

RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE

DELEGATED POWERS OUTLINED IN THE CONSTITUTION



DELEGATED OFFICER DECISION TAKEN BY:	Strategic Director of Environment & Operations, Strategic Director of Growth & Development
DELEGATED BY:	Planning Committee 21-10-2022
IN CONSULTATION WITH:	Chief Officer
PORTFOLIO AREA:	Environment

SUBJECT: Highways Minor Works Framework Agreement

1. DECISION

To invite the three highest scoring tenderers onto the above Framework Agreement for two years with the option to extend for a further two years. The three companies in order of score are:

1. A J Bretherton Groundworks & Plant Hire
2. Multevo Ltd
3. JJ O'Grady Ltd

2. REASON FOR DECISION

An advertised competitive tendering exercise was undertaken via the Council's e-tendering portal – The Chest and there were 15 on time submissions. The bids were evaluated against the following published scoring criteria:

Price – 65%
Quality – 20%
Social Value – 15%

As detailed in the tender documentation, it is proposed the three highest scoring bidders are invited onto the framework agreement.

3. BACKGROUND

The Council needs to establish a minor works framework, as part of its highway maintenance function, which provides labour, plant, equipment and occasionally materials resources to undertake repair and improvement works.

The Contractor/s will mainly provide gangs of two or three operatives, with transport and equipment, that will work independently or alongside the Council's Highways Team.

Works include but are not restricted to repairing, maintaining and installing:

- Kerbing, Edging, Channelling, Step Units, including PCC, Stone and Specialist Granite products
- Combined kerb and drainage blocks and linear surface drainage systems,
- Footway paving including PCC flagstones, block paving, tactile flagstones including potentially high specification materials such as granite and york stone products,
- Drainage – repair or install surface water drains including pipework, connections and fittings,
- Drainage – installing manholes and road gullies with associated connections and fittings
- Renewing and / or adjustment levels of existing ironwork covers including manhole and gully cover and frames, fire Hydrants, stop taps and inspection covers in carriageway and footway,
- Ducting of all types including Traffic Signals, Street Lighting, Communications, including all associated Chambers and Covers
- Bituminous surfaces – hand lay all types of bituminous materials (macadams, asphalts etc) in carriageway and footway including pothole and patching repairs
- Groundworks – excavate trial holes, undertake minor earthworks excavation and disposal in all types of materials and the importing, placing and compacting of aggregates,
- Install Street Furniture – all types of signs, bollards, litter bins, benches etc including stainless steel and high specification products
- Brickwork, Blockwork & Stonework – walls and retaining structures.
- Traffic Signals - NAL Sockets, Chamber Boxes / Covers and Frames, Loop Boxes and Ducting

Maximising social value is an important part of this tendering process and subsequent contract. Therefore, as detailed above, the proposed evaluation score for social value was 15% of the scoring marks available.

Contractors were required to confirm what contractual commitments they would be willing to make to help tackle one or more of the Council's social value priorities.

The Council undertook its own tendering exercise, rather than using a national framework agreement, which gave local businesses an opportunity to bid and two of the three successful contractors are based in the borough.

Council officers from the Highways Department and the Contracts and Procurement Team evaluated the submissions. Each bid was scored against price, quality and social value criteria as detailed in the tender documents.

4. KEY ISSUES AND RISKS

The following risks and issues have been considered:

- Currently, not having a formal contract in place for minor works is a risk to service delivery. This contract mitigates the risk with the successful contractors all being required to enter into a formal call-off contract (with terms and conditions) under seal with the Council.

- By appointing three contractors to the framework, the risk of service delivery failures is further mitigated should one contractor not perform adequately or cease trading.
- Potential “teething problems” with a new contractor/s. This will be mitigated with a robust implementation plan being put in place before the new contract begins and the plan will be supported by established performance indicators which will be maintained throughout the duration of the contract.
- Cost control - The works undertaken will be minor in nature with limited associated risks, contractors will only provide resources when requested to do so and they will be paid monthly for the resources provided at agreed costs. The Council will therefore have good control of the expenditure through this contract.

5. FINANCIAL IMPLICATIONS

The pricing submitted by the contractor ranked first is similar to the rates currently paid by the Council. In the current financial climate this is a very positive outcome. The costs of works to be undertaken during the term of the contract will be met from within existing budgets.

6. LEGAL IMPLICATIONS

The procurement process has been carried out in accordance with the Council’s Contract and Procurement Procedure rules and the Public Procurement Regulations. Contracts will be in a form approved by legal officers.

7. RESOURCE IMPLICATIONS

The Highways Operations Manager and Highways management team will liaise with the three companies on the minor works framework and allocate work to them as necessary to assist the Highways service to meet deadlines for highway repairs and highways improvement works.

8. OPTIONS CONSIDERED AND REJECTED

- Use of an existing framework agreement - this was rejected as it would mean local businesses and SME’s would not have the opportunity to bid.
- Continue with the short term ad-hoc arrangements - this was rejected because the aggregated value meant a tender exercise had to be undertaken to meet the Council’s Contracts and Procurement Procedure Rules. In addition, it is felt a longer term contract would offer better value for money and increased resilience in terms of business continuity.


Further information is available via the following link [] or from the report author

9. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION: 1	12 January 2023
CONTACT OFFICER:	Les Smith les.smith@blackburn.gov.uk Joanne Byrne joanne.byrne@blackburn.gov.uk
DATE:	12-01-2023

BACKGROUND DOCUMENTS:	N/A
------------------------------	-----

Signed: 	
Director Strategic Director of Environment & Operations, Strategic Director of Growth & Development	Date: 12 January 2023

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**11. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION:	1
-----------------	---

CONTACT OFFICER:	
-------------------------	--

DATE:	
--------------	--

BACKGROUND DOCUMENTS:	
------------------------------	--

DIRECTORS - has legal and finance advice been considered ?
--

<input type="checkbox"/> YES	<input type="checkbox"/> NO
------------------------------	-----------------------------