

Short Contract

A contract between **THE COAL AUTHORITY**

and

.....

.....

for **SHAFT FILLING WORKS AT USHAW MOOR FORMER PUMPING
SHAFT, OFF COCKHOUSE LANE, USHAW MOOR, DURHAM**

Contents	Page
Contract Forms	
Contract Data	2
The <i>Contractor's</i> Offer	4
The <i>Employer's</i> Acceptance	4
Price List	5
Works Information	6
Site Information	10
Conditions of Contract	CC1

Notes about this contract are printed in boxes like this one. They are not part of the contract.

Contract Data

The *Employer* is

Name THE COAL AUTHORITY

Address 200 LICHFIELD LANE, MANSFIELD, NOTTS, NG18 4RG

Telephone 01623 637000

Fax 01623 622072

E-mail address [REDACTED]@coal.gov.uk

The *works* are SHAFT FILLING WORKS

The *site* is USHAW MOOR, DURHAM

The *starting date* is TBC

The *completion date* is TBC

The *period for reply* is 1 weeks.

The *defects date* is 26 weeks after Completion.

The *defect correction period* is 4 WEEKS weeks.

The *delay damages* are NOT APPLICABLE per day.

The *assessment day* is the 28TH DAY of each month.

The *retention* is NOT APPLICABLE %.

Does the United Kingdom Housing Grants, Construction and
Regeneration Act (1996) apply?

Yes / ~~No~~ (delete as appropriate)

The *Adjudicator* is

Name THE INSTITUTION OF CIVIL ENGINEERS

Address

.....

Telephone Fax

E-mail address

Contract Data

The interest rate on late payment is 0.15 % per complete week of delay (approximately equivalent to 2% per annum above the base lending rate of the National Westminster Bank).

Insert a rate only if a rate less than 0.5% per week of delay has been agreed.

The *Employer* provides this
insurance

Only enter details here if the *Employer* is to provide insurance.

THE EMPLOYER PROVIDES NO INSURANCE

The minimum amount of cover for the third insurance stated in the

Insurance Table is £5M IN RESPECT OF EACH CLAIM, WITHOUT LIMIT TO THE NUMBER OF CLAIMS

The minimum amount of cover for the fourth insurance stated in the

Insurance Table is £5M IN RESPECT OF EACH CLAIM, WITHOUT LIMIT TO THE NUMBER OF CLAIMS

The *Adjudicator nominating*
body is

THE INSTITUTION OF CIVIL ENGINEERS

The *conditions of contract* are the NEC3 Engineering and Construction Short Contract April 2013 and the following additional conditions

Only enter details here if additional conditions are required.

CLAUSES Z1 TO Z25 ENCLOSED.

Contract Data

The *Contractor's* Offer

The *Contractor* is

Name

Address

Telephone Fax

E-mail address

The percentage for overheads and profit added to the Defined Cost for people is .%.

The percentage for overheads and profit added to other Defined Cost is .%.

The *Contractor* offers to Provide the Works in accordance with the *conditions of contract* for an amount to be determined in accordance with the *conditions of contract*.

The offered total of the Prices is

Enter the total of the Prices from the Price List.

Signed on behalf of the *Contractor*

Name

Position

Signature Date

The *Employer's* Acceptance

The *Employer* accepts the *Contractor's* Offer to Provide the Works

Signed on behalf of the *Employer*

Name

Position

Signature Date

Contract Data

Activity Schedule

Entries in the first four columns in this Price List are made either by the *Employer* or the tenderer.

If the *Contractor* is to be paid an amount for the item which is not adjusted if the quantity of work in the item changes, the tenderer enters the amount in the Price column only; the Unit, Quantity and Rate columns being left blank.

If the Contractor is to be paid an amount for the item of work which is the rate for the work multiplied by the quantity completed, the tenderer enters the rate which is then multiplied by the expected quantity to produce the Price, which is also entered.

[illegible]

Contract Data

Works Information

1 Description of the works

USHAW MOOR SHAFT IS A FORMER PUMPING SHAFT LOCATED OFF COCKHOUSE LANE, DURHAM. THE SHAFT IS TO BE FILLED TO STABILISE THE SHAFT AND REMOVE THE VOID.

FILL MATERIAL SHOULD BE CLEAN, INERT STONE WITH 75-150mm GRADING. NO LIMESTONE IS TO BE USED AS PART OF THESE FILLING WORKS. CONVEYORS OR A SIMILAR METHOD OF WORKING WILL BE REQUIRED TO ENSURE NO VEHICLES ENTER THE EXCLUSION ZONE FOR THE SHAFT. SAFE SYSTEMS OF WORK WILL BE REQUIRED FOR ALL PERSONNEL ENTERING THE EXCLUSION ZONE. THE *Contractor* IS TO ALLOW FOR ANY SPECIALIST EQUIPMENT AND ENABLING WORKS TO FACILITATE THE SAFE WORKING OF SITE PERSONNEL.

FOLLOWING COMPLETION OF THE FILLING WORKS, INFILL MATERIAL SHOULD BE MOUNDED OVER THE SHAFT. ADDITIONAL INFILL MATERIAL IS TO BE STOCKPILED ON SITE TO ALLOW FOR TOPPING UP OF THE FILL FOLLOWING SETTLEMENT. THE AREA AROUND THE SHAFT IS TO BE FENCED.

THE FORMER PUMP/WINDING HOUSE FOR THE SHAFT IS ADJACENT, ALL WORKS ARE TO BE DESIGNED TO ENSURE THE STABILITY OF THE BUILDING IS MAINTAINED AND THAT POTENTIAL DAMAGE TO THE BUILDING IS MINIMISED.

ENABLING WORKS TO THE ACCESS TRACK MAY BE REQUIRED IN ORDER TO FACILITATE SITE ACCESS AND DELIVERIES, IF UPGRADES TO THE TRACK/ACCESS ARE REQUIRED; THESE ARE TO BE LEFT IN SITU AT THE END OF THE CONTRACT. THE *Contractor* IS TO INCLUDE FOR ALL WORKS REQUIRED. THE *Contractor* HAS VISITED SITE AND HAD THE OPPORTUNITY TO ASSESS THE RESTRICTIONS AND REQUIREMENTS OF THE SITE.

AN ECOLOGY APPRAISAL OF THE SITE HAS BEEN UNDERTAKEN AND THERE ARE NO ECOLOGICAL REQUIREMENTS RELATING TO THE PROPOSED *works*.

APPROPRIATE TEMPORARY FENCING SHALL BE PROVIDED FOR THE DURATION OF THE *works*.

ANY SECURITY REQUIRED OUTSIDE OF THE *Contractor's* WORKING HOURS SHOULD BE INCLUDED FOR IN THE PRICE.

Contract Data

Works Information

2 Drawings

Drawing number	Revision	Title
I-346589-004	P1	SHAFT FILLING DRAWING

3 Specifications

Title	Date or revision	Tick if publicly available
CIVIL ENGINEERING SPECIFICATION FOR THE WATER INDUSTRY.	7TH EDITION	✓

Contract Data

Works Information

4 Constraints on how the *Contractor* Provides the Works

4.1 - WORKING HOURS ARE TO BE MONDAY TO FRIDAY 0800HRS TO 1800HRS

5 Requirements for the programme

5.1 - CONTRACTOR TO CONFIRM START DATE AT LEAST 7 DAYS PRIOR TO WORKS COMMENCING AND HAVE THE CONSTRUCTION PHASE PLAN ACCEPTED BY THE EMPLOYER NO SOONER THAN 5 DAYS PRIOR TO COMMENCING

6 Services and other things provided by the *Employer*

Item	Date by which it will be provided
NONE	

7 Completion

7.1 - AS CLAUSE 11.2(1).

7.2 - THE *Contractor* IS REQUIRED TO PROVIDE THE *Employer* WITH INFORMATION ON MATERIALS, QUANTITIES AND SUPPLIERS USED IN COMPLETING THE *works* FOR INCLUSION WITHIN THE HEALTH & SAFETY FILE.

8 Management of the *works*

8.1 – THE COAL AUTHORITY WILL BE *Employer* AND IS THE APPOINTED PRINCIPAL DESIGNER; THE *Contractor* WILL BE RESPONSIBLE FOR THE MANAGEMENT OF HEALTH & SAFETY IN DELIVERY OF THE *works* THROUGHOUT THE CONSTRUCTION PHASE. RISK ASSESSMENTS AND METHOD STATEMENTS ARE TO BE SUBMITTED TO THE *Employer* FOR THEIR APPROVAL IN ADVANCE OF ACTIVITIES COMMENCING.

8.2 – NEC3:ECSC STANDARD COMMUNICATION FORMS PREPARED BY NEC3 ARE TO BE USED FOR ALL COMMUNICATIONS.

9 Working with the *Employer* and Others

9.1 – THE *Contractor* WILL PROVIDE ALL NECESSARY WELFARE, OFFICES AND SECURE STORAGE FACILITIES REQUIRED TO UNDERTAKE THE *works* AND THESE WILL BE IN PLACE FOR THE *starting date* AND REMAIN UNTIL THE *completion date*, THIS INCLUDES TEMPORARY SECURITY BOUNDARY FENCING AROUND THE WORKING AREAS AND LOCKABLE GATES.

Contract Data

Works Information

9 Working with the *Employer* and *Others* (cont'd)

9.2 – WORKING AREAS WITHIN THE SITE REQUIRED TO COMPLETE THE *works* ARE TO BE AGREED WITH THE *Employer* PRIOR TO SUBMISSION OF THE *Offer*. THE EXTENT OF THE AGREED WORKING AREAS IS TO BE INCLUDED WITHIN THE *Offer*.

10 Health & safety

10.1 - THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 APPLY TO THE *works*. THE CLIENT AND PRINCIPAL DESIGNER IS THE COAL AUTHORITY OF MANSFIELD.

10.2 - LIFTING OF PLANT AND MATERIALS IS ENVISAGED, THEREFORE LIFT PLANS WILL BE REQUIRED TO BE SUBMITTED TO THE *Employer* FOR APPROVAL AND COMMENT AT LEAST TWO WORKING DAYS IN ADVANCE OF THE LIFT TAKING PLACE. ANY TEMPORARY PLATFORMS REQUIRED FOR CRANES ARE TO BE DESIGNED AND CONSTRUCTED BY THE *Contractor*.

10.3 - TEMPORARY WORKS – THE *Contractor* IS TO PRODUCE A TEMPORARY WORKS REGISTER AND EACH TEMPORARY WORKS ELEMENT IS TO BE CERTIFIED FOR CONSTRUCTION BY A PROFESSIONALLY QUALIFIED TEMPORARY WORKS DESIGNER REPRESENTING THE *Contractor*. THE TEMPORARY WORKS DESIGNER IS TO PROVIDE A SIGNED CERTIFICATE FOR EACH ELEMENT IDENTIFIED ON THE REGISTER AND THIS IS TO BE SUBMITTED TO THE *Employer* PRIOR TO INSTALLATION, USE AND / OR ENTRY.

10.4 – PERSONAL GAS ALARMS ARE TO BE PROVIDED BY THE *Contractor* FOR HIS PERSONNEL AND WORN AT ALL TIMES WHILST ACTIVITIES ARE BEING UNDERTAKEN. THE PERSONAL GAS ALARMS SHOULD BE MSA ALTAIR 4X OR SIMILAR APPROVED AND AS A MINIMUM SHOULD BE CAPABLE OF ALARMING WHEN THERE IS AN EXCESS OR A DEFICIENCY IN THE FOLLOWING GASES: OXYGEN, HYDROGEN SULPHIDE, CARBON MONOXIDE AND EXPLOSIVITY/COMBUSTION/L.E.L. GAS READINGS WITHIN EACH WORKING AREA ARE TO BE RECORDED EVERY 2HRS AFTER ENTRY HAS BEEN PERMITTED, AND AT THE END OF EACH WORKING DAY. RECORDS ARE TO BE AVAILABLE FOR THE *Employer* TO INSPECT AT ALL TIMES THROUGHOUT THE WORKS AND BE COLLATED AND SUBMITTED TO THE *Employer* ON COMPLETION. .

Contract Data

Site Information

THE SITE IS LOCATED AT APPROXIMATE MAP REFERENCE NS 422036 542759, COCKHOUSE LANE, USHAW MOOR, DURHAM.

THE SITE IS LOCATED WITHIN A COAL AUTHORITY OWNED ENCLOSURE. THE SITE IS ACCESSED DIRECTLY FROM COCKHOUSE LANE VIA A STONE TRACK; THIS MAY REQUIRE UPGRADING TO ENABLE THE WORKS TO BE COMPLETED. THE ENCLOSURE CONTAINS AN ABANDONED MINE SHAFT. THE SHAFT TO BE TREATED IS REF 422542-004 WITH AN ASSUMED DIAMETER OF 3.5m AND A DEPTH OF 121m. THE SHAFT WAS PREVIOUSLY USED AS A PUMPING SHAFT AND IS NOW ABANDONED. THE COVER HAS BEEN REMOVED FROM THE SHAFT AND IT IS BELIEVED TO BE VOID TO ITS FULL DEPTH. ACCESS TO THE ENCLOSURE IS THROUGH LAND OWNED BY DURHAM COUNTY COUNCIL OVER WHICH THE COAL AUTHORITY HAS A RIGHT OF ACCESS.

THE FOLLOWING ASSESSMENT OF THE GEOLOGY OF THE SITE AND GROUND CONDITIONS HAS BEEN INFERRED FROM AVAILABLE INFORMATION. NO ASSURANCE IS GIVEN TO ITS ACCURACY. FROM EXAMINATION OF DEVELOPMENT PLANS, HISTORICAL MINING RECORDS AND EXAMINATION OF THE GEOLOGICAL MAPS FOR THE AREA THE DRIFT DEPOSITS ARE ANTICIPATED TO BE BOULDER CLAY OVERLYING LOWER COAL MEASURES. DRIFT DEPOSITS ARE ANTICIPATED TO BE 32m THICK. THERE ARE BELIEVED TO BE 3 SEAMS WORKED FROM THE SHAFT. THESE ARE YARD SEAM AT 60m BGL, BUSTY AT 83m BGL AND BROCKWELL AT 112m BGL. THE WATER LEVEL IN THE SHAFT IS AROUND 54m BGL. A CCTV SURVEY OF THE SHAFT HAS BEEN UNDERTAKEN, THIS SHOWS THE LINING TO BE BLOCKS WITH NO EVIDENCE OF MOVEMENT AT THE TIME OF THE SURVEY. AN ENTRY INTO THE SHAFT IS FOUND AT 49m BGL. THIS IS BELIEVED TO BE THE INSET TO THE YARD SEAM WORKINGS. THE SHAFT WAS NOT SURVEYED BELOW THE WATER LEVEL. A COPY OF THE SURVEY CAN BE MADE AVAILABLE UPON REQUEST.

AN ECOLOGY APPRAISAL HAS BEEN UNDERTAKEN AT THE SITE AND HAS FOUND NO ISSUES. NO GROUND INVESTIGATION WORKS HAVE BEEN UNDERTAKEN AT THE SITE.

DUE TO THE CONSTRAINTS WITHIN THE SITE COMPOUND IT IS ANTICIPATED THAT SITE CABINS/WELFARE FACILITIES ETC WILL BE LOCATED OUTSIDE THIS AREA. ACCESS TO THESE AREAS HAS BEEN ARRANGED WITH THE LANDOWNER BY THE *Employer*.

THE EXCLUSION ZONE INDICATED ON DRAWING I-346589-004 SHOULD BE ADHERED TO AT ALL TIMES. NO VEHICLES ARE TO ENTER THIS AREA. PERSONNEL ARE ONLY TO ENTER THIS AREA USING APPROPRIATE SAFE SYSTEMS OF WORK.

THE BUILDING ON THE SITE IS BELIEVED TO BE THE FORMER ENGINE HOUSE FOR THE SHAFT. THE BUILDING IS TO BE RETAINED DURING THE DURATION OF THE WORKS. THERE IS KNOWN TO BE A BASEMENT WITHIN THE BUILDING. DUE TO THE INHERENT INSTABILITY OF THE SITE, THE BUILDING HAS NOT BEEN SURVEYED AND THE EXTENT OF THE BASEMENT HAS NOT BEEN CONFIRMED. INFRASTRUCTURE ASSOCIATED WITH THE FORMER COLLIERY CAN BE FOUND TO THE EAST OF THE SITE. ALSO LOCATED TO THE EAST OF THE SITE ARE THE PIPE RANGES AND ASSOCIATED STRUCTURES FROM THE CEASED PUMPING ACTIVITIES.