



# 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 April 2023

**PORTFOLIO/S AFFECTED:** Departments

**WARD/S AFFECTED:** Darwen East;

**SUBJECT: Holden Fold / Knowle Lane / Moor Lane Junction Improvements - Contractor Procurement Strategy**

## 1. EXECUTIVE SUMMARY

1.1 This report seeks approval for the proposed contractor procurement strategy for the Holden Fold / Knowle Lane / Moor Lane Junction Improvements.

## 2. RECOMMENDATIONS

That the Executive Member:

2.1 Approve the proposed contractor procurement strategy for the Holden Fold / Knowle Lane / Moor Lane Junction Improvements, as outlined in this report.

## 3. BACKGROUND

3.1 The infrastructure works now proposed form the next stage of the DEDC (Darwen East Development Corridor) improvement scheme.

3.2 As part of Highway Improvements scheme it has been identified that improvements and enhancements at the junction at Holden Fold / Knowle Lane / Moor Lane to aid traffic flow and also create new parking areas for local residents. The proposals will include:

- A reconfigured road layout at the existing Knowle Lane / Moor Lane junction
- A new residents parking area on Knowle Lane
- A new residents parking area off Moor Lane

3.3 A Planning Application (Reference: 10/23/0143) has been submitted following a residents consultation meeting and engagement with Ward Members in September 2022.

3.4 The Council will utilise the pre-procured Growth Framework for procurement of the construction works. The Framework has five partners with the appropriate experience to deliver the project.

3.5 The Council's Framework has been previously used for civil engineering schemes, including the successful delivery of three Growth Deal schemes.

3.6 The successful contractor will be procured through a mini-competition. All five partners will have the opportunity to better their Framework tendered rates or retain them. This process will help ensure the Council is receiving value for money.

3.7 Tenders will be evaluated on: 70% Price / 30% Quality (including 15% for Social Value). Bidders will be asked to price the works which will need to remain valid for 3 months.

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

4.1 A rigorous selection process to appoint Framework partners has already been undertaken in 2017 which included both price and quality, this enables the Council to appoint a suitable contractor in condensed timescales.

4.2 An Expression of Interest has already been issued to the contractor which has confirmed multiple partners are interested in bidding the opportunity.

4.3 Other procurement options have been considered including an open tender. There are other frameworks available however none of which is suited to this project's needs. The Framework partners have vast amount of experience in the borough and have a commitment to using local labour and suppliers which is a key priority for the Council.

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

5.1 There are no policy implications to progress with the procurement of a contractor

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

6.1 The project and budget were approved at March 2023 Executive Board – Local Transport Plan 23/24.

6.2 The project will be funded by the Council's Local Transport Plan and secured S106 contributions.

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

7.1 The invitation to tender will be advertised to the framework partners through the Chest. The procurement process will be managed by the Council's Procurement Team.

7.2 The NEC3 ECC Option B (Priced contract with Bill of Quantities) will be utilised to appoint the contractor, with appropriate Z clauses included to mitigate the Council's risk.

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

8.1 Growth, Highways, Procurement and Legal resources will be utilised.

8.2 The Council's partner WSP has prepared the design of the scheme and will be part of the team to evaluate the tender responses.

## 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

A Resident's consultation meeting was carried out, together with Ward members/Executive Members engagement. The planning application will consult with the wider public through the Planning Application process

## 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>Saf Alam</b>
<b>DATE:</b>	March 2023
<b>BACKGROUND PAPER:</b>	None