



Department
for Environment
Food & Rural Affairs

Suite D
Unex House
Bourges Boulevard
Peterborough
PE1 1NG

T: 03459 [REDACTED]
helpline@defra.gsi.gov.uk
www.gov.uk/defra

[REDACTED]
Micropropagation Services
East Leake
Loughborough
Leicestershire
LE12 6PE

Date: 25 June 2020
Contract Ref: ECM56225

Dear [REDACTED]

Contract Amendment – ‘Works to Propagate, Supply and Apply Endemic Sphagnum for use on Fenn’s, Whixall & Bettisfield Mosses NNR

On behalf of Project Officer ([REDACTED]) I have enclosed Contract Change Note One for additional propagation of Sphagnum, required because of delays to site preparation, reflected by the increase of contract value by the agreed sum of £15,000 (ex VAT).

All other terms and condition of this contract remain un-changed.

Can you please confirm acceptance of this amendment by pressing the ‘Accept Proposal’ button on Bravo.

Yours sincerely

[REDACTED]

[REDACTED]
Technical Services Team
Defra Group Commercial
T: 020 802 [REDACTED]
Defra.Gov.uk



Department
for Environment
Food & Rural Affairs

CONTRACT CHANGE NOTE

Contract Change Note Number	ONE
Contract Reference Number and Title	ECM_56225 - LOT 3 - Works to Propagate, Supply and Apply Endemic Sphagnum for use on Fenn's, Whixall & Bettisfield Mosses NNR
Variation Title	Additional Sphagnum Propagation
Number of Pages	Two

Whereas **Micropropagation Services** and the **Authority** entered into a contract for the provision of **Works to Propagate, Supply and Apply Endemic Sphagnum for use on Fenn's, Whixall & Bettisfield Mosses NNR** dated 01/08/2019 (the "Original Contract") and now wish to amend the Original Contract.

It is agreed as follows:

1. With effect from 25/06/2020 the Original Contract shall be amended as set out in this Contract Change Note:

Change Requestor	Robert Duff	
Summary of Change	Propagate additional Sphagnum to replace previously propagated Sphagnum that have become un-viable due to prolonged storage	
Reason for Change	<p>This contract relies on the completion of site preparation works, under a separate contract, due to complete by 31 March 2020. In readiness for completion of works Sphagnum moss was propagated and then placed in cold storage ready for immediate application.</p> <p>However, the site experienced the heaviest rainfall for over 30 years preventing works completion. Under justification of <i>Force majeure</i> the site preparation contract was extended to 30 Sept 2020 to allow time for the site to sufficiently dry out and works to complete.</p> <p>Recent examination/testing of the prepared Sphagnum found that a substantial portion was no longer viable due to storage for far longer than planned. The only remedy is to propagate more, resulting in increased costs. Application costs remain un-changed.</p>	
Revised Contract Price	Original Contract Value	£79,140
	Previous Contract Changes	£0
	Contract Change Note One	£15,000
	New Contract Value	£94,140
Revised Payment Schedule	All work and reporting must be completed by 31 Dec 2020.	
Revised Specification	See below Annex A for additional work	
Contract Period Remains Un-changed	1 August 2019 – 31 December 2021	

2. Save as herein amended all other terms and conditions of the Original Contract shall remain in full force and effect.

Execution of the Contract Change Note is carried out in accordance with EU Directive 99/93 (Community framework for electronic signatures) and the Electronic Communications Act 2000. The revised Contract is formed on the date on which both Parties communicate acceptance of its terms on the Authority's electronic contract management system ("Bravo").

Annex A

Delays (flooding and Covid 19) between October 2019 and July 2020 prevented the receptor fields at Whixall Moss being ready in time for planting of the supply of Beadahumuks kept in prolonged cold storage. These Beadahumuks have shown significant signs of deterioration due to the delay. As a result there is a high risk that a high proportion of the material will not successfully establish and grow when planted in September 2020.

Additional Works

To mitigate for this situation it is proposed to propagate starting in June 2020 a fresh supply of Beadhumok to replace and/or supplement the stored material.

Between 55% -100% of the Beadhumoks (between approx. [REDACTED] and [REDACTED] plug) will be replaced in accordance with the technical assessment by the contractor, of the stored material.

The cost of this will be shared between the contractor and Natural England. Natural England agrees to contribute a fixed sum of £15,000 (plus VAT) towards the cost of growing the new Beadahumuks.

Cost breakdown:

- Supply an additional quantity of fen mix BeadaHumok equal to 70% of that in the existing contract - additional cost to NE £5,000
- Supply an additional quantity of bog mix BeadaHumok equal to 50% of that in the existing contract - additional cost to NE £10,000

No additional cost expected to the planting costs as new humoks will be planted with existing Humoks in cold storage ie two in the same hole.

Costs are proportionate to the original contract, as demonstrated below:

Beadhumuk	Area	Number of plugs @ 5 per square metre	Estimated % to be replaced	Number of newly grown replacement humuks
Fen Mix	0.6 ha	30,000	Minimum 70% - max 100%	[REDACTED]
Bog Mix	1.72 ha	86,000	Minimum 50% - max 100%	[REDACTED]
Total (Fen and Bog Mix)		116,000	Minimum 55% - max 100%	[REDACTED]
Total Cost	2.32 ha	£ 27,840 (Original Tender Cost less VAT)		£15,000 (additional cost less VAT)

Original Overall planting density (per square metre) remains at 5