



# EXECUTIVE MEMBER DECISION

<b>REPORT OF:</b>	Executive Member for Growth and Development
<b>LEAD OFFICERS:</b>	Strategic Director of Environment & Operations
<b>DATE:</b>	28 October 2022

<b>PORTFOLIO/S AFFECTED:</b>	Growth and Development
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<b>WARD/S AFFECTED:</b>	(All Wards);
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<b>SUBJECT:</b> Highways civils and carriageway resurfacing procurement strategy
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## 1. EXECUTIVE SUMMARY

The Council wishes to establish a long-term framework agreement for carriageway and footway re-surfacing and civils work.

With the estimated, spend being circa £5 million over a four-year period (2 year plus a 2-year extension option) the Council needs to undertake a tendering exercise. The tender opportunity will be advertised on Find A Tender Service and the documents will be available to download on the E-tendering portal (The Chest).

## 2. RECOMMENDATIONS

That the Executive Member:

Approve the procurement strategy for the provision of a re-surfacing and civils framework

## 3. BACKGROUND

The Council needs to establish a carriageway and footway re-surfacing and civils framework as part of its Highways function. The works will be issued in works packages, consisting of all relevant information required for the Contractor to price.

On the 28<sup>th</sup> February 2022 the Department for Transport (DfT) confirmed details of future Integrated Block Allocations and Local Highways Maintenance Capital Block Funding for 2022/23 to 2024/25. The intervention projects identified within this tender will be wholly funded by these allocations.

The works packages will involve a selection of the following items:

- Footway improvement and re-surfacing
- Carriageway construction or improvement and re-surfacing including replacement and realigning the kerbs
- Relocation, resetting and replacement of Street furniture
- Relocation and replacement of Traffic Signage and markings

- Installation of traffic signals, pedestrian facilities and other ancillary works, carried out in conjunction with the Council's traffic signal partner
- Installation of street lighting carried out in conjunction with the Council's traffic signal partner
- Testing and commissioning of the signalised junctions, carried out in conjunction with the Council's traffic signal partner
- Highway drainage adjustments
- Liaison with stakeholders and the public
- Traffic management
- Disposal of any materials removed as part of the works
- Provision and installation of Hostile Vehicle Mitigation measures as part of the constructed works

Tenders will be evaluated against the following criteria:

- Quality 60%
- Price 25%
- Social Value 15%

Maximising social value will be an important part of this tendering process and subsequent contract. Therefore as detailed above the proposed evaluation score for social value will be 15%. Contractors will be required to confirm what contractual commitments they are willing to make to help tackle one or more of the Council's social value priorities.

In addition, the Council carrying out its own tendering exercise rather than using a national framework agreement will mean local businesses have the opportunity to bid.

Submissions will be assessed on the basis shown in the instructions to the tender document. The 3 highest scoring Contractors on each lot who can clearly demonstrate the ability to meet our requirements and who offer the most economically advantageous tender will be placed on the Framework following the evaluation process.

### **Further-Competition (once on the Framework)**

Suppliers who have successfully gained a place on the Framework will be invited to participate in further-competitions for each work(s) package that arises on that Framework.

Work packages will typically contain both the elements of surfacing and civils so will be allocated to whichever Framework covers the majority of the work(s) e.g. 80% surfacing 20% civils will be let on the surfacing Framework.

Contractors who are unable to provide both elements of a work package may approach Contractors from the other Framework for the elements they are not able to provide and / or may also approach the general market.

Contractors on the Framework will be approached with a brief / schedule of works and designs for the project and given approximately 2 weeks to submit a price. The winning Contractor will be chosen on the basis of pricing.

#### **4. KEY ISSUES & RISKS**

##### **OPTIONS CONSIDERED AND REJECTED:**

- Use an existing Framework agreement. This was rejected because it would mean local businesses not on the Framework would be unable to bid.
- Continue with individual tenders for each package of work. This was rejected because it is resource intensive and time consuming both for Council officers and contractors submitting tender documents for each separate package of work.

#### **5. POLICY IMPLICATIONS**

All highway intervention projects will be identified and undertaken in accordance with the Councils Highways Infrastructure Asset Management Plan.

All schemes proposed directly accord with the Local Transport Plan 3 Strategy and the Local Transport Plan 4 Strategy, once published in 2023.

#### **6. FINANCIAL IMPLICATIONS**

The procurement process will be carried out in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

Funding sources are identified within section 3 of this report. The programme will be closely monitored to ensure full spend and any further variations or amendments will be reported as part of the Councils normal financial monitoring process, either to the Executive Board or via the Executive Member for Growth and Development.

#### **7. LEGAL IMPLICATIONS**

The Council has a statutory duty under Sections 108 and 109 of the Transport Act 2000 ("the Act") (as amended by the Local Transport Act 2008) as local transport authority to ensure that the Council has up to date policies for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within their area. Each local transport authority must prepare a document to be known as the local transport plan ("LTP") containing its policies for the purposes above and its proposals for the implementation of those policies.

All schemes included within the tender packages will be designed and implemented in accordance with relevant highway, transport, traffic and equality legislation; and will need to be procured in accordance with the Council's constitution, procurement law and; where relevant, European directives; and any grant conditions.

#### **8. RESOURCE IMPLICATIONS**

Officers from the Contracts and Procurement Team and the Highways team to write the invitation to tender document, evaluate the submitted bids and to subsequently run the further competition exercises.

All professional fees will be met from allocations detailed, and staff time met from existing resources. External contractors will be procured to deliver schemes that cannot be delivered by internal resources. Procurement will be in line with current best practices identified by HMEP standards.

## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

All schemes will be the subject of detailed individual consultations with the emergency services, stakeholders and the wider community.

The proposed works have been informed by the options expressed in the most recent National Highways and Transport Public Satisfaction Survey. Residents and stakeholders will be informed prior to the start of the proposed works in respect to the nature of the scheme and their anticipated duration. This will be communicated via the Council's website, social media facilities, leaflets and letters as appropriate. Customer feedback will be actively sought on completion of each scheme, with feedback analysed and used to improve the service in the future.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Dwayne Lowe</b>
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<b>DATE:</b>	6 <sup>th</sup> October 2022
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<b>BACKGROUND PAPER:</b>	
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