

Key Decision Required:	No	In the Forward Plan:	No
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FINANCE AND CORPORATE RESOURCES PORTFOLIO HOLDER

May 2021

REPORT OF CORPORATE DIRECTOR

A.1 Clacton and Holland on sea cliff stabilisation Phase 2 ECCPM

(Report prepared by Andy White and James Ennos)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval to exemption from procurement rules to appoint Hestur Limited to carry out to carry out the role the Engineering and Construction Contract Project Manager (ECCPM) in accordance with the New Engineering Contract (NEC) for the above scheme.

EXECUTIVE SUMMARY / CURRENT POSITION

Background

Since February 2020, there have been two slips / failures have occurred in the vicinity of the Cliff Road / Kings Parade junction and the York Road, Kings Parade junction. They are approximately 120m apart (centre of slip area to centre of slip area). A second 40m area of unstable Cliff has also been identified at the Russel Road, Kings Parade junction.

Ground investigations have been carried out which includes Deep boreholes have been installed at both locations and include water monitoring standpipes to allow information relating to the water levels within the ground, this information will allow us to carry out the design. Inclinometer tubes have also been installed outside the current failure zone, these have shown that further movement is occurring. The monitoring of the movement is continuing to take place.

In the interest of safety, A total of 13 beach huts have been relocated due to the movement taking place.

Current position

The Cabinet has approved the proposed scheme to stabilise failed and unstable areas of cliff identified in Holland on Sea and allocated the approved budget of £2.1m to fund the works.

The scheme is integrally linked, in terms of engineering and finance, with the ground investigations and designs which have been completed, so it is fundamental that continuity is maintained. As with the previous Cliff Stabilisation Scheme, owing to the size and complexity of the scheme, the Council cannot undertake the role in-house due to a lack of capacity and expertise in this field

Under the NEC contract the Project Manager carries out duties on behalf of the Employer with the intention of achieving the Employer's objectives with regard to budget, programme, quality and end product brief.

The officer that carried out the ground investigations and detailed design, has also carried the ECCPM role for a number of other similar schemes on behalf of TDC, this officer is currently

employed by Hestur Limited. This officer performed extremely well during other schemes and played a huge role in ensuring the schemes were completed within programme and under budget as well as supporting the Council and its officers throughout the scheme. And, because of the previous performance in this role, has the confidence of the Project Team for this project.

We have been advised by the Environment Agency that the average hourly rate across 2 similar scheme is £70 - £80 and in terms of rate range can go as low as £50 per hour and as high as £120. The value of the contract is estimated to be approximately £30,000 but will be subject on the main contactors programme

RECOMMENDATION(S)

It is recommended that exemption from the Council's Procurement Rules is agreed to enable the Corporate Director (Operational Services) to appoint Hestur Limited to carry out the ECCPM role for the Clacton and Holland on sea Cliff Stabilisation Scheme.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council's Corporate Plan,

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The value of the contracts are based on an hourly rate as the length of programme will be variable dependent on the construct contractors programme;

Hestur Limited have also provided a quote of £50 per hour plus travel expenses, which ensures continuity is maintained thought out the scheme to ensure the best value.

As this quote is at the lower than the Environment Agency figures previously highlighted confirms that value for money would be achieved.

LEGAL

Procurement rules set out within the Council's constitution (part 5.63 para 2.2 (a)) require that where the value of the contact or procurement is estimated to be less than £50,000 exemption may be granted by the Chief Financial Officer in consultation with the Finance and Transformation Portfolio Holder.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Crime and Disorder – No direct implications

Equality and Diversity – No direct implications

Health Inequalities – No direct implications

Area or Ward affected – St Bartholomew's and St Pauls Wards

BACKGROUND PAPERS FOR THE DECISION

None