

ITEM No ...8.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 9 DECEMBER 2019
REPORT ON: BROUGHTY FERRY FLOOD PROTECTION SCHEME
REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT
REPORT NO: 395-2019

1 PURPOSE OF REPORT

- 1.1 This report describes the procurement and tendering process utilised for the construction of Broughty Ferry Flood Protection Scheme and seeks a decision on the acceptance of the tender price and allowances.

2 RECOMMENDATION

- 2.1 It is recommended that committee approves the acceptance of the tender price submitted by Wates Construction Limited in the amount of £14,064,460.41 with allowances amounting to £1,547,663.41 giving a total cost of £15,612,123.82.

3 FINANCIAL IMPLICATIONS

- 3.1 The Executive Director of Corporate Services has confirmed that funding for the above project is available as detailed on the attached sheet.

4 BACKGROUND

- 4.1 Reference is made to Article III of the meeting of the City Development Committee of 19 August 2013 when Committee considered Report No 256-2013, noted the findings of the Dundee Coastal Study Stage 2 and authorised the progression of the prioritised measures identified within the Report.
- 4.2 Reference is also made to Article VII of the meeting of the City Development Committee of 28 March 2016 when Committee considered Report No 70-2016 and approved the procurement of the construction of the coastal Flood Protection Scheme at Broughty Ferry and City Quay to Riverside park through the SCAPE Framework.
- 4.3 Reference is also made to Article X of the meeting the City Development Committee of 10 September 2018 when Committee considered Report No 270-2018 and confirmed the Broughty Ferry Flood Protection Scheme without modification and instructed the Executive Director of City Development to request that the Scottish Ministers direct that planning permission for the Broughty Ferry Flood Protection Scheme shall be deemed to be granted.
- 4.4 Reference is also made to Article X of the meeting the City Development Committee of 28 January 2019 when Committee considered Report No 30-2019 and approved the procurement of the construction of the proposed Broughty Ferry Flood Protection Scheme through the SCAPE framework with McLaughlin and Harvey Building and Civil Engineers, who under the Scape Framework work are sub contracted by Wates Construction Limited to undertake the contract performance obligations in Scotland.

5 CURRENT SITUATION

- 5.1 On 3 December 2018 Scottish Government confirmed that in line with Section 65 of the Flood Risk Management (Scotland) Act 2009, Scottish Ministers direct, under Section 57 of the Town and Country Planning (Scotland) Act 1997, that planning permission for the Broughty Ferry Flood Protection Scheme is deemed to be granted.

- 5.2 Using the Scape Framework, the specification and design of the Broughty Ferry Flood Protection Scheme was produced by McLaughlin and Harvey design consultants and the Council's in-house Structural and Civil Engineering teams and the tender price built up using open book tendering for all work packages, with contractually fixed management fees, overheads and profit for the lead contractor. These proposals fit within the overall budget identified in the Capital Plan 2019-2024.
- 5.3 Members will recall that the benefits of using the Scape Framework include:-
- Use of in-house design team;
 - Utilising the Contractor's expertise from an early stage in the design process, assisting with cost certainty and value for money;
 - Open book tendering;
 - Contractually required to achieve high use of local sub-contractors; and
 - Contractually required to deliver additional community benefits.
- 5.4 Dundee City Council will have fulfilled its procurement obligations by accessing the OJEU advertised Scape Framework.
- 5.5 Dundee City Council's Community Benefits through Procurement Policy seeks to maximise economic and social benefits from Council procurement within the current legal framework through the inclusion of Community Benefits on all applicable contracts. Community benefits targets have been included within the contract and these include supplier development, employment and skills activities, community awareness activity and workforce skills development. The following commitments for this contract are:

Community Benefit Area	Target
Supplier Development	
Percentage of Spend (allocated locally)	
Contract Spend within 10 miles	20%
Contract Spend within 20 miles	40%
Contract Spend within 40 miles	75%
Supplier Development Events	1
Employment and Skills	
New Start Employment Opportunities	3
Apprentices (Project Initiated)	5
Work Experience (School & Post School)	6
Awareness Raising/Curriculum Support Events	5

- 5.6 Monitoring of the targets including local labour will be carried out by Dundee City Council's Community Benefits Officer and will be reported as part of the overall Community Benefits updates to Committee on a regular basis.
- 5.7 To facilitate the proposed flood prevention scheme, it will be necessary to acquire and relocate a grade B listed red telephone call box, currently located on the South West end of Beech Crescent, South of Gray Street, Broughty Ferry. The telephone call box is to be relocated to a realigned footpath approximately 5 metres north-west of its current location. It is proposed that Dundee City Council would acquire the telephone call box, from BT, at a cost of £1.00 and transfer it thereafter to Broughty Ferry Traders Association, who have indicated a desire to maintain the subjects for the benefit of the people of Broughty Ferry. The telephone call box will require to be moved and stored off site, by the Council, until such time

as the proposed flood protection scheme is completed. At that point the Council will site the telephone box in the proposed new location.

- 5.8 It is recommended that the Committee approves the Tender price of the construction of the proposed Broughty Ferry Flood Protection Scheme through the Scape Framework with Wates Construction Limited.

6 POLICY IMPLICATIONS

- 6.1 This report has been subject to an assessment of any impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. There are no major issues.

7 CONSULTATIONS

- 7.1 The Council Management Team were consulted in the preparation of this report.

8 BACKGROUND PAPERS

- 8.1 None.

Neil Martin
Head of Design and Property

Author: James Mullen

Robin Presswood
Executive Director of City Development

Dundee City Council
Dundee House
Dundee

NM/JM/KM

27 November 2019

CLIENT	CITY DEVELOPMENT													
PROJECT NUMBER	P15700													
PROJECT	Broughty Ferry Flood Protection Scheme													
PROJECT INFORMATION	Provision for a flood protection scheme under The Flood Risk Management (Scotland) Act 2009 which comprises a new sea wall and setback flood wall along the shoreline of Broughty Ferry, to reduce the risk of flooding to residential, community and business properties.													
START DATE	February 2020													
COMPLETION DATE	February 2022													
TOTAL COST	<table> <tr> <td>Contract</td> <td>£ 14,064,460.41</td> </tr> <tr> <td>Allowances</td> <td><u>£ 1,547,663.41</u></td> </tr> <tr> <td>Total</td> <td>£ 15,612,123.82</td> </tr> </table>	Contract	£ 14,064,460.41	Allowances	<u>£ 1,547,663.41</u>	Total	£ 15,612,123.82							
Contract	£ 14,064,460.41													
Allowances	<u>£ 1,547,663.41</u>													
Total	£ 15,612,123.82													
FUNDING SOURCE	Capital – Coastal Protection Works/Flood Risk Management													
BUDGET PROVISION & PHASING	<table> <tr> <td>2019/20</td> <td>£ 2,200,000.00</td> </tr> <tr> <td>2020/21</td> <td>£ 11,000,000.00</td> </tr> <tr> <td>2021/22</td> <td><u>£ 2,412,123.82</u></td> </tr> <tr> <td>Total</td> <td><u>£ 15,612,123.82</u></td> </tr> </table>	2019/20	£ 2,200,000.00	2020/21	£ 11,000,000.00	2021/22	<u>£ 2,412,123.82</u>	Total	<u>£ 15,612,123.82</u>					
2019/20	£ 2,200,000.00													
2020/21	£ 11,000,000.00													
2021/22	<u>£ 2,412,123.82</u>													
Total	<u>£ 15,612,123.82</u>													
ADDITIONAL FUNDING	<table> <tr> <td>Scottish Government General Capital Grant for Flood Projects 80%</td> <td>£ 12,489,699.06</td> </tr> </table>	Scottish Government General Capital Grant for Flood Projects 80%	£ 12,489,699.06											
Scottish Government General Capital Grant for Flood Projects 80%	£ 12,489,699.06													
REVENUE IMPLICATIONS	None													
POLICY IMPLICATIONS	To adopt sustainable practices in construction													
TENDERS	<p>Tender were invited from Wates Construction Ltd under the Scape Framework and tender received;-</p> <table> <tr> <td>Tenderer</td> <td>Tender</td> </tr> <tr> <td>Wates Construction Ltd</td> <td>£ 14,064,460.41</td> </tr> </table>	Tenderer	Tender	Wates Construction Ltd	£ 14,064,460.41									
Tenderer	Tender													
Wates Construction Ltd	£ 14,064,460.41													
RECOMMENDATION	To accept tender price received from Wates Construction ltd under the Scape Framework													
ALLOWANCES	<table> <tr> <td>Contingencies</td> <td>£ 750,000.00</td> </tr> <tr> <td>Professional Fees</td> <td>£ 581,249.83</td> </tr> <tr> <td>Non Contract</td> <td>£ 182,473.58</td> </tr> <tr> <td>Marine Licence</td> <td>£ 13,940.00</td> </tr> <tr> <td>Public Art</td> <td><u>£ 20,000.00</u></td> </tr> <tr> <td>Total</td> <td>£ 1,547,663.41</td> </tr> </table>	Contingencies	£ 750,000.00	Professional Fees	£ 581,249.83	Non Contract	£ 182,473.58	Marine Licence	£ 13,940.00	Public Art	<u>£ 20,000.00</u>	Total	£ 1,547,663.41	
Contingencies	£ 750,000.00													
Professional Fees	£ 581,249.83													
Non Contract	£ 182,473.58													
Marine Licence	£ 13,940.00													
Public Art	<u>£ 20,000.00</u>													
Total	£ 1,547,663.41													
SUB-CONTRACTORS	None													
BACKGROUND PAPERS	None													

