

MILTON BURN FLOOD PREVENTION SCHEME

1. SUMMARY

The purpose of this report is to advise on the status of the project.

2. RECOMMENDATIONS

That the contents of the report are noted.

3. DETAILS

Morrison's have agreed to our proposals and have instructed the solicitors acting for them to finalise the agreement to enter their land to carry out the works. However the lawyer who had been dealing with this left the employment of the solicitors with a new lawyer now dealing with the matter and this has resulted in a further delay in finalising the agreement. Tenders will be issued once an acceptable written agreement is in place. A possible timeline is below, noting that the overall programme hinges on the date agreement is reached with Morrison's and that the date used below is an assumed value, not a programmed date:-

Written Agreement obtained with Morrison's	30 September 2010 — subsequent dates depend on this.
Tender Issue	22 October
Tender Return	19 November
Review of tender and issue of Standstill letter to tenderers	29 November
Award Contract	10 December
Site start	17 January 2011
Works complete	18 November 2011

The structural design is complete and the tender documentation is ready for issue apart from minor amendments that may be required depending on the final agreement reached with Morrison's.

The current main risks to the project are as below:-

Morrison's	- agreement yet to be reached.
Cost	- the current estimate of costs is at the limit of budget. Most of this uncertainty will be resolved upon receipt of tender prices.
Weather	- the flow in the burn is the main risk, but low temperatures will prevent concrete/surfacing works being undertaken.
Ground	- Unexpected ground conditions may be encountered.
Legal	- As with any tender process there is a low risk of challenge in terms of process and ultimate appointment of a successful contractor.
Contractor	- The contractor may not keep to programme.

The supermarket representatives have indicated that their preferred time to allow entry to their ground would be from January and this is now a very tight timescale due to the delays encountered.

Utility diversions in John Street are agreed and alterations to British Telecom apparatus behind Regent and Salisbury Terrace have also been agreed.

Written agreement is in place with ACHA for temporary access to their land to carry out the works and terms have been agreed with Crown Estates for the construction of the new outfall and although the paperwork for this has not yet been completed it is understood that this would not delay the start of the works.

All other necessary consents are in place.

For further information, please contact:-

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Principal Engineer

14 September 2010