ABSTRACT
This report updates Committee on progress on the A935 Brechin to Montrose Route Action Plan (RAP) which consists of the bend realignments at West Broomley, Balwyllo and Mill of Dun.

1 RECOMMENDATIONS

1.1 It is recommended that the Committee:

(i) notes the progress made by officers in final land negotiations for the A935 Mill of Dun bend alignment;

(ii) notes the progress made by the Head of Roads in preparing final designs and contract documents for the A935 bend realignments at Mill of Dun, West Broomley and at Balwyllo;

(iii) notes that the Head of Roads will proceed with the procurement of the works under three separate construction contracts, the preparation of a select list of tenderers for the works, issuing tenders, and awarding the three separate contracts to the lowest tenderers all under delegated authority subject to satisfactory checks and in line with the council’s Financial Regulations.

2 BACKGROUND

2.1 As previously reported to Infrastructure Services Committee the Head of Roads is progressing with bend realignments along the A935 between Montrose and Brechin. Further to Report Nos 462/09 and 418/10 design work has been progressing at the locations of West Broomley, Balwyllo and Mill of Dun.

2.2 The Conservation Agreement on Dunmill Cottage was extinguished by the National Trust for Scotland and this property has since been purchased by the Council and subsequently demolished. Both West Broomley Cottage and Dunmill Cottage have now been demolished to make way for the proposed works.

2.3 In terms of statutory consents the Head of Planning & Transport has advised the Head of Roads that the three proposed projects would constitute Permitted Development under Class 31 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) and therefore no planning permission would be required.

3 PROPOSALS

3.1 To minimise the disruption along the A935, it is proposed to carry out the works as individual projects with West Broomley first, then Balwyllo followed by the realignment of the double bends at Mill of Dun.

3.2 The Head of Property is currently negotiating the purchase of land required for the works at the three locations. These negotiations are almost complete.

3.3 The construction contract values for each of the three contracts proposed under the A935 RAP fall within the delegated authority limit of the Head of Roads as set out in Appendix 1 of Section 16 of the Financial Regulations.
3.4 It is proposed that the A935 RAP construction works, to be undertaken in financial year 2011/2012, are let under three separate contracts to best manage the traffic disruption along this A-Class route.

3.5 It is proposed that the Head of Roads will:

(i) approve a list of tenderers for a select list to be invited to tender for each of the project works;

(ii) issue invitations to tender and evaluate said tenders for each of the project works; and

(iii) award contracts for the proposed construction works in accordance with the council’s Financial Regulations and after the necessary land acquisitions have been concluded.

3.6 Once land negotiations are complete it is proposed to start construction of the realignment at West Broomley in summer 2011, followed by Balwyllo in Autumn 2011 and Mill of Dun later within 2011/12.

3.7 The proposals are to complete all three sections of the works within the financial year 2011/2012.

4 RISK MANAGEMENT

4.1 A risk management exercise has been undertaken to identify where the risks that can impact against achievement of objectives are identified, the consequences evaluated and proposals identified to manage the risks.

4.2 The tender prices that are received will be subject to risk of price fluctuations from those estimated pre-tender. This is due to a number of factors including inflation (e.g. in materials, fuel), availability of resources, the tenderers assessment of contract risk and competition in the market. Roads Division holds a historical record of previously tendered rates, which include works of this type. These are used and assessed on a contract-specific basis to establish an accurate pre-tender estimate, which is initially used to compare against the available budget and then against the submitted tenders when undertaking the evaluation exercise. The use of the Approved Lists of Contractors for various categories of work up to a maximum contract value of £500,000 will ensure that only suitably resourced, qualified and experienced contractors will be selected to submit tenders for each of the proposed three construction contracts. This will manage the risk of received tenders being unduly high or potentially uneconomically low and should ensure that the submitted tenders are both competitive and realistic.

4.3 The major risk to the delivery of this project at this time is land acquisition. Should, for some reason, land negotiations not be completed in early financial year 2011/12, this could result in an underspend in the Division’s capital expenditure for 2011/12. Ongoing discussions with the landowners indicate that no problems are anticipated with the acquisition of the land required for the construction of the works but recent experience has shown that what are considered to have been relatively straightforward transactions have, through no fault of the council, taken longer than anticipated to be finalised.

5 FINANCIAL IMPLICATIONS

5.1 The total cost of the three bend realignments including land, property, engineering design, construction and site supervision is estimated to be in the region of £1,675,000 and these costs may be broken down as follows:
Table 1 – Costs of the Bend Realignments

<table>
<thead>
<tr>
<th>Scheme</th>
<th>Estimated Total Costs of Preferred Options £’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Broomley</td>
<td>520,000</td>
</tr>
<tr>
<td>Balwyllo</td>
<td>410,000</td>
</tr>
<tr>
<td>Mill of Dun</td>
<td>745,000</td>
</tr>
<tr>
<td>Total for A935 Bend Improvement Schemes</td>
<td>1,675,000</td>
</tr>
</tbody>
</table>

5.2 The figures in Table 2 below show the current expenditure profiles from the Council’s 2009/2013 Financial Plan (Report No 109/11 refers) for the preparatory and construction costs of the three proposed realignments at West Broomley, Balwyllo & Mill of Dun.

Table 2 – Current Provision from 2009/2013 Financial Plan

<table>
<thead>
<tr>
<th></th>
<th>Estimated Total Cost</th>
<th>Actual to 31/03/10</th>
<th>Provisional Budget 2010/11</th>
<th>Estimate 2011/12</th>
<th>Estimate 2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>A935 (RAP) Preparatory Costs</td>
<td>634 255 300</td>
<td>300</td>
<td>79</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>A935 (RAP) Construction Costs</td>
<td>1,041 0 0</td>
<td>1,031</td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cost Roads Capital</td>
<td>1,675 255 300</td>
<td>1,110</td>
<td>10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6 HUMAN RIGHTS IMPLICATIONS

6.1 The Committee approved recommendations in terms of Human Rights implications in reports 418/10 and 462/09 where it was considered that the Council would not be acting in any way which is incompatible with Human Rights.
7 EQUALITIES IMPLICATIONS

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment is not required.

8 SINGLE OUTCOME AGREEMENT

8.1 This report contributes to the following local outcomes contained within the Single Outcome Agreement for Angus.

- Communities in Angus are safe, secure and vibrant.

9 CONSULTATION

9.1 The Chief Executive, Director of Corporate Services, Head of Finance, Head of Property and Head of Law and Administration have been consulted in the preparation of this report.

10 CONCLUSION

10.1 The Committee note the progress of the A935 Brechin to Montrose Route Action Plan, and approve the proposal to carry out all three bend realignments under separate construction contracts within the 2011/2012 financial year.

ERIC S LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES

NOTE:
The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

Report 418/10 A935 Route Action Plan Update – Purchase of Dunmill Cottage – Infrastructure Services Committee – 1 June 2010


Report No 752/07 A935 Montrose - Brechin Route Action Plan - Infrastructure Services Committee – 28 August 2007

Report No 521/07 (TACTRAN Capital Grant 2007/08) - Infrastructure Services Committee – 14 June 2007

Report No 1488/06 (A935 Brechin to Montrose Acceptance of Tender) - Infrastructure Services Sub-Committee – 14 December 2006

Report No 1390/06 (Scottish Executive Capital Funding for Regional Transport Partnerships in 2007/08) - Infrastructure Services Committee – 23 November 2006.
Report No 1304/06 (Select List of Tenderers for Carriageway and Associated Works: A935 Brechin to Montrose) – Angus Council – 2 November 2006

Report No 329/06 (Scottish Executive Capital Funding for Regional Transport Partnerships in 2006/07 and 2007/08) - Infrastructure Services Committee – 9 March 2006.


ROADS/JG/WS/BF