

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

## DELEGATED POWERS OUTLINED IN THE CONSTITUTION X



**BLACKBURN**  
with  
**DARWEN**  
BOROUGH COUNCIL

<b>DELEGATED OFFICER</b>	Strategic Director of Environment & Operations
<b>DECISION TAKEN BY:</b>	Executive
<b>DELEGATED BY:</b>	(date of delegation) 10 March 2023
<b>IN CONSULTATION WITH:</b>	Executive Member
<b>PORTFOLIO AREA:</b>	Regeneration
<b>Growth &amp; Development</b>	

### **SUBJECT: Temporary Traffic Management Framework**

#### **1. DECISION**

Award the Temporary Traffic Management Framework to:

1. Utilities Design & Planning
2. Premier Traffic Management

#### **2. REASON FOR DECISION**

An advertised competitive tendering exercise was completed via the Council's e-tendering portal – The Chest. The Council received 18 on-time tender submissions.

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

Price – 55%  
Quality – 30%  
Social Value – 15%

Based on the above scoring criteria, Utilities Design & Planning were deemed to have submitted the most economically advantageous tender with an evaluation score of 92.50% and Premier Traffic Management in second place with a score of 57.38%.

The bids were evaluated by officers from the Highways Team and the Contracts and Procurement Team.

#### **3. BACKGROUND**

Blackburn with Darwen has a statutory duty to manage and maintain the local highway network and frequently needs temporary traffic management measures to ensure safe road works,

temporary closures, local event management or emergency incident response while minimising disruption to road users.

Following the end of the Council's formal agreement with KAYS Traffic Management Systems Ltd in late 2022, the Council have been using Multevo Ltd as a temporary measure for their traffic management requirements. This Framework will provide a formalised long-term solution for Blackburn with Darwen Borough Council's Temporary Traffic Management requirements.

A framework agreement is preferred over a single supplier contract to provide security of supply. This is useful due to the nature of the service, which can involve a lot of emergency/unplanned work that a single supplier may not be able to fulfil on short notice. Having a second supplier available also protects the council against long-term supplier failure issues.

Establishing our own framework was preferred to using an existing national framework as it has given local suppliers the opportunity to bid for the contract. This will provide a cost and quality benefit to the council due to the nature of the works.

The Framework Agreement will be established for an initial two years with two further one-year extension options.

The Framework will be awarded to the two highest scoring contractors. The first placed contractor will be offered all subsequent work that falls under the framework agreement. Any work that the first placed contractor does not have capacity to complete will then be offered the second placed contractor. The Highways Team will be in charge of monitoring the performance of the first placed contractor to ensure performance levels do not fall below the required standard set out in the agreement. Consistent poor performance will result in the Utilities Design & Planning being placed in 'special measures' and Premier Traffic Management being offered all subsequent work until Utilities Design & Planning can prove they have made the required improvements.

#### **4. KEY ISSUES AND RISKS**

Currently, not having a formal contract in place for temporary traffic management is a risk to service delivery. This framework agreement mitigates the risk with the successful contractors all being required to enter into a formal call-off contract under seal with the Council.

Cost control - The successful contractors have provided indicative rates, which they are required to fix for 12 months from the contract start date. Any future price increases will be capped at no more than CPI.

Consideration has been given to the financial position of the successful contractors and included in further detail in part 2 of this report.

#### **5. FINANCIAL IMPLICATIONS**

- No major financial implications, the cost of the services to be undertaken will be met from within existing budgets
- This framework will produce savings, as the rates submitted by Utilities Design & Planning and Premier Traffic Management are significantly below the current rates.

#### **6. LEGAL IMPLICATIONS**

No 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.

## 7. RESOURCE IMPLICATIONS

No major resource implications. Officers from the Highways Team will be required to manage the framework in accordance with the performance monitoring information included in the tender documentation.

## 8. OPTIONS CONSIDERED AND REJECTED

- 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.
- Use of an existing framework agreement - this was rejected as it would mean local businesses would not have the opportunity to bid.

## 9. CONSULTATIONS

## 10. DECLARATION OF INTEREST

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Robert Sutcliffe/Joanne Byrne</b>
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<b>DATE:</b>	20-09-23
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<b>BACKGROUND DOCUMENTS:</b>	Temporary Traffic Management – Exec Member Decision
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