

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

DELEGATED POWERS OUTLINED IN THE CONSTITUTION



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

DELEGATED OFFICER	Strategic Director of Environment & Operations
DECISION TAKEN BY:	Operations
DELEGATED BY:	Executive (date of delegation)
IN CONSULTATION WITH:	Chief Officer
PORTFOLIO AREA:	Regeneration

SUBJECT: Surfacing & Civils Framework Agreement

1. DECISION

To award lots 1 and 2 of the above framework agreement.

Lot 1 Surfacing – Award to:

- Tarmac Trading Limited
- Bethell Construction Limited
- Aggregate Industries UK Ltd

Lot 2 Civils – Award to:

- Bethell Construction Limited
- Multevo Ltd
- A E Yates Ltd

2. REASON FOR DECISION

An advertised competitive tendering exercise was undertaken via the Council's e-tendering portal – The Chest. The framework agreement is divided into four lots and bidders could apply for one or more lots. The four lots are:

- Lot 1 – Surfacing
- Lot 2 – Civils
- Lot 3 – Surface Dressing
- Lot 4 – Specialist Surface Treatments

The award of lots 3 and 4 has been approved in a previous paper titled 'RDP-Surfacing and Civils lots 3 and 4 award'.

The Council received 12 on time submissions for lot 1 and 15 for lot 2. These submissions have been evaluated by officers from the Highways Team and the Contracts and Procurement Team.

The following published scoring criteria was used to evaluate the bids:

Price – 25%

Quality – 60%

Social Value –15%

3. BACKGROUND

Blackburn with Darwen Borough Council is responsible for the management of a large range of highways and footways in various stages of repair and maintenance. There is an on-going requirement to keep these assets well-maintained and to carry out new work and repairs quickly, effectively and efficiently to keep them in good working order, to improve transport circulation and in order to avoid costly remedial works in the future.

The Council has an existing internal department which carry out some works but the framework is intended to bolster capacity for small-scale and larger jobs where no in-house capacity exists. Some of this work will be regular, planned and routine and other work will be part of larger schemes.

The works will be issued in works Packages and will consist of all relevant information required for the Contractor to price these works.

Each lot will have a maximum of three contractors. The successful contractors on each lot will be invited to participate in mini-competitions for each works package if sufficient contractors are available.

Contractors on the framework will be approached with a brief, a 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 AND RISKS

The following risks and issues have been considered:

- Currently, not having a formal contract in place for surfacing and civils work 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.
- Cost control - The successful contractors have provided indicative costs which will be fixed for 12 months and each individual works package will be subject to a mini-competition scored on price. The Council will therefore have good control of the expenditure through this contract.

5. FINANCIAL IMPLICATIONS

The costs of works to be undertaken during the term of the contract will be met from within existing budgets. In the context of the Council's Financials Strategy and the Strategic Workstreams being pursued by the Council, the procurement of goods and services such as those set out in this report

is a key strand to achieving the Council's aim of financial sustainability.

The Framework Agreement may produce some savings, as the competitive tendering process is likely to drive down costs to below the current rates. This, combined with the review of the schedule of works to achieve best value for the Council, will seek to meet the general aim of a 10% reduction in costs to the Council.

6. LEGAL IMPLICATIONS

There are no implications, the procurement process was carried out in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

7. RESOURCE IMPLICATIONS

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 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, the Council having its own longer term framework agreement will 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. CONSULTATIONS

10. 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
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CONTACT OFFICER:	Robert Sutcliffe, Les Smith
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DATE:	14/03/2023
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BACKGROUND DOCUMENTS:	N/A
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