they have considered the local environment and detailed how they will ensure compliance with environmental legislation during the completion of works. (Justine Addy).
- 14.2 Health and Safety – The Contractor of choice currently have a certificate of accreditation with the Safety Schemes in Procurement (SSIP) which recognises that the organisation has demonstrated the necessary organisational capability in relation to skills, knowledge and experience to carry out work in a way that secures health and safety to the standards required under the Construction (Design and Management) Regulations 2015. This registration is dated 15<sup>th</sup> September 2016 and expires on 14<sup>th</sup> September 2019. The project manager should ensure this registration continues for the duration of the project.

There have been no enforcement notices recorded on the Health and Safety Executive (HSE) enforcement website against The Contractor of choice within the past three years.

There have been no prosecutions recorded on the Health and Safety Executive (HSE) enforcement website against the Contractor of choice within the past three years.

Health and Safety critical documentation such as risk assessments, safe working methods etc. have not been assessed by the health and safety service and these checks must be undertaken by the relevant project manager as should relevant supervisory checks of any contractors/works. (Matthew Hill).

### 15 **Equality, community cohesion and crime implications**

- 15.1 The scheme will have a positive impact on equality, community cohesion and crime. The proposed works will improve the highway network for the benefit of all highway users, including pedestrians, cyclists and other vulnerable road users. The scheme will facilitate movement between communities by vehicle thus assisting cohesion.

### 16 **Equality Impact Assessment Completed?**

- 16.1 No. The scheme has been designed in accordance with accessible design principles and is part of the approved transport capital programme.

17      **Key Decision**

17.1    This is a key decision.

18      **Key Decision Reference**

18.1    ENVS-08-17

19      **Background Papers**

19.1    The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

None.

20      **Appendices**

20.1    Appendix 1: Site Location Plan (separate PDF document).