

15 May 2024

Report of	Head of Sustainability	Author	Adam Norris, Mel Rundle & Lucie Breadman
Title	Procurement - Direct Award Contract for Main Contractor of Fieldgate Quay Repair and Development work		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Quayside of the Fieldgate site formerly leased to C-Truks Marine Services, in the Hythe area of Colchester City is in urgent need of repair following the failure of a 15-metre section of the Sheet Piling which has collapsed into the river Colne. The remaining 235-metre section has also begun to pull away from the Quayside meaning further collapse is imminent. This presents serious health and safety concerns and has led to the diversion of a public footpath.
- 1.2 The project is currently split into 2 phases. The 1st phase is to repair the failed 15-metre section in a “like for like” fashion; this has been agreed with the local Planning team. The 2nd phase is to re-develop the remaining 235-metre section and re-naturalise the site by removing the failing sheet piling to grade back the bank and re-instate the footpath along the top of the newly formed bank.
- 1.3 The Council’s Capital Programme includes £4m for the estimated cost of repair works (approved through Full Council Budget Setting process) but given the amount of spend Cabinet approval is required.
- 1.4 Following relevant survey work and detailed design the fixed cost for Phase 1 is £905,000. Survey work and Design for Phase 2 is on-going but as the works area is far larger than that of phase 1 with large volumes of soil needing to be removed, it is projected the overall value of the project (both phases) will be circa £3.8 million. Therefore, a budget of £4 million provides contingency if required.

2. Recommended Decision

- 2.1 Due to the value of the project/appointment being over £500k, it is recommended that the PFH is assigned delegated authority in relation to Phase 1 and Phase 2.
- 2.2 That approval is given to combine both phases into one Design and Build JCT 2016 Contract and make a direct appointment to Henderson & Taylor Ltd.

3. Reason for Recommended Decision

- 3.1 This recommendation is being made due to the overall cost of the works required, along with the on-going health and safety issues the failing sheet piling is presenting and the need to repair as soon as possible.

- 3.2 Movement sensors have been placed along the Quayside which have demonstrated the remaining sheet piles are pulling away from the quay and starting to collapse. Essentially the longer the site is left to deteriorate, the more work will be required to complete the development. This will inevitably lead to increased health and safety issues, complaints from local residents and a higher cost to the project due to the increased complexity of the work required.
- 3.3 Henderson & Taylor Ltd are an approved supplier to Colchester City Council and have carried out many projects on their behalf. They have very good experience of this type of project and the local area having completed sheet piling repair works along the river Colne in the past. The cost's they have submitted to date in relation to Phase 1 have been scrutinised and deemed competitive.

4. Alternative Options

- 4.1 Engage in full Procurement process projected to last 3-4 months. This would risk further collapse and more expense due to the added complications a collapse would create. It is also unlikely that any extended procurement process would provide more choice in contractor or reduced costs due to the specialist nature of the works required.

5. Background Information

- 5.1 The Council owns the section of quayside known as Fieldgate Quay which forms part of a former commercial harbour located on the tidal section of the River Colne. In November 2020 Officers were notified of a collapse to a section of steel piled river wall adjacent to the site leased to Alnmaritec operating as CTruks Marine Services. This was caused by a failure of the wall anchor system and the corrosion of sheet piles from which the wall is largely constructed. The sheet piles bowed and protruded out into the river. The section of quay behind the failure point subsequently subsided including the collapse of a public right of way running alongside the wall which has remained closed since. Monitoring of the full quayside was undertaken, and movement was detected in several other locations with piling beginning to deflect away from the quay. There is one area (Phase 2) of more significant movement and concern remains this area will fail similarly to the section further upriver. An outlet pipe serving the sewage treatment works operated by Anglia Water is located close to the section of failed sheet piling. The outlet is part of a significant separate concrete construction set back from the river wall and is in sound structural condition with no evidence to suggest the failed steel piling is compromising the outlet structure.
- 5.2 The site has been cleared of the industrial waste left by the previous tenant, a small office building situated adjacent to the collapsed section has been demolished to allow the main contractor to effect repairs, and the public footpath which had been closed, has been temporarily re-routed through the main site via a fenced corridor.
- 5.3 Specialist Environmental consultants have been appointed to assess the site and propose meaningful development options which meet the project objectives of stabilising the site, re-naturalising as much as possible and moving the footpath back onto its original route along the top of the quayside.

6. Financial implications

- 6.1 Further collapse of the quayside will bring more complications, cost and complexity. Making the direct award to Henderson & Taylor for both phases of the project will limit the risk of escalating costs a further collapse would create.

6.2 The overall estimated budget for Fieldgate Quay is £4,000,000. The project (P1 & 2) forms part of the Council's Capital Programme, funded by borrowing and have been agreed as part of the budget setting process by Full Council.

7. Risk Management Implications

7.1 There are financial risks of escalating costs should the project be delayed, alongside the health and safety risks mentioned above.

8. Environmental and Sustainability Implications

8.1 Through re-naturalizing large sections of this former industrial site the project will support local eco-systems and return much of the quayside to its original state. This is in line with the council's Climate Emergency ambitions.

8.2 The swift appointment of Henderson & Taylor will remove the health and safety hazards presented by the current collapsed section (Phase 1) and will greatly mitigate the risks presented by further collapse within the Phase 2 area. This will also allow the re-opening this section of Quayside to the public to enjoy.

9.0 Equality, Diversity and Human Rights implications

9.1 Through the Council's Procurement Strategy, Officers will ensure that all procurement and purchasing documentation recognises, understands, and supports the Council's policies with regards to equal opportunities, diversity, and human rights.

10. Publicity Considerations

10.1 For those residents living, working or commuting through the area along with businesses located in the Hythe area a Taskforce was developed made up of key stakeholders, working together to address key issues linked to flooding in the area. This Taskforce has provided a useful means of updating on progress around the failure of the wall along Fieldgate Quay. Regular press updates have also been issued.

11. Health, Wellbeing and Community Safety Implications

11.1 Failure of the Quayside resulted in loss of public amenity and walkway through the area and while this has been re-routed residents are keen to see the quayside route back in action once the repairs are completed.

12. Risk Management and Health and Safety Implications

12.1 The initial failure did pose a severe health and safety risk and was quickly closed off from the public and has remained so. Moving swiftly to repair mitigates against further risk and health and safety implications and combining Phase 1 and 2 also aims to reduce the time it will take, thus minimising further failure.