



Department  
for Environment  
Food & Rural Affairs

# Contract Award Report

## Bronze

C25490 - Northwold SidestreamSide-stream  
Gauging Station – AOMR Framework

ENV0004954C

August 2024

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STATUS

DRAFT / FINAL / APPROVED

This document is classified as

[OFFICIAL SENSITIVE]

## Template Change History

| Date        | Summary of Change   | Author(s)                 |
|-------------|---|---------------------------|
| Jan 20      | First Approved Template Version   | SDP Team                  |
| April 20    | Inclusion of Compliance Checklist   | SDP Team                  |
| Sept 20     | Table of contents format. New Governance  | SDP Team                  |
| May 22      | Addition of executive summary   | COO Policy & Process team |
| Oct 22      | Changes related to online capture of Risk Register when using Atamis. Additional IPR Note | COO Policy & Process team |
| August 2024 | Project Specific update   | Lisa Tuck Dgc             |

## Executive Summary

| C2549 - Northwold Sidestream GS                                    |                    |
|--|--------------------|
| Contracting Authority  | Environment Agency |
| DgC Commercial Lead & Category Team                                | Lisa Tuck          |
| Customer SRO and Budget Owner                                      | Dr Anna Sharpin    |
| Business Area and Contract User(s)                                 | Bronze             |
| Estimated Total Contract Value and Term (inc. Possible Extensions) | £113,751.00        |

| Outline of Procurement Strategy  |                |
|--|----------------|
| <p>The Environment Agency are seeking approval of the procurement strategy for a direct award for Northwold Sidestream GS.</p> <p><u>The Lot 1 suppliers, Breheny Civil Engineering Ltd, CPC Civils Ltd, Jackson Frameworks Ltd, JN Bentley Ltd, Land &amp; Water Services Ltd and Stonbury Ltd Services in the East Hub have been procured under the framework to provide civil engineering works for the Environment Agency. The estimated value to be allocated to each delivery partners has been shown below:</u></p> |                |
| <u>Delivery Partner</u>  | <u>Value</u>   |
| <u>Breheny Civil Engineering Ltd</u>   | <u>£1,177k</u> |
| <u>CPC Civils Ltd</u>  | <u>£210k</u>   |
| <u>Jackson Frameworks Ltd</u>  | <u>£375k</u>   |
| <u>JN Bentley Ltd</u>  | <u>£130k</u>   |

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|                                      |              |
|--------------------------------------|--------------|
| <u>Land &amp; Water Services Ltd</u> | <u>£265k</u> |
| <u>Stonbury Ltd</u>                  | <u>£225k</u> |

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As per the guidance for the AOMR framework, we have considered the AOMR equitable split guidance, and we consider that we have allocated work in line with this guidance considering locality, capacity and expertise. The LDL has explained to DgC that the allocation to Breheny seems high and that this is based on previous experience with Breheny, knowing that they are geographically placed well to service our programme, will generate efficiencies and that they are very fairly priced compared to other delivery partners. Until we have prices back from other delivery partners, we won't know how fair the split will be, but we can manage this in year depending on final contract award values. The likelihood is also that some projects may be removed from the programme due to deliverability/affordability as the current programme contains an unfunded 5% over-programme as per National guidance for Resource programmes. This combined with the Incident Response provision contingency allows us to further equitably balance the split in-year if required.

C&B LDLs and FOTCAs will liaise with those in other areas within the Eastern Hub to encourage a fair and equitable split across the Hub in line with guidance.

These contracts will all be under an industry standard New Engineering Contract version 4 (NEC4) Engineering and Construction Shortform Contract (ECSC) or Engineering and Construction Contract (ECC) Option C/A.

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### **Preparatory Works**

Installation of a temporary dam on the southern site boundary, for works in the dry, and over-pumping of flow to re-enter the channel downstream of the works area.

Marking and scanning of underground services at the gauging stations (power, phone line, telemetry).

Marking of the upstream metal steps and defunct gauge board post prior the removal and storage onsite.

The removal of the failed bank material and existing concrete revetment upstream & downstream of the side stream flume.

### **Project Details**

To Install 50 mm diameter cable ducting from the middle of the side-stream channel with an inspection chamber at the top of the bank.

The installation of a geotextile membrane on cleared banks for approximately 12 m upstream and 13 m downstream of the flume, leaving the ends of the stilling well pipes

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and ducting in the channel above the membrane. To make repairs to the Side stream flume – stabilising the structure where it has been undermined by flood flows and infilling cracks e.g. on the upstream concrete left wall. To install of approximately 1 m of rock armour on either side of the repaired flume, and to Install of c. 3 heavy concrete slabs in the riverbed 5 m upstream of the flume (and upstream of the steps and gauge board post locations) flush with the top of the revetment (that will be installed subsequently) and anchored into the bed, also to Install the concrete revetment blocks along banks and channel bed approximately 10 m upstream and 11 m downstream of the flume after the rock armour. In the channel bed the revetment is to lie below the stilling well pipe ends and ducting end and for them to be flush with the concrete slabs; also, to make a hole for new gauge board post to be left free of blocks, also to Install a replacement upstream gauge board post. To install a 1 m rock armour toe up and down stream at the end of the concrete vestment with it ending at the at the southern fence. To reinstate the upstream step.

To make good of any third-party structures along the access route if needed, and disturbed ground works, and reseeding (grass, wildflowers).

#### **Requirement**

This will be a Direct award under the AOMR Lot 1 Framework, the partner will be Breheny Civil Engineering Ltd.

Timescales: September 2024 – March 2025

Total Estimated Value: £113,751.00

The [seepe-short form contract](#) will be collaboratively developed by the EA and DgC with the Consultant and reviewed by the Commercial Services Manager before issuing for pricing. The contract price will be set through requesting a pricing breakdown from Breheny Civil Engineering Ltd, this will be reviewed by EA internal team.

#### **To-Outline of tender and evaluation process**

Not applicable – Direct award under AOMR Delivery Framework (Lot 1)

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|  |  |
|--|--|
| Procurement Procedure or Existing Route to Market selected | <i>DgC AOMR Lot 1 Framework Direct Award</i>   |
| Risk management approach                                   | Risk have been identified and mitigated by both the Project Team and Consultant. Procurement Strategy and appropriate owners/ratings have been attributed to them. |

| Procurement / Contract Milestone Dates                 |            |
|--|------------|
| Invitation to Tender (ITT) Publication Date:           | 18/07/2024 |
| Publish Contract Award Notice:                         | 23/07/2024 |
| Contract Start Date:                                   | 02/09/2024 |
| Works Start/Service Commencement/Goods Delivered Date: | 31/03/2025 |

| Contracting Strategy                                       |  |
|--|--|
| <i>Contract Type and Outline Structure</i>                 | <i>Infrastructure Category – AOMR Framework</i>  |
| Due Diligence Undertaken                                   | Due diligence with respect to the supplier has been carried out at framework level under the AOMR Delivery Framework.                      |
| Benefits Realisation including Sustainability/Social Value | Savings that have been achieved against the approved budget for this requirement have been recorded at rear of this Contract Award Report. |
| Contract Management Strategy Summary                       | Dr Anna Sharpin (EA PM) will managing this contract as appropriate in the NEC4 – AOMR Deed of Agreement and user Guide                     |

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## Contract Award Report

### Compliance Checklist

| Ref. | Question   | Answer<br>(Y / N)       |
|------|--|-------------------------|
| 1    | Have all mandatory documents been completed and saved (or completed) in the correct folder on the eSourcing system being used?<br>i. Updated Risk & Issues tab in the project record and/or Risk & Issues Register saved in the relevant folder<br>ii. Updated Contract Management Plan – relevant folder<br>iii. Regulation 84 Report – relevant folder | i. Y<br>ii. Y<br>iii. Y |
| 2    | Has the customer approved the Contract Award Report?   | Y                       |
| 3    | Was the opportunity published on Contracts Finder if over the threshold for the Customer organisation (£10k Defra/RPA/APHA/NE and £25k EA and MMO)?  | N/A                     |
| 4    | Have all evaluators completed COI Declarations either through the system or saved in the relevant folder on the project record?  | Y                       |
| 5    | Has all evaluation evidence been saved in relevant folder (Evaluation Evidence)?   | Y                       |
| 6    | Has any due diligence been completed on the preferred supplier?  | Y                       |
| 7    | Have checks of the financial standing/stability of the preferred supplier been made and are any identified risks acceptable and manageable?  | Y                       |
| 8    | Has provision been made to publish a Contract Award Notice and a redacted contract within 30 days?   | Y                       |
| 9    | Have all data fields on the eSourcing system project record been completed and all workflow Tasks are up to date?  | Y                       |



## Introduction / Background

This contract award report presents the recommendation to award a contract for Northwold Sidestream GS.

The Contract Award Report should be read in conjunction with the Procurement Strategy which sets out the basis for the procurement and the objectives that a successful delivery will be measured by. This was approved on June 2024 L ~~aura Collison-McLean (eaise Vincent~~ (Eastern Commercial Manager).

The recommendations within this document confirm that the procurement activity has been undertaken in compliance with appropriate legislation, Government policy and Defra group Commercial guidance.

## Governance & Stakeholder Engagement

The key stakeholders detailed in the Procurement Strategy have remained constant throughout this procurement exercise and have fulfilled the roles and responsibilities agreed as part of this procurement activity.

| Stakeholder Name | Role in Procurement Activity | Organisation           |
|------------------|------------------------------|------------------------|
| Dr Anna Sharpin  | Project Manager              | Environment Agency     |
| Martyn Phillips  | Project Executive            | Environment Agency     |
| Lisa Tuck        | Commercial Lead              | Defra Group Commercial |
| Khalisah Ali     | Senior Commercial Lead       | Defra Group Commercial |

## Value and Contract Period of the Proposed Contract Award

Key value and contractual period details are provided below:

|   |                             |
|---|-----------------------------|
| Total Contract Value (exc. V.A.T.) (inc. Possible Extensions) | £113,751.00                 |
| Contractual Term (Original)                                   | September 2024 – March 2025 |
| Contractual Start Date of Original Term                       | September 2024              |
| Contractual End Date of Original Term                         | March 2025                  |
| Contractual Term (inc. Possible Extensions)                   | 6 Months                    |
| Extension Criteria  | N/A                         |
| Milestone Dates   |                             |

## Risk Management

| Risk Detail   | Owner | Likelihood/<br>Impact | Remedial Action   |
|---|-------|-----------------------|---|
| Projects with an estimation near the £200k limit will be direct awarded and proceeded with if the price comes back above the £200k. | EA    | L                     | <p>The threshold for DGC involvement on projects over £55k will help to ensure that any project that will be close to the £200k limit are fully understood with estimates being reconciled against the agreed framework priced workbooks.</p> <p>Early conversations with the allocated supplier around pricing will be undertaken to gain a better understanding of the actual cost of a project. If at this early stage it is clear the project will be above £200k, this will be removed from the equitable split and tendered to all 6 suppliers in the normal way.</p> |
| Scope   | EA    | L                     | <p>The project manager will review the contract scope against current business needs and make any changes as necessary. The scope will also be reviewed by Defra Group Commercial (DGC) and Commercial Services Manager (CSM) and the Delivery Framework AOMR supplier. As far as possible we will only award contracts where we can provide a clear scope</p>  |
| Weather   | EA    | L/M                   | <p>If significant rainfall events result in out of banks flows the works will have to be paused. This may not necessarily result in the abandonment of the works given that there is significant float in the Contractor's Programme, but it may mean that additional Contractor costs are incurred during any pause in the works. The works are scheduled to take</p>  |

|                           |  |  |   |
|---------------------------|--|--|---|
|                           |  |  | place at the time when flows are typically at their lowest; whilst they are higher than usual for the time of year still after the heavy rainfall sustained the winter and spring, this is still the likeliest times for lower flows.   |
| Stilling well pipe damage |  |  | If any damage is noted on the Northwold Sidestream stilling well pipes as failed site materials are removed, the works may need to be paused while the pipes are repaired; the contractor has been advised and can undertake these additional works as a compensation event if necessary. In an attempt to reduce this risk the EA PM is in discussions with a CCTV consultant to either examine the state of the pipes internally before the works or as soon as the working area is dry; this will ensure sufficient time to undertake any repairs. |

## Sustainability, Social Value and Government Initiatives

Consideration has been given in the construct of this award to the following Sustainability, including Social Value and Government Initiatives.

| Initiative     | Brief of Discussions  | Included (Y/N)                            |
|----------------|---|---|
| Sustainability | Refer to the relevant organisations' Sustainability Policy.                                     | Yes – refer to the AOMR Deed of Agreement |
| SMEs           | Little opportunity for direct SME involvement, but sub-contracting opportunities are available. | Yes – refer to the AOMR Deed of Agreement |
| Social Value   |   | Yes – refer to the AOMR Deed of Agreement |
| Modern Slavery |   | Yes – refer to the AOMR Deed of Agreement |
| Prompt Payment | It is a mandatory requirement for the Suppliers to be a signatory to the Prompt Payment Code.   | Yes – refer to the AOMR Deed of Agreement |

## Due Diligence

All self-certified elements of the tender have been validated and have passed the verification process. Due diligence with respect to the supplier has been carried out at framework level under the DgC AOMR Lot 1 Framework.

## Financial Stability

Financial stability checks with respect to the supplier has been carried out at framework level under the AOMR.

## Conditions of Contract

| Engineering and Construction Shortform Contract (ECSC)  |     |
|---|-----|
| The conditions of contract are the NEC4 Engineering and Construction Short Contract June 2017 and the following additional conditions |     |
|   |     |
| <b>Z clauses</b>  |     |
| Z1 Sub-contracting  | Yes |
| Z2 Environment Agency as a regulatory authority   | Yes |
| Z3 Confidentiality & Publicity  | Yes |
| Z4 Correctness of Site Information  | Yes |
| Z5 The Contracts (Rights of Third Parties) Act 1999   | Yes |
| Z6 Design   | Yes |
| Z7 Change to Compensation Events  | Yes |
| Z8 Framework Agreement  | Yes |
| Z9 Termination  | Yes |
| Z10 Data Protection   | Yes |
| Z11 Liabilities and Insurance   | Yes |
| Z12 Packaging   | Yes |
| Z13 Contract Administrator  | Yes |
| Z14 Inflation   | Yes |

## Benefits Realisation

| Benefit | Opportunity                             | Value     | Measurement    |
|---------|---|-----------|----------------|
| Savings | Avoiding the cost and time of tendering | £7,570.00 | Standard Value |

## Contract Management

The finalised Bronze Contract Management Plan is attached, see Supporting Documents.

Recommendation

It is recommended that Breheny Civil Engineering Ltd are awarded the contract for the sum of £113,751.00 for the provision of Northwold Sidestream GS Project.

Approvals

Agreements and signatures:

Project Executive.....  ..... — Date ...21.08.24

Project Manager..... *Anna Sharpin* ..... — Date...21.08.24

Commercial Lead..... Lisa Tuck ..... — Date  
~~22/08/2024~~.....

Senior Commercial Manager/Officer..... *Khalisah Ali* ..... —  
Date 22<sup>nd</sup> Aug 2024.....

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Supporting Documents

| Title                             | Document  |
|-----------------------------------|---|
| Contract Management Plan – Bronze | <a href="#">LINK</a>                                |
| Risk & Issue Register (required)  | <a href="#">LINK</a> or 'Yes, up to date in Atamis' |
| RASCI (Recommended)               | <a href="#">LINK</a>                                |

