

**ANGUS COUNCIL**

**INFRASTRUCTURE SERVICES COMMITTEE – 3 MARCH 2009**

**TENDER FOR ENVIRONMENTAL STUDIES ON CONTAMINATED LAND FOR  
REMEDATION**

**REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES**

**ABSTRACT:-**

**This report informs the Committee of tenders received for environmental studies on contaminated land and seeks homologation of the decision to engage a specialist consultancy contractor to satisfy relevant statutory requirements in respect of such investigation and reporting.**

**1. RECOMMENDATIONS**

1.1 It is recommended that the Committee agree :-

- (i) To note the report and the tenders received.
- (ii) To homologate the award of the contract to Enviro Consulting Ltd for the sum of £52,800 on the basis of the tendered project as outlined in this report.

**2. BACKGROUND**

- 2.1 As a result of environmental legislation, Angus Council is required to identify and investigate all land within its area that has potentially been 'contaminated' by current or historical activities. Land is defined as 'contaminated' if substances within the soil or groundwater present a risk of harm to human health and/or the surrounding environment e.g. rivers and wildlife. A number of such sites have been identified by Angus Council who are now looking at them in more detail.
- 2.2 Among such sites are areas where historical infilling (e.g. areas where refuse or rubbish might have been buried at some point) is suspected to have taken place - according to records held by the Council. The first phase in assessing areas of suspected infilling involved desktop studies which has already been completed.
- 2.3 The next stage of the assessment is to collect soil samples and fit small gas and groundwater monitoring/sampling wells. Soil and water samples are then sent to a laboratory for chemical analysis, where any contaminants present are identified and quantified. The results of this laboratory analysis are used to determine if there is any risk to the environment from any contaminants present.
- 2.4 The purpose of this tender is to contract specialists in the area of environmental studies to undertake the scientific tests and assessments.

### 3. TENDERS DETAILS

Company	Total
ARUP	£149,166.00
ATKINS Ltd	£155,565.00
Clarkebond	£198,270.00
Entec UK Ltd	£79,200.00
Enviro Surveying Ltd	£76,878.00
ENVIRON	£81,552.00
Environmental Reclamation Services Ltd	£85,005.00
Enviros Consulting Ltd*	<b>£52,800.00</b>
ERM UK	£108,866.85
Grontmij	£103,390.83
IKM Consulting Ltd	£100,850.00
Ironside Farrar Ltd	£77,375.00
Mason Evans Partnership Ltd	£78,960.00
Merebrook Consulting Ltd	£85,608.99
Millard Consulting	£78,440.00
RPS Planning and Development Ltd	£79,312.50
RSK Geoconsult Ltd	£129,217.50
SLR Consulting Ltd	£44,910.00
Terrenus Consulting Ltd	£69,710.00
W.A. Fairhurst & Partners	£119,986.50
WSP Environmental Ltd	£130,410.00
WYG Environment Planning Transport Ltd	£80,600.85

\*Recommended for Acceptance

### 4. TENDER ANALYSIS

- 4.1 A single tender process was undertaken for a number of surveys of contaminated land sites. The tender process was on the basis of price subject to some minimum qualification thresholds being met.
- 4.2 Tenderers were required to breakdown prices by four main activities, namely:-
- Consultancy fee;
  - Testing and analytical laboratory cost;
  - Geotechnical (bore holes etc);
  - Provision of a report on each site.
- 4.3 Further subdivision of costs was also suggested to provide more detail of methodology, analytical tests and supervision. This would inform cost checks during tender analysis.
- 4.4 The SLR Consulting Ltd tender is the lowest offer overall, but on checking there were concerns about the projected cost of drilling and laboratory fees. These were the

two areas of activity with the lowest cost quoted out of all tenders received and the areas of activity where the tenderer would have to sub contract and have less control over price.

- 4.5 On checking with SLR it was confirmed that they had not specifically included consultant supervision for drilling and bore hole testing whereas this was indicated in a number of other tenders including the next lowest tender from Enviros Consulting Ltd.
- 4.6 Regarding these subcontracted costs, qualifying statements offered by SLR suggests that while these costs had been listed in the tender at a lower rate, variation in the work would render the price higher in reality. On checking with SLR they were unable to confirm or otherwise the extent of any variations associated with the subcontracted elements of the tender or categorically stand by the rates given. For this reason the tender was not considered to be valid.
- 4.7 Enviros Consulting Ltd was the second lowest overall offer received, but in relation to SLR Enviros have quoted less for the consultancy element and also for the provision of the report. The subcontracted activities in the tender were clearly itemised and costed by Enviros showing the level of consultant support for the geotechnical survey work. Laboratory testing was more defined, indicating a realistic range of costed parameters necessary for such a study.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Funding is available within the Infrastructure Services (E & C P) Financial Plan with £80,000 allocated to this project in financial year 2008/2009.
- 5.2 Although tenders were received in December there followed a protracted period of checks and assessment which affected the timescale for the award of the contract and delivery of the work within this financial year. Under normal circumstances an approach could have been made to the Exemptions Co-ordinator for the work to have been awarded under delegated powers on the basis of a number of contracts based on the individual sites. Financial Regulations (16.12(1) (b)) however requires committee approval in any instance where the lowest valid tender is not recommended for approval. As the SLR tender was not considered to be valid the contract was awarded to Enviros Consulting Ltd. At £52,800 this is marginally above the delegation limit and should have been reported to committee prior to award.

## **6. CONCLUSION**

- (1) Tenderers have understood the works as expressed by the tender documents.
- (2) The tender submitted by Enviros Consulting Ltd is keenly priced and is suitable for acceptance.
- (3) The programme proposed by Enviros Consulting Ltd is in line with the tender requirements.

## **7. HUMAN RIGHTS**

- 7.1 There are no human rights implications arising as a result this report.

## **8. EQUALITIES IMPLICATIONS**

- 8.1 The issues dealt with in this Report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

## **9. CONSULTATION**

The Chief Executive, Director of Corporate Services, Head of Law and Administration and Head of Finance have been consulted on the contents of this report.

**Eric S Lawson**  
**Director of Infrastructure Services**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

**E&CP/IW/GK**  
**09/02/2009**