

Record of officer decision

Decision title:	Decision to agree a variation of design services for the Ross Enterprise Park project with Engie Regeneration Ltd
Date of decision:	05 November 2019
Decision maker:	Director for Economy and Place
Authority for delegated decision:	<p>Cabinet Member Decision of 12/02/2019: Ross Enterprise Park – Phase 1 Development & Officer Decision of 07/07/2018: Ross Enterprise Park - Feasibility Arrangements</p> <p>Delegated the authority to implement the project and to take decisions within the allocated budget to the Director for Economy and Place</p> <p>Record of Officer Decision 11/09/2019 Variation of the Ross Enterprise Park New Project Request – Approved £44K of additional design works</p>
Ward:	Ross East
Consultation:	<p>A consultation briefing on the project took place with the relevant cabinet members and the local member on 05/09/19.</p> <p>The project board was consulted in relation to the proposal and there was full support for the proposal.</p>
Decision made:	<ul style="list-style-type: none"> • To agree new design services for the Ross Enterprise Park project with Engie Regeneration Ltd for £64K in addition to the original 2018 new project request and the previous £44K approval. • To approve internal highways and planning fees in relation to the above services at a cost up to £6000.
Reasons for decision:	<p>The initial New Project Request (NPR) was approved in August 2018, to instruct Engie Regeneration Ltd, the council's OJEU procured Development Regeneration Partner to undertake detailed design works for the scheme with a cost of £216,553. These initial costs aimed to progress the design to an appropriate level of completeness during the pre-construction phase. During this design work package, a number of issues were discovered at the site which could not have been foreseen at the time of the original NPR execution and required additional services to identify design solutions.</p> <p>This includes the discovery of an Openreach Fibre Optic Cable running the length of the proposed S278 works area, issues surveying the culvert due to significant blockages, uncertainties with the make-up and condition of the road, gulleys and elevations. In addition to this, issues found on the ground that relate to the design of the surface water drainage solution in addition to meeting foul water regulations, required additional design work.</p> <p>Additional design works were approved in September 2019. These works</p>

total circa £44,000 and included:

Vegetation clearance to provide access then a topological survey of the drainage

Slit trenches to identify Openreach cable depths

Topological & gulley survey of S278 area

Jetting & CCTV surveys of the culvert

New appointment to provide principle designer services to the scheme – HSE responsibility the employer (the council)

Core samples of the existing surface of the A40.

In addition to these works, it is considered that the following works are required to complete the design:

Culvert CCTV & facilitation survey

Site wide topography survey & ground penetrating radar

Section 73 planning variation and discharge conditions fees & regulation of plans

Water application fees

Entire site scan & scan of utilities

Asbestos survey of the farm buildings

Utility record reports

Ecological surveys

Stage 2 road safety audit and additional stage 2 road safety review

Openreach enquiry/design fees

Traffic signal design

Pond survey

Surface water drainage re-design

Revised pumping station design

Amendments required to Phase 1 plan to reflect design changes

Ground penetrating survey of the A40

Sustainable transport trigger works

S278 redesign

Condition survey of farm track

Engie Project Management time

Without the above services, which are £64k in addition to the previous approved New Project Request (inclusive of the previous £44,000 works approved), the design will not be complete, statutory obligations will not be discharged (such as planning conditions and the S278 agreement) and a full and final cost proposal for the scheme cannot be achieved. Additional internal fees of up to £5k may also be incurred as a result of these works for highways approvals and planning fees.

Greenwood projects, the council's quantity surveyor for the project has reviewed the fee proposals work and they are content that the fees represent fair value.

Following the gateway review of the scheme which resulted from the a draft construction scheme proposal from Engie Regeneration, the project board considered that to investigate all options, aside from do nothing, the final design should be completed. A full review of the options would be possible following the receipt of the final proposal.

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Legal: The original New Project Request agreement with Engie Regeneration Ltd. was for £216,646.93. An variation in the new project request for the new works totalling £108,000 will be generated for the services above services and the previous approval of £44,000.</p> <p>Finance/Risks: The costs of the works include the direct costs from subcontractors and Engie’s overhead and profit costs, in accordance with the Overarching Agreement. These are in addition to the previously agreed project request of £216,646.93 and other commitments to others (i.e. internal planning and Section 278 fees). Internal fees are applicable to any development.</p> <p>The officer decision of July 2018 approved a £375,000 budget for detailed design works, the current costs are therefore within this. The fee proposals are in line with Greenwood Projects experiences and Engie have sought competitive comparable quotes from their supply chain for these services.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not undertaking the appointment: This has been rejected due to the potential risks that the council would be exposed to in not proceeding as this would lead to an incomplete design and the council would not be able to fully consider all future options.</p> <p>Appointing a different services: The services identified are considered by the council’s regeneration partner to be essential to deliver the scheme and the final costings.</p>
<p>Details of any declarations of interest made:</p>	<p>n/a</p>

Signed

Richard Ball

Date: 05 November 2019

Director for Economy & Place